

AMENDMENT ADDING ARTICLE XXXIV, ADOPTED NOVEMBER 1, 1989
WITH SUBSEQUENT AMENDMENTS AS NOTED

ARTICLE XXXIV

Development Regulations

34.1. **SCOPE AND INTENT.**

This Article includes a variety of development related regulations which are designed to insure that development, and infrastructure additions and improvements are provided in the best interest of the health, safety and welfare of the citizens of Fulton County, and to assure that development regulations and review procedures are standardized and equitably applied.

34.2. **COMPLIANCE.**

Any land disturbance activity or any development activity must comply with the development standards of Fulton County along with any other applicable local or state regulations. Compliance with the provisions of this Article, and actions to bring about compliance with this Article shall be in accordance with administrative guidelines of the Environment and Community Development Department. (Amended 11/03/93)

34.3. **APPEALS.**

The Director of the Environment and Community Development Department shall administratively consider variance appeals to Article XXXIV in accordance with Article XXII, APPEALS. (Amended 11/03/93)

34.4. **PERMIT AND SIGN-OFF REQUIREMENTS.**

These standards acknowledge or establish Fulton County requirements for permits for development of properties within the unincorporated area of Fulton County. All development shall comply with these and other requirements including, but not limited to, the Fulton County Tributary Buffer Ordinance, the Fulton County Tree Preservation Ordinance and Administrative Guidelines, the Fulton County Sediment and Erosion Control Ordinance, and the Georgia Metropolitan Area River Protection Act.

34.4.1.

LAND DISTURBANCE PERMIT PREREQUISITES. Prior to the issuance of a Land Disturbance Permit or the issuance of a certificate of occupancy for each phase of development, the following documents shall be submitted to the Director of the Environment and Community Development Department for approval. (Amended 11/03/93)

- A. Site Plan. A site plan which meets or exceeds the requirements contained herein and the Environment and Community Development Department administrative guidelines, and incorporates the following therein:
 - 1. A certified boundary description based on a survey of the entire property.
 - 2. A graphic representation of those conditions of zoning which can be graphically represented. This is not intended to require that conditions of zoning be written-out on a site plan.
 - 3. Zoning case number and other relevant file numbers.
- B. Grading Plan with Phasing.
- C. Erosion and Sediment Control Plan. A separate sheet depicting erosion and sediment control measures as required by the State of Georgia.
- D. Landscape/Tree Protection Plan. A detailed landscape or tree protection plan for all required buffers, landscape strips, tree protection zones, and screened areas. If project completion does not coincide with an appropriate planting season, or if water prohibitions are in effect, a performance bond may be posted to delay planting until an appropriate time approved by the Fulton County Arborist. (Amended 3/6/91, 03/03/04)
- E. Storm Water Management Plan (Name Changed 07/07/93)
 - 1. Evaluate the downstream ditch stability and bank erosion protection potential of existing downstream conveyance system. Provide all necessary documentation to the Department of Public Works, Storm Water Management Section at construction drawing phase.
 - 2. Contact the Department of Public Works, Storm Water Management Section to arrange an on-site evaluation as to the location of storm water facility, discharge path of detention/retention pond and other downstream constraints.

3. The design discharge at the outlet of drainage system shall not result in velocities that equal/exceed the erosive velocity or the existing receiving channel/draw, unless dissipation and erosion protection measures are placed at the outlet. Said documentation shall be provided to the Department of Public Works, Storm Water Management Section.
4. Provide downstream analysis of the flood discharge timing effect on the existing conveyance systems due to each storm frequency.
5. All natural streams within the limit of the project must be stable and be expected to remain stable under ultimate development or provide appropriate erosion protection for the streams subject to the approval of the Department of Public Works, Storm Water Management Section.
6. Evaluate the downstream effect from storm water management structures and the development, hydrologic-hydraulic engineering studies shall extend downstream to a point where the proposed development represents less than ten (10) percent of the total watershed to this point.
7. The result of the extended downstream point analysis (10 percent point) shall be included in the hydrologic study submitted with the storm water management plan. Said documentation is subject to approval by the Department of Public Works, Storm Water Management Section.
8. Provide Detention/Retention as maybe required by Fulton County subject to the approval of the Department of Public Works.
9. The development site shall be graded in such a manner that the surface runoff does not affect down stream lots, flow through lots shall be collected and conveyed in appropriate storm drainage system. Documentation shall be provided at construction drawing phase.

F. Other Plans, as Applicable.

1. Water and waste water plans
 - a) Water and waste water systems constructed under the jurisdiction of Fulton County Government shall abide by the Department of Public Works.

- b) Fulton County Public Works/Government does not guarantee the availability of water or waste water capacity.
- c) Matters pertaining to septic systems shall be determined by the Fulton County Health Department.
- d) The project being proposed shall utilize one Geographical Information System (GIS) monument as the development's benchmark. Furthermore, the developer shall abide by all provisions of the Fulton County "Monument Resolution", as established by the Department of Public Works.
- e) Matters pertaining to pump stations shall be pre-reviewed by the Department of Public Works, Engineering Support Services Division, with regards to current policy, prior to the submittal of project design drawings.
- f) All appropriate fees shall be paid by the developer prior to the issuance of any Land Disturbance Permits.
- g) The developer is required to extend the water pipe line system across the entire length of road frontage, within the right-of-way.
- h) At the time of design review, the Department of Public Works, Engineering Support Services Division may require the developer to connect (loop) the project to the adjoining property, for flow enhancement of the public water system.
- i) Rerouting of existing water pipe lines and/or waste water pipe lines shall be pre-approved by the Department of Public Works, Engineering Support Services Division, prior to the submittal of project design drawings.
- j) As part of the project, the developer is required to network the waste water pipe line system to all upstream properties.
- k) Easements dedicated to Fulton County Government shall abide by all established standards. All easements shall be obtained and approved by the Department of Public Works, Engineering Support Services Division.

- 1) Conflicts, with other review disciplines of Fulton County Government shall be submitted to and resolved by the Department of Public Works, Engineering Support Services Division.
2. Profiles of roads and sewers.
3. Traffic signs and striping.
4. Standard Construction Details.
5. Proposed Permanent Stormwater Management Plan.
6. A traffic impact mitigation plan which details an owner's or developer's plan to address the number of trips that their development will produce when such development is within one mile of a roadway operating at a level of service D or lower as established by the Department of Public Works. This plan shall include, but is not limited to roadway improvements including costs and other proposals such as providing transit access, transit use incentives, car/van pooling, bicycle path construction, internal sidewalk construction, and lunch trip reduction, which when combined mitigate the traffic impact of the proposed development and shall also include a time table for the construction/implementation of improvements and who will be financially responsible for them. (Added 04/03/02)

G. Permits, Agreements, Studies as Applicable.

1. An approved curb cut permit from the Georgia Department of Transportation or the Fulton County Environment and Community Development Department.
2. Health Department approvals.
3. Right-of-way dedication.
 - a) Property Owners be required to dedicate at no cost to Fulton County, along the entire frontage, sufficient right-of-way to provide a minimum 10.5 foot shoulder behind any required project improvement subject to the approval of the Director of Public Works.
4. Off-site transportation improvement funds and agreements.
5. Fire Department approval.

6. Sanitary sewer pre-treatment approval.
7. Siltation Study. (Added 3/4/92, Amended 7/7/93, 11/03/93)
 - a. At the discretion of the Director of the Environment and Community Development Department, submit prior to the issuance of a Land Disturbance Permit and prior to recording of the final plat for each phase of development, base siltation studies of any water bodies located on the development site and on adjacent properties. Said studies shall identify, for removal by the applicant, prior to recording of the final plat for each phase of development, all siltation resulting from the development.
 - b. At the discretion of the Director of the Environment and Community Development Department, prior to the recording of the final plat for the final phase of development, submit a performance bond for the removal of any siltation resulting from the development. The performance bond shall remain on file in the Environment and Community Development Department until release of the occupancy certificates for a minimum of 90% of all residences permitted pursuant to the development or 3 years from the date of the first certificate of occupancy, whichever is earlier.

34.4.2. **PREREQUISITE TO OCCUPANCY PERMIT INSPECTION.** (Amended 11/03/93 and 08/05/09)

The Public Works Department and/or the Inspections and Zoning Enforcement Department shall notify the Environment and Community Development Department in writing of holds on the issuance of a certificate of occupancy on a project. (Amended 11/03/93)

- A. Single-family Residential. Before a certificate of occupancy may be considered by the Environment and Community Development Department for any dwelling located in a subdivision, the items listed under "B"., below, must have been signed-off on by the Department of Inspections and Zoning Enforcement as complete for that phase of the subdivision in which a dwelling is located.

B. All Structures Except Single-family Residential. Before a certificate of occupancy may be considered for a structure, including the first of several structures within a development, the following must have been signed-off on as complete by the Environment and Community Development Department:

1. Required Landscaping
2. Required Buffers
3. Required Tree Protection Measures
4. Required Walls and Fences

34.5. **SITE IMPROVEMENT STANDARDS**

These standards shall regulate site improvement, and the provision of amenities related to site improvement.

34.5.1. **OFF-STREET PARKING.** Property owners shall provide and maintain off-street parking throughout construction. Parking on any lot other than the lot for which a building permit is issued must be approved for a temporary parking lot by the Environment and Community Development Department. (Amended 11/03/93)

34.5.2. **INTERPARCEL ACCESS.** Interparcel access shall be provided to adjacent properties upon determination by the Director of the Environment and Community Development Department that such access is in the best interest of the public health, safety or welfare. (Amended 11/03/93)

34.5.3. **SIDEWALKS, CURB AND GUTTER.** Sidewalk, curb and gutter shall be provided for all development projects except as determined by the Department of Environment and Community Development. When required, sidewalk, curb and gutter shall be constructed in accordance with the Department of Public Works Standards Plans (also known as Standard Details). (Amended 11/03/93, 02/07/01, 03/03/04, 04/05/06)

34.5.4. **DETENTION/RETENTION.** On-site storm water detention facilities shall not be located within any required buffer or landscape strip. Detention facilities shall not be located within parking or loading areas unless approved by the Department of Public Works. A 20-foot wide landscape strip planted to buffer standards shall be provided around the exterior of the detention area outside of the access easement or as may be approved by the Fulton County Arborist. (Added 3/6/91) (Amended 07/07/93, 04/05/95, 11/03/04)

- 34.5.5. **COMPLIANCE WITH TREE PRESERVATION ORDINANCE.** Prior to applying for a Land Disturbance Permit, the owner shall arrange with the County Arborist, through the Director of the Environment and Community Development Department, for an on-site evaluation of existing specimen trees and stands of trees, and an evaluation of buffers and tree protection zones. At a minimum, the tree density requirements prescribed by the Fulton County Tree Preservation Ordinance Administrative Guidelines shall be provided and permanently maintained. (Added 04/07/93, Amended 11/03/93)
- 34.5.6. **SUBDIVISION ACCESS.** Any subdivision of land for single family that has new roads providing direct access to the lots within the subdivision shall be limited to newly constructed internal roads. (Added 9/4/91)
- 34.5.7. **MINIMUM SETBACK FOR NEW STREET.** The right-of-way for new streets must be located a minimum of 50 feet from any peripheral property line adjoining AG-1 and residentially zoned property unless interparcel access is required. (Added 12/4/91)
- 34.5.8. **ARBORIST NOTIFICATION.** Contact the Director of the Environment and Community Development Department, prior to the application for a Land Disturbance Permit, to arrange with the County Arborist an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries and otherwise to ascertain compliance with the Tree Preservation Ordinance. (Added 12/4/91, amended 04/07/93), amended 11/03/93)
- 34.5.9. **DAMS.** All dams within the jurisdiction of Fulton County shall comply with the provisions of the Safe Dam Act and Rules of Georgia Department of Natural Resources.
- 34.5.10 **DEVELOPMENT IN OR NEAR A TRANSMISSION LINE EASEMENT**
(Added 8/4/99, Revised in entirety on 6/4/14)

A. **Definitions.**

Words and phrases used in this Article shall have the meanings set forth in this section. Words and phrases not defined in this section, but defined in the Zoning Resolution of Fulton County, shall be given the meanings set forth in such Resolution. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this Article.

Consultation Zone. An area within 500 feet from a transmission line easement.

Development Permit. For the purposes of the Consultation Zone requirements, any permit for activity that involves construction, grade modification, excavation, blasting, land clearing, or the deposit of earth, rocks or other materials that places an additional load upon the soil. Construction that involves work totally within an existing building footprint, such as residential remodeling projects, is specifically exempted from these Consultation Zone requirements.

Environmental Justice Working Group. A Board of Commissioners established group of key personnel from Fulton County departments and agencies whose activities relate to or impact environmental justice matters.

New Construction. Construction after June 2, 2014 of a structure intended for human occupancy, and includes the construction of a new structure, the construction of an addition to an existing structure and the reconstruction of a portion of an existing structure. The term excludes an addition to or the reconstruction or replacement of a structure existing on June 2, 2014 used for:

1. Single family residential use;
2. Townhouse use;
3. Duplex, triplex, or quadruplex use;
4. Multi-family residential use;
5. Mobile home residential use; or
6. Non-residential buildings occupied by human beings

Person. Any individual, firm, joint venture, entity, partnership, corporation, association or cooperative.

Planning Area. The area within 300 feet of a transmission line easement.

Restricted Pipeline Area. The area within 40 feet of a transmission line easement and the area within a transmission line easement.

Transmission Line. See Article III, Section 3.3.20.

Use Requiring Evacuation Assistance. A land use which includes the following:

1. Congregate living;
2. Convalescent services;
3. Detention facilities;
4. Day care services (commercial);
5. Hospital;
6. Medical offices exceeding 5,000 square feet of gross floor area;
7. Private primary educational facilities;
8. Private secondary educational facilities;
9. Public primary educational facilities;
10. Public secondary educational facilities; and
11. Retirement housing development.

B. Consultation Zone.

1. Consultation Zone Distance
 - a. A Consultation Zone is hereby established for any parcels within 500 feet from a transmission line easement.
2. Consultation Zone Notification
 - a. At application for a development permit, zoning or use permit, Fulton County staff shall notify the individual that they are within the Consultation Zone, explain the relevant application procedures, and provide contact information for the applicable pipeline operator(s). This same procedure shall be followed whenever an individual inquires about development regulations or zoning restrictions for property within the Consultation Zone.
 - b. A complete application for a development permit, zoning or use permit within a designated Consultation Zone must include written verification from the applicant that:

1. Applicant has contacted the pipeline operator(s) and has provided them with documentation detailing the proposed development type and place of the activity; and
2. The pipeline operator(s) has reviewed the documents.
3. The written verification required by this section can be in any form acceptable to the Director of the Department Planning and Community Services, including electronic communications, so long as it is clear that the pipeline operator(s) has received and reviewed documentation showing the proposed information concerning any impact the activity will have upon the integrity of the transmission line(s). The verification should include all comments received from the operator or a notice from the operator indicating that the operator has no comments.
4. If the operator does not respond within 30 days after being contacted and provided information by the developer pursuant to b.1. above, then the Director of Planning and Community Services may waive the requirement for written verification given under b.3. above.

C. Planning Area.

1. Whereas a proposed use within a Consultation Zone requires notification to and a review by the pipeline operator(s), additional procedures are required in Planning Areas based upon characteristics of the transmission line(s) and potential for impact to people and property. Planning Areas are hereby established within 300 feet of transmission line(s) easement.
2. Application Process within a Planning Area
 - a. At application for a development permit, zoning or use permit, Fulton County staff shall notify the individual that they are within the Planning Area and explain the relevant requirements.
 - b. Development within the Planning Area shall meet the requirements under Section D (Development near a Transmission Line) below.
 - c. The plat must provide a note that all existing transmission lines or transmission line facilities through the residential or commercial development have been shown, or that there are no known transmission lines or transmission line facilities within the limits of the residential or commercial development.

ZONING RESOLUTION OF FULTON COUNTY

- d. The location of all transmission lines and related easements shall be shown on all preliminary plat, zoning, building, and record plat maps when proposed development is within the Planning Area.

D. Development near A Transmission Line.

1. A use requiring evacuation assistance is prohibited in a structure intended for human occupancy that is located within the 300-foot Planning Area. This prohibition does not apply to a structure that is located between 40 and 300 feet of a pipeline if the Fulton County Environmental Justice Working Group determines, after receiving a recommendation from the Fire Marshal, that:
 - a. The structure has a performance-based design that provides an adequate time period for occupant evacuation to a safe place in the event of a transmission line leak or fire associated with the transmission line, after considering:
 1. The requirements of the current adopted edition of the National Fire Protection Association 101 Life Safety Code and international fire code;
 2. The site and structure design;
 3. The structure's building materials;
 4. The structure's distance from the transmission line;
 5. The use of radiant energy barriers;
 6. Access to the site and the structure by emergency responders;
 7. Available on-site resources for emergency responders;
 8. The topography and other natural features;
 9. The use of the structure; and
 10. The evacuation capability of the occupants.
 - b. The structure incorporates a system for the early detection and notification of a transmission line leak, if the fire chief determines that an appropriate system is commercially available.

2. A person may not build new construction within 125 feet of a transmission line easement unless the Fire Marshall determines that:
 - a. The new construction has a performance-based design that provides a minimum one-hour time period for occupant evacuation to a safe place in the event of a transmission line leak or a fire associated with the transmission line, in accordance with the current adopted edition of the National Fire Protection Association 101 Life Safety Code and international fire code; and
 - b. The new construction incorporates a system for the early detection and notification of a transmission line leak, if the fire chief determines that an appropriate system is commercially available; or
 - c. The new construction complies with the standards for construction near a transmission line prescribed by the Fire Criteria Manual.

3. A person may not place a structure or excavate within a Restricted Pipeline Area. This prohibition does not apply to:
 - a. The transmission line or an appurtenance;
 - b. A facility that produces, consumes, processes, or stores the product transported by the transmission line, including a power generation facility;
 - c. A utility line that crosses the Restricted Pipeline Area, including an appurtenance to the line;
 - d. A utility service connection;
 - e. A road;
 - f. A surface parking lot; or
 - g. A structure or excavation that the Director determines does not disturb the transmission line or impede its operation. The Director in his/her determination shall consult APPENDIX A - Appropriateness of Proposed Land Uses within a Transmission line Easement and Section 4. below to assist in the final determination.

4. Before a person may place a road, surface parking lot, structure, utility line or otherwise excavate in a Restricted Pipeline Area, the person must
 - a. Deliver to the Director a certification by a registered engineer stating that the proposed construction activity and structure are designed to prevent disturbing the transmission line or impeding its operation; and
 - b. Provide notarized documentation that the pipeline or transmission line easement owner has been notified of the proposed development activity.
5. If a proposed use is subject to any required determination in sections 1 through 4 above, the County's response and the results of the review will be provided to the applicant within ten (10) business days of the County's acceptance of the complete application package. The Office of Planning and Community Services in collaboration with Fulton County Fire and Rescue shall determine when such submissions are deemed complete.

E. Platting Transmission Lines / Pipelines.

1. A developer shall determine whether a transmission line crosses a proposed development.
2. A developer shall depict on the plat a Restricted Pipeline Area, if any.
3. A residential lot that is less than one acre in size may not include a Restricted Pipeline Area.
4. A person may not place a structure or excavate within a Restricted Pipeline Area. This prohibition does not apply to:
 - a. The transmission line or an appurtenance;
 - b. A facility that produces, consumes, processes, or stores the product transported by the transmission line, including a power generation facility;
 - c. A utility line that crosses the Restricted Pipeline Area, including an appurtenance to the line;
 - d. A utility service connection;
 - e. A road;

- f. Surface parking lot; or
 - g. A structure or excavation that the Director determines does not disturb the transmission line or impede its operation.
5. Before a person may place a road, surface parking lot, or utility line in a Restricted Pipeline Area, the person must
- a. Deliver to the Director a certification by a registered engineer stating that the proposed construction activity and structure are designed to prevent disturbing the transmission line or impeding its operation; and
 - b. Provide notarized documentation that the pipeline or transmission line easement owner has been notified of the proposed development activity.

F. Severability.

Should any article, section, clause, or provision of this Article be declared by a court of competent jurisdiction to be invalid, such action shall not affect the validity of the ordinance as a whole or any part hereof other than the part so declared to be invalid, it being the intent of the County that each article, section, clause, and provision hereof be severable.

G. Effective Date.

This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

H. Savings.

Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the County or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

APPENDIX A - Appropriateness of Proposed Land Uses within a Restricted Pipeline Area

The purpose of this table is to increase awareness and encourage early communication among key stakeholders when considering changes to an existing land use or new land use development within an existing Restricted Pipeline Area.

This table provides a list of common land use activities and is only meant to provide guidance to those tasked with determining whether the proposed land use is acceptable or not. There will be variances in the application of these rules from operator to operator based on site-specific conditions, operator practices, and evolving safety regulations and concerns. Therefore, this table should be referenced only for general informational purposes. Stakeholders should consult with the appropriate pipeline operator for acceptable land uses within a Restricted Pipeline Area.

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|---|------------------------------|--|---|
| Agriculture - (Seasonal Agricultural Crops - excludes orchards and vineyards) | Yes, but consent is required | Activities related to the growing of crops or the raising of animals need no consent, provided the activity does not involve installation of permanent structures or an increase or decrease in the cover over the transmission line. Facilities such as underground and overhead irrigation systems must be reviewed for compatibility. | With prior approval from the transmission line operator, grass and certain types of shrubs or seasonal crops may be permitted within the right-of-way (ROW), provided that the plantings do not interfere with the maintenance, inspection and operation of the transmission line and related facilities. |
| Airstrip - Private (perpendicular crossing to transmission line) | Yes, but consent is required | Permission to use the easement for an airstrip may be granted, provided it is for the private use of the property owner, and does not involve any increase or decrease in the cover over the transmission line or the installation of any permanent structures, including paving, on the easement. | These airstrips are considered to be dirt. This use can lead to a decrease in ground cover. |
| Airports - Public | No | | These runways are constructed of concrete. Therefore, the need for access for transmission line maintenance and emergency response activities preclude this use. In addition, most airports have restricted access for security reasons. |
| All-Terrain Vehicle (ATV) Use | No | Occasional use such as farm equipment may be acceptable. | This use can lead to a decrease in ground cover. |
| Athletic Stadium (e.g., baseball field, football field, running tracks, etc.) | No | Even fields with no permanent structures may define the area as a high consequence area (HCA), thus imposing additional integrity management requirements for the gas transmission line operator. | |
| Automobile Wrecking Yards | No | Access for transmission line maintenance and emergency response activities preclude this use. | |

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|---|------------------------|--|---|
| Blasting | No | Not allowed on easements or fee land where any transmission line facilities are installed. Exceptions are for construction of another approved activity, subject to transmission line operator's engineering review for technique, size of holes, spacing, etc. | Blasting activities may cause stresses on nearby transmission lines which may lead to leaks. |
| Buildings | No | No type of permanent structure permitted. See also "Structures". | No structures are allowed because they interfere with emergency response, maintenance, inspection, and repair activities. |
| Campsites | No | This use may impose additional integrity management requirements for the transmission line operator. In addition, no fires would be allowed for safety reasons. | |
| Canopies / temporary (Categorized as party tents, canvas awnings, or portable coverings for group gatherings) | No | This use could involve driving large stakes into the ground near the transmission line, exposing it to potential damage and future leaks. | |
| Canopies / permanent (Categorized as weather and environmental shelters such as those over gas stations and emergency room/hospital entrances, and drive-through covers for banks, pharmacies, fast-food restaurants, etc.) | No | Structures may interfere with emergency response, maintenance, inspection, and repair activities. Canopies may entrap gases and vapors that could find ignition sources from vehicle or pedestrian activities. Concrete under canopies could cause gas to migrate to building in the event of a failure. | |
| Carports, permanent | No | No type of permanent structure permitted. See also "Structures". | Access for transmission line maintenance, inspection, and repair activities preclude this use. |
| Catch Basins (Storm sewer inlet) | No | Access for transmission line maintenance, inspection, and repair activities preclude this use. | |

ZONING RESOLUTION OF FULTON COUNTY

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|--|------------------------------|---|--|
| Cathodic Protection Devices | Yes, but consent is required | Cathodic protection facilities may be installed provided they are coordinated with other utilities and all interference problems are eliminated. Their use should be approved by the transmission line operator's cathodic protection department. | To ensure adequate cathodic protection for all transmission lines, routine testing should be scheduled and performed by qualified personnel to prevent interference issues. |
| Cemetery | No | Access for transmission line maintenance, inspection, and repair activities preclude this use. | |
| Concrete Slabs (Categorized as for foundation, typically poured for permanent structure, equipment, or storage location) | No | Not recommended except where they may be installed to provide for transmission line protection from third-party damage (submit plans for review) or for easement across ROW (such as for driveways or roads). (See also Roads, Driveways, Road Crossing, and Structures) | Access for transmission line maintenance, inspection, and repair activities preclude this use. |
| Driveways | Yes, but consent is required | Transmission line operator engineering review required for all proposed streets, roads and driveways to ensure transmission line cover is adequate to support the load from the road crossing. Additional cover, concrete, or other forms of mechanical protection may be required to ensure the transmission line does not incur damage as a result of this use and traffic loads. | |
| Dumps | No | This use would not allow transmission line operator easy access for transmission line maintenance, inspection, and repair activities | |
| Erosion Control | Yes, but consent is required | Structures or materials to prevent soil erosion due to wind or water may be located on the transmission line ROW provided: 1) They do not interfere with the installation, operation or maintenance of the transmission line. 2) The design has been approved by the transmission line operator's engineering and environmental departments. 3) The facilities have taken into account the effect of the environment of the area. | Placement of structures and material must allow for transmission line maintenance, inspection, and repair activities to be conducted by the operator, as well as allow for emergency response access. |
| Exploration - Geologic and Geophysical | Yes, but consent is required | Subject to proper indemnification and site cleanup. Must be approved by transmission line operator's operations or engineering department. Also see Blasting, Construction Equipment, and Wells. | 3D seismic studies, depth of cover, transmission line operating stress levels, and other factors must be considered. The vibrations used to create the sound waves for these exploration activities are quite intense and may compromise the integrity of the transmission line, leading to leaks if not properly evaluated. |

ZONING RESOLUTION OF FULTON COUNTY

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|-------------------------------|------------------------------|--|--|
| Fences - Parallel to ROW | Yes, but consent is required | (general) No masonry or brick fences are allowed. In addition, fences and transmission line should be separated by adequate distance to allow for potential future repairs. Adequate access to and around transmission line facilities must be maintained. | Fences must not interfere with access for transmission line maintenance, inspection, and repair activities. |
| Fences - Perpendicular to ROW | Yes, but consent is required | (general) No masonry or brick fences are allowed. Adequate access to and around transmission line facilities must be maintained. Transmission line company retains the right to require the installation of a gate in the fence with a corporation lock where necessary to maintain such access. Gates should be wide enough to allow transmission line operator's equipment to gain access for repairs and emergencies. Fence posts must not be installed directly over transmission line. Fences should be installed to allow for easy removal during emergency response. One-call notification required for fence construction. | Fences must not interfere with access for transmission line maintenance, inspection, and repair activities. Additional requirements may be imposed to protect transmission line from damage during construction. |
| Flammable Material | No | Managed burns for controlling vegetation may be performed by organizations such as BLM or DNR or by farmers, but this activity must be coordinated with transmission line operator to ensure public safety. No combustible material is to be stored on the easement. | For safety reasons no flame or fire associated with an incineration process or with flammable material storage is allowed due to the combustible material transported in the transmission lines. |
| Flood Control | Yes, but consent is required | Transmission line operator engineering review can be made to consider buoyancy and ensure transmission line is adequately protected. | |
| Flooding | Yes, but consent is required | If there is a possibility of periodic flooding, buoyancy of transmission line must be considered. | Intentional flooding is prohibited because it can cause stresses on the transmission line leading to integrity issues; buoyancy must be considered. |
| Golf Courses | Yes, but consent is required | May be allowed if no permanent structures are placed on ROW. | Cover must be adequate and must allow for maintenance, inspection, and repair activities. |

ZONING RESOLUTION OF FULTON COUNTY

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|---------------------------------------|------------------------------|---|---|
| Highways | Yes, but consent is required | Easements should be granted for highway construction although operator may request reimbursement for the cost of protecting, upgrading or relocating the transmission line so that it complies with all applicable regulations and requirements. Where a highway is widened to take in an area where the transmission line operator has a prior ROW, the transmission line operator may require reimbursement for that portion of the work that falls in the area where the company has prior rights. | Transmission Line cover must be adequate to support the load from the highway to ensure the transmission line does not incur damage. Review by the transmission line operator's engineering group is required for all proposed streets, roads, and driveways to ensure transmission line cover is adequate to support the load from the road crossing. Additional cover, concrete, or other forms of mechanical protection may be required to ensure the transmission line does not incur damage as a result of this use and traffic loads. |
| Hiking Trails | Yes, but consent is required | Provided reasonable access to facilities is maintained. See also Landscaping and Cuts and Fills. | Trails must be placed to allow transmission line maintenance, inspection and repair activities to be conducted. |
| Horseback Riding Trails | Yes, but consent is required | Provided adequate access to facilities is maintained. See also Cuts and Fills. | Trails must be placed to allow transmission line maintenance, inspection and repair activities to be conducted. |
| Incinerators | No | For safety reasons, no flame, fire, or flammable material is allowed. | |
| Junk Yards | No | This use would not allow transmission line operators easy access for transmission line maintenance, inspection, and repair activities | |
| Landscaping | Yes, but consent is required | Provided reasonable access to transmission line facilities is maintained. See Cuts and Fills for earthwork requirements. In addition, shrubs should not interfere with transmission line patrolling or inspection activities. See Tree Farms for tree limitations. | With prior approval from transmission line operator, flower beds, lawns, and gardens may be permitted within the ROW, provided that the plantings do not interfere with the maintenance, inspection and operation of the transmission line and related facilities. |
| Leach Fields | No | (General) Piping leading to leach field may cross the transmission line (see Pipelines). The entire leach field must be outside of the ROW. Before being granted permit for piping, owner must show proof of permit that installation will meet all State and local water quality requirements. | Leach field would be subject to damage by passage of heavy equipment. Therefore, repair activities preclude this use. Also, there are integrity concerns that water can cause transmission line corrosion and lead to failures. |
| Loading Ramps | No | See also Concrete Slabs | Stresses on transmission line can lead to integrity issues; also, this use does not allow for transmission line maintenance and inspection activities. |
| Masonry Work | No | This use does not allow for access for transmission line emergency response and maintenance. | |
| Mini Golf Courses (putt-putt courses) | No | May be allowed with prior consent if no permanent structures are placed on ROW and green space for transmission line easement is included. | Use must not interfere with transmission line maintenance and inspection activities. This use may define the area as a HCA, thus imposing additional integrity management requirements for the gas transmission line operator. In addition, no permanent structures are to be placed on the ROW. |

ZONING RESOLUTION OF FULTON COUNTY

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|---------------------------|------------------------------|--|--|
| Mobile Home Parks | No | Structures are not recommended because they interfere with transmission line emergency response, maintenance, inspection, and repair activities. Also, they increase the risk for transmission line operators. | |
| Mobile Home – Single Unit | No | No permanent structure may be installed on ROW. | No structures are allowed because they interfere with transmission line emergency response, maintenance, inspection, and repair activities. Also, they increase the risk for transmission line operators. |
| Model Airplanes | Yes, but consent is required | Model airplanes may be flown over the ROW, but no permanent facilities may be located on the ROW. | Transmission line operator must know of this activity to ensure there is no interference or danger when performing aerial leak patrols. |
| Orchards | No | Tree root structures may be deep and extend beyond tree canopies. These roots can be severe and damage transmission line coating, leading to corrosion and leaks. | |
| Parking | Yes, but consent is required | A private property owner may park vehicles used in his work (such as farm equipment) on the transmission line ROW but not over the transmission lines. Use of the easement as a commercial or other publicly used parking lot, whether paved or unpaved, should be discouraged and not be allowed without review. The transmission line company will not accept liability for damages to the parking facility caused by the exercise of its rights under the easement, and reserves the right to prohibit vehicular parking on its easement at any time. | Transmission line companies conduct maintenance activities on a frequent basis. Parking vehicles on the ROW may interfere with some of these maintenance practices. |
| Parks | Yes, but consent is required | The ROW may be used as part of a park area, but permanent structures may not be located on the ROW. Specific plan review required. | Use must not interfere with transmission line maintenance and inspection activities. This use may define the area as a HCA, thus imposing additional integrity management requirements for the transmission line operator. In addition, no permanent structures are to be placed on the ROW. |
| Patios | No | No structures are allowed because they interfere with transmission line emergency response and repair activities and increase risk for transmission line operators. | |

ZONING RESOLUTION OF FULTON COUNTY

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|----------------|------------------------------|--|---|
| Pipelines | Yes, but consent is required | Permits generally are granted for other pipelines to cross a transmission line ROW, provided: 1) Crossing is kept as close to a right angle as possible. 2) The crossing pipeline maintains clearance approved by operator above the transmission line below the transmission line. Pipeline crossings above the transmission line should be strongly discouraged. 3) Installation makes provisions for future use of transmission line ROW. 4) Precautions are taken to protect both facilities from interference problems due to cathodic protection. 5) Crossing pipeline meets all Federal, State and local requirements with respect to safety and environment. 6) Parallel encroachments are not allowed. (See “Utilities Parallel”) | Significant design, construction, and maintenance code activities are performed to ensure the safety of the public and employees near transmission lines. These design, construction, and maintenance activities also ensure the integrity of the transmission lines. Additional construction requirements may be imposed to protect the transmission line and allow future maintenance activities to be performed. |
| Play Equipment | Yes, but consent is required | No permanent structure may be installed on ROW. Play equipment without embedded footings or foundations may be allowed. | Use must not interfere with transmission line maintenance and inspection activities. This use may define the area as a HCA, thus imposing additional integrity management requirements for the transmission line operator. In addition, no permanent structures are to be placed on the ROW. |
| Porches | No | No structures are allowed because they interfere with transmission line emergency response, maintenance, inspection, and repair activities. Also, they increase the risk for transmission line operators. | |
| Power Lines | Yes, but consent is required | Power lines may be installed across the ROW provided: 1) Poles or towers are not located on the ROW. 2) Wires have adequate clearance to permit working on the transmission line. 3) Parallel encroachments of above or below ground power lines are not allowed (See “Utilities – Parallel”). 4) Power lines are not located within 200 feet of a blow-down stack. 5) Buried power lines meet transmission line operator standards. | Engineering review and field monitoring can be performed to ensure no corrosion issues develop and lead to failures. |

ZONING RESOLUTION OF FULTON COUNTY

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|--|------------------------------|--|---|
| Private Landowner Crossing of transmission Line | Yes, but consent is required | Where a private landowner crosses the transmission line with a buried structure, a consent letter usually will be required. Permits usually will be granted for crossing provided: 1) Crossing structure is kept as close to a right angle as possible. 2) Crossing structure maintains at least one-foot clearance above the transmission line or two feet below the transmission line. Crossings above the transmission line should be strongly discouraged. 3) Installation makes provisions for future use of the ROW. 4) Precautions are taken to protect both facilities from interference problems due to cathodic protection. 5) Crossing structure meets all Federal, State and local requirements with respect to safety and environment. 6) Parallel encroachments are not allowed. (See "Utilities Parallel"). | Additional construction requirements may be imposed to protect the transmission line and allow future maintenance activities to be performed. |
| Pumps | No | Failure of equipment could elevate risks; permanent structures do not allow for easy access for transmission line emergency response. | |
| Pump Islands (Categorized as fuel pumps for automobile service stations - general transportation refueling stations) | No | No structures are allowed because they interfere with transmission line emergency response, maintenance, inspection, and repair activities. Also, they increase the potential consequences if a failure occurs. | |
| Quarries and Strip Mining | No | Quarrying activities not on but in proximity to the ROW should be brought to the attention of the transmission line company for assessment of potential impacts to the integrity of the ROW and transmission line facilities. (See Blasting) | This activity limits access for transmission line emergency response. |

ZONING RESOLUTION OF FULTON COUNTY

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|--------------------------|------------------------------|--|--|
| Railroads | Yes, but consent is required | Railroad crossings are permitted, provided the railroad company agrees to pay the cost to upgrade or protect the transmission line. Clearances must be provided as required in Cuts and Fills. | Transmission line cover must be adequate to support the load from the railroad crossing to ensure the transmission line does not incur damage; vibrations need to be properly evaluated for cyclic fatigue to ensure the integrity of the transmission line is not compromised, leading to leaks. Review by the transmission line operator's engineering group is required for all proposed railroad crossings to ensure the transmission line cover is adequate to support the load from the crossing. Additional cover, concrete, or other forms of mechanical protection may be required to ensure the transmission line does not incur damage as a result of this use and traffic loads. |
| Recreation Areas | Yes, but consent is required | ROW may be used for general recreation that does not require the use of any permanent structures or facilities. | Use must not interfere with transmission line maintenance and inspection activities. This use may define the area as a HCA, thus imposing additional integrity management requirements for the transmission line operator. In addition, no permanent structures are to be placed on the ROW. |
| Retaining Walls | Yes, but consent is required | Provided adequate access to facilities is maintained and Cuts and Fills criteria is maintained. All retaining walls on the ROW must be approved by transmission line operator's operations or engineering department. | Transmission line cover must be maintained to protect the transmission line, and the use would have to allow for transmission line maintenance and emergency response activities to be completed. |
| Rifle Ranges | No | Limited use may be allowed to access rifle range area across the ROW but no permanent facilities may be located on the ROW. | Transmission line systems include above ground facilities that may incur damage from rifle range fire. |
| Road - Parallel | Yes, but consent is required | Plans must be approved by the transmission line company's operations or engineering groups. Road easement is subordinate to the transmission line company's easement. In addition, road and transmission line should be separated by adequate distance to allow for potential future repairs. | Use must allow for transmission line maintenance, inspection, and emergency response activities. |
| Road Crossings – Private | Yes, but consent is required | Consent usually will be granted for private roads across the ROW provided: 1) Assurance is given the road will remain a private road. It must be so marked and signs must be maintained. 2) Road must not be given a hard surface. 3) Cut and Fill requirements must be maintained. 4) Road owner must agree to pay cost of protecting or upgrading the transmission line if the road should be paved or status is changed to a public road. | Review by the transmission line operator's engineering group required for all proposed streets, roads, and driveways to ensure transmission line cover is adequate to support the load from the road crossing. Additional cover, concrete, or other forms of mechanical protection may be required to ensure the transmission line does not incur damage as a result of this use and traffic loads. |

ZONING RESOLUTION OF FULTON COUNTY

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|---------------------------------|------------------------------|---|---|
| Road Crossings - Public | Yes, but consent is required | Consent generally will be granted for a public road or street across the ROW provided: 1) Developer pays for cost of protecting, upgrading or relocating the transmission line. 2) Transmission line company retains prior rights on roads dedicated to the state, county or city. | Review by the transmission line operator's engineering group required for all proposed streets, roads, and driveways to ensure transmission line cover is adequate to support the load from the road crossing. Additional cover, concrete, or other forms of mechanical protection may be required to ensure the transmission line does not incur damage as a result of this use and traffic loads. |
| Septic Tanks | No | Access for transmission line repair activities | preclude this use |
| Service Stations | No | No structures are allowed because they interfere with transmission line emergency response, maintenance, inspection, and repair activities. | |
| Signs | No | Signs, except pipeline markers, are not permitted on the ROW. | Foundation or embedded footings could damage the transmission line coating, leading to integrity and corrosion issues. |
| Sprinkler Systems (underground) | Yes, but consent is required | Crossings of transmission line must be kept to a minimum. Sprinkler heads should be set outside of the ROW. Due consideration must be given to cathodic protection interference. | There is concern that water can cause corrosion and lead to failures (transmission line operator's operator engineering department review and field monitoring is necessary to ensure no corrosion issues are identified). There is concern that third-party damage will result and sprinkler systems will interfere with transmission line maintenance and vegetation management activities. |
| Stock Piles - Storage of Earth | Yes, but consent is required | See Cuts and Fills. | This material storage can't interfere with transmission line maintenance, inspection, repair, or emergency response activities. In addition, stock piles must not lead to erosion issues. |
| Storage | No | The ROW cannot be designated as storage area. However, small amounts of non-combustible materials or equipment may be stored on the ROW by the property owner provided it does not interfere with access to the transmission line. | This material storage can't interfere with transmission line maintenance, inspection, repair, or emergency response activities. In addition, storage must not lead to erosion issues. |
| Structures | No | Permanent structures (i.e. any facility or structure, the foundation or any other portion of which lies below the ground surface, or is otherwise not readily moveable) are not allowed. Small outbuildings (e.g. sheds, playhouses) on blocks or without foundations may be permitted on a case by case basis. | No structures are allowed because they interfere with transmission line emergency response, maintenance, inspection, and repair activities. |

ZONING RESOLUTION OF FULTON COUNTY

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|---|------------------------------|--|---|
| Subdivisions | Yes, but consent is required | The area over the transmission line ROW may be subdivided provided: 1) No permanent structures may be located on the ROW. 2) Streets or roads are laid out to cross the transmission line at a right angle. Parallel encroachments are not acceptable. 3) The requirements for Road Crossings, either private or public, are met. 4) The ROW is not used for a utility corridor. 5) Developer or person subdividing the property submits approved subdivision plans. 6) Necessary consents are issued by the transmission line operator. | Transmission line operators can work with planners and developers to minimize risks to transmission lines and communities within green spaces; early communication between all stakeholders is critical to ensure all factors are considered. |
| Swimming Pools (built-in and above ground) | No | Small, plastic "kiddy" type pools would be allowed. These types of portable pools are considered temporary and can be easily moved for transmission line activities if necessary. | No permanent structures are allowed because they interfere with transmission line emergency response, maintenance, inspection, and repair activities. |
| Tanks | No | Above or underground. | Access for transmission line maintenance, inspection, emergency response, and repair activities preclude this use |
| Temporary Material Storage Non-earth Material | Yes, but consent is required | This material storage can't interfere with transmission line maintenance, inspection, emergency response, or repair activities. In addition, storage must not lead to erosion issues. | |
| Tennis Courts | No | Access for transmission line maintenance, inspection, and repair activities preclude this use | |
| Trails | Yes, but consent is required | Adequate precautions should be taken to prevent erosion. See Cuts and Fills. | Trails must be placed to allow transmission line maintenance, inspection and repair activities to be conducted. |
| Trash Burners | No | For safety reasons, no flame, fire, or flammable material is allowed. | |
| Tree Farms | No | Must provide access to transmission line facilities. In addition, shrubs should not interfere with transmission line patrolling or inspection activities. | Trees have root structure that may damage transmission line coating or transmission line integrity; tree canopy may interfere with aerial leak patrol activities. |
| Underground Structure | No | Other than "other" pipelines and related facilities. (See Pipelines) | Access for transmission line repair activities precludes this use |

ZONING RESOLUTION OF FULTON COUNTY

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|------------------------------------|------------------------------|---|--|
| Utilities – Crossing Perpendicular | Yes, but consent is required | Consent to common use generally will be granted for crossings of overhead or underground utilities provided: 1) Overhead lines must provide adequate clearance for working on the transmission line. Poles, anchors or supports may not be located on the ROW. 2) All underground lines must be installed with minimum one foot of clearance between the transmission line and the utility if crossing is above the transmission line and two feet of clearance if crossing is below the transmission line and must be at same depth completely across the ROW. Crossings above the transmission line are strongly discouraged. Underground electric lines of less than 600 volts and all buried telephone lines, must be encased in plastic conduit across the entire width of the ROW. Underground electric lines of over 600 volts must be encased in rigid steel pipe across the entire width of the ROW. 3) The crossing utility operator must pay for any protection or upgrading of the transmission line facilities, and a temporary relocation clause may be used to allow construction or maintenance of the transmission line. 4) Utility crossings must be designed to meet all applicable federal, state and local codes and requirements, and assurance provided that due consideration has been given to the effect of the project on the surrounding area. 5) Buried electric cables, splices should be discouraged within the ROW. | Adequate separation and interference protection with other utility activities and the transmission line must be performed. Interference protection that is not effective may lead to transmission line corrosion and integrity issues. Activity must allow transmission line maintenance, inspection, emergency response, and repair activities to be conducted. |
| Utilities – Running Parallel | No | Parallel encroachment of any utilities, either overhead or underground may be allowed in some cases for short distances. In general, parallel encroachments are to be strongly discouraged. Easement agreements may not allow absolute prohibition of such encroachments. | Interference protection that is not effective may lead to transmission line corrosion and integrity issues. |

ZONING RESOLUTION OF FULTON COUNTY

| Use/Activity | Acceptable Use? | Additional Restrictions or Comments | Origin/ Rationale for Determining Acceptable Activity |
|---|------------------------------|---|--|
| Utilities – Crossing in Operator Easement | Yes, but consent is required | The transmission line company generally will grant rights of way for utilities across company-owned lands provided: 1) Easement will not interfere with present or future use of land by the pipeline company. 2) The pipeline company retains the right to have the crossing utility relocate at its own expense at a future date, if such relocation becomes necessary to permit utilization of the land by the pipeline company. 3) Crossing utilities must be installed and maintained in accordance with all applicable codes and requirements. 4) Adequate consideration must have been given to the effects of the crossing utility on the environment of the area. 5) Buried electric cables, splices should be discouraged within the ROW | Adequate separation and interference protection with other utility activities and the transmission line must be performed. Interference protection that is not effective may lead to transmission line corrosion and integrity issues. Activity must allow transmission line maintenance, inspection, emergency response, and repair activities to be conducted. |
| Utilities - Crossing Outside of Operator Easement | Yes, but consent is required | Where a utility crosses the transmission line on a public road, the utility normally has equal rights with the pipeline facility. However, every effort should be made for the pipeline company and the utility company to work together to provide a minimum of one foot of clearance between the utility and the transmission line if the utility crosses above the transmission line or two feet if the utility crosses below the transmission line, and that the same depth be maintained completely across what would normally be the transmission line ROW. The same criteria for underground electric lines as set forth in "Utilities – Crossing" should also be requested. Engineering review by the transmission line company is required even if no consent is issued. | Adequate separation and interference protection with other utilities and transmission lines must be performed. Interference protection that is not effective may lead to transmission line corrosion and integrity issues. Activity must allow transmission line maintenance, inspection, emergency response, and repair activities to be conducted. |
| Vaults | No | No structures are allowed because they interfere with transmission line emergency response, maintenance, inspection, and repair activities. | |
| Wading Pools | No | Small, plastic "kiddy" type pools would be allowed. These types of portable pools are considered temporary and can be easily moved for transmission line activities if necessary. | No permanent structures are allowed because they interfere with transmission line emergency response, maintenance, inspection, and repair activities. |
| Weighing Stations | No | No structures are allowed because they interfere with transmission line emergency response, maintenance, inspection, and repair activities. | |
| Wells | No | Drilling activity could damage transmission lines and lead to integrity issues. | |
| Wrecking Yards | No | No structures are allowed because they interfere with transmission line emergency response, maintenance, inspection, and repair activities. | |

ZONING RESOLUTION OF FULTON COUNTY

- 34.5.11. **BURYING OF CONSTRUCTION MATERIAL.** No person shall bury unused, scrap, waste, excess or discarded construction material without the approval of a Use Permit for an inert waste landfill in accordance with Article XIX. Any person who violates this provision shall be deemed guilty of a misdemeanor and subject to the provisions of Article XXIX, Violation and Penalty. (Added 12/01/99)
- 34.5.12. **WASTEWATER PUMP AND LIFT STATIONS.** A minimum 50-foot buffer and 10-foot improvement setback shall be provided along all property lines adjacent to residentially and/or agriculturally zoned properties used for residential or public recreational purposes. (Added 09/01/04)
- 34.5.13. **SOUTH FULTON GREENWAY TRAIL MASTER PLAN.** At the time of application for a land disturbance permit or building permit, development projects with frontage adjacent to roads identified on the South Fulton Greenway Trail Master Plan Map shall incorporate a multi-use path subject to the approval of the Director of the Environment and Community Development. (Added 4/07/10)
- 34.5.14. **POSTING OF BUILDING PERMIT/PERMIT CARD.** Work requiring a permit shall not be started until the permit holder posts the Fulton County issued building permit card (photocopy is not allowed) in a conspicuous place at the front of the premises where the permitted work is to be done. **No Permit Card Posted = No Inspections.** The permit card shall be posted at eye level and be protected from the weather in an all-weather, water-tight permit box. The box must be accessible from the public right-of-way and located in such a position as to permit the Fulton County or State of Georgia officials to conveniently view and access the box contents. The front cover of the permit box shall display the Building Permit number and property address. Permit cards shall be maintained in position until all required final inspections have been approved and signed off on the card. The permit holder is responsible for maintaining the permit card. All damaged, lost or stolen permit cards shall be replaced before further inspections can be made. (Added 11/1/14)
- 34.5.15. **RAINWATER COLLECTION REQUIREMENT FOR SINGLE FAMILY DWELLINGS.** All single family dwellings shall have a controlled method of water disposal from roofs that shall collect and discharge all roof drainage to the ground surface and direct the water away from the structure. (Added 11/1/14)
- 34.5.16 **CLUSTER MAILBOXES** (Added 04/01/15, Amended 05/04/16)
- A. Applicable Districts:
1. All residential districts or districts with residential components when developed with residential units.

2. Non-residential districts and interior building cluster mailboxes are exempt from the design and location standards of this section.
3. Procedural Standards are applicable to all cluster mailbox installations.

B. Procedural Standards

1. Prior to the submission of the preliminary plat, approval of the United States Postal Service (USPS) must be obtained and attached with the plat.
2. Where a final plat is recorded with a performance bond, the surety shall cover the cluster-style mailbox kiosk and the installation shall occur prior to any certificate of occupancy being issued for a residential structure shown on the plat.
3. Cluster-style mailbox kiosks shall be installed prior to the issuance of a Certificate of Occupancy for any residential structure that will be served by a cluster-style mailbox.
4. The cost of installation, including but not limited to box units, architectural elements, landscaping, concrete pad and concrete/masonry or stone sidewalk access, shall be borne by the developer.
5. Maintenance of the cluster-style mailbox kiosk, landscaping, trash can and surrounding areas shall be borne by the home owners association (HOA) of the neighborhood/development. Where no HOA exists, maintenance and associated costs shall be the responsibility of the homeowners served by the cluster mailbox kiosk.
6. Cluster-style mailbox kiosks shall be exempt from the setback requirements of the zoning district; however all structures shall require a separate building permit and must meet or exceed all applicable building code.

C. Design Standards

1. All cluster-style mailbox units shall be incorporated into a cluster-style mailbox kiosk unless the cluster-style mailbox units are located interior to a building or as may be approved by the Director.
2. Cluster-style mailbox kiosks shall be compatible with other streetscape elements and be architecturally enhanced with building materials and details typical of the architectural style of the neighborhood/development.
 - a. Cluster-style mailbox kiosks shall be located away from any location where, by reason of the position, shape or color, it may interfere with,

ZONING RESOLUTION OF FULTON COUNTY

or obstruct the view of or be confused with any authorized traffic control device.

- b. Provide a 4-foot wide impervious surface parallel to the kiosk and a roof overhang for a weather free standing location wherever the individual mailboxes are to be accessed.
 - c. Provide landscaping consistent with the landscape theme of the neighborhood/development.
 - d. Provide a trash receptacle at each clustered mailbox location.
 - e. Provide lighting.
3. Cluster-style mailbox kiosks shall have a base of a width not less than the width of the cluster mailbox structure itself.
 4. Cluster-style mailbox kiosks shall have a minimum 4-foot wide concrete/masonry or stone access from the street and/or sidewalk.
 5. Cluster-style mailbox kiosks shall provide access compliant with the Americans with Disability Act (ADA).
 6. Cluster-style mailbox kiosks shall provide a paved area with ingress/egress to allow vehicles to pull off, park and re-enter the roadway safely while retrieving mail.
 7. Cluster-style mailbox kiosks shall be located in areas that will best allow for vehicle parking. Parking layout is to be designed in a manor so as to not create pedestrian safety or vehicle safety issues as determined by the Fulton County Traffic Engineer.
 8. Minimum required parking shall be required as follows:

| Cluster-style Mailbox Kiosk Off-street Parking Requirement | | |
|---|----------------------------------|--|
| Activity | Number of Spaces Required | |
| | Number of Mailboxes | Parking Spaces Required |
| Cluster-style Mailbox | 0-20 | 0 |
| | 21-60 | 2 |
| | 61-80 | 3 |
| | 81-100 | 4 |
| | 101 or more | 4 plus 1 per each additional 50 mailboxes or portion thereof above 100 |

ZONING RESOLUTION OF FULTON COUNTY

9. Access drives and parking areas shall be constructed to Fulton County road standards or as approved by the Director of the Department.

D. Location Standards

1. The location of the cluster-style mailbox is to be approved by the County and by the USPS.
2. Cluster-style mailbox kiosks shall be prohibited from being located within the public right-of-way.
3. Clustered mailboxes shall be placed so as to not adversely affect the privacy of residents.
4. Cluster-style mailbox kiosks shall not be installed within a cul-de-sac bulb.
5. Cluster-style mailbox kiosks shall be located away from the intersection of any street and in no case closer than 75 feet measured from the street centerline in order to prevent obstruction of free and clear vision.
6. Clustered mailboxes shall be centrally located, offering easy pedestrian access to all residents. Cluster-style mailbox kiosks shall be located no more than 1/4 mile from the property line of those residents served by the Cluster-style mailbox kiosk. Distance shall be measure as a radius drawn from the cluster-style mailbox kiosk.
7. No driveway or street access shall be constructed within 5 feet of a Cluster-style mailbox kiosk and vice versa.

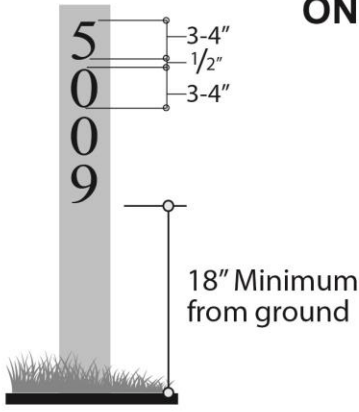
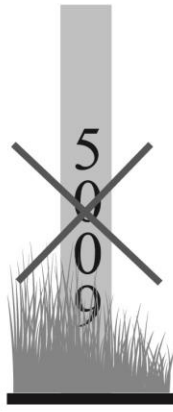
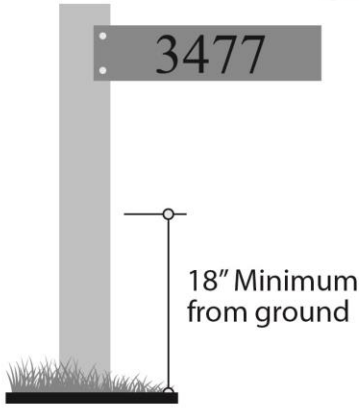

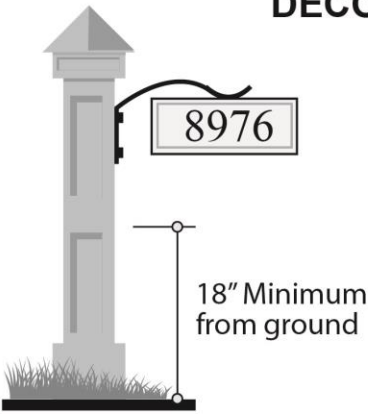
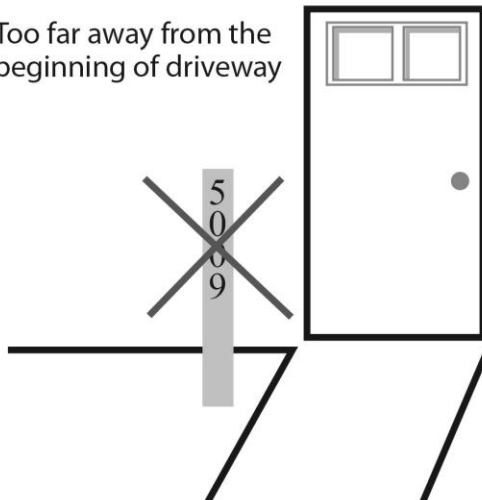
E. Address Post (Added 05/04/16)

1. Each residential one- or two-family dwelling shall have its address number posted on a mailbox or addressing post located at or near the main entrance or vehicle access point to the property.
2. The address post shall not exceed 6 inches by 6 inches in dimension.
3. One-third of the total length of the address post shall be buried in the ground and the address post shall be secured in the ground i.e. surrounded by concrete.
4. Such address numbers shall have a minimum stroke height of three inches and shall be a color that contrasts with the surrounding surface so as to be readily identifiable.
5. Such numbers shall have a minimum 1/2 inch between numbers.
6. Address numbers shall not be placed within 18" of the ground.

7. Address numbers must be clearly visible on both sides of the post, and shall face the direction of traffic.
8. The post shall not be obstructed from view by any means.
9. The property owner shall have the responsibility of ensuring compliance with the requirements of this section, regardless of whether the premises are leased or owner-occupied.

The following diagram has been provided as reference for acceptable and unacceptable installation, of the address posts and address numbers.

EXAMPLES OF ADDRESSING POSTS

| ACCEPTABLE ADDRESS POSTS | UNACCEPTABLE ADDRESS POSTS |
|--|---|
| <div style="text-align: center;">  <p style="font-weight: bold; margin-top: 10px;">ON A POST</p> <p style="margin-top: 10px;">18" Minimum from ground</p> </div> | <div style="text-align: center;">  <p style="font-weight: bold; margin-top: 10px;">ON A POST</p> <p style="margin-top: 10px;">Too low to the ground foliage can grow and block numbers</p> </div> |
| <div style="text-align: center;">  <p style="font-weight: bold; margin-top: 10px;">MOUNTED BOARD ON A POST</p> <p style="margin-top: 10px;">18" Minimum from ground</p> </div> | <div style="text-align: center;">  <p style="font-weight: bold; margin-top: 10px;">NUMBER STAKES</p> <p style="margin-top: 10px;">Too low to the ground Not enough contrast</p> </div> |
| <div style="text-align: center;">  <p style="font-weight: bold; margin-top: 10px;">DECORATIVE POST</p> <p style="margin-top: 10px;">18" Minimum from ground</p> </div> | <div style="text-align: center;">  <p style="font-weight: bold; margin-top: 10px;">Too far away from the beginning of driveway</p> </div> |

34.6. **TIMBER HARVESTING** (Added 3/6/91) Deleted 12/01/99

34.7. **CEMETERIES** (Added 02/01/06). In a parcel with a cemetery, burial ground, human remains or burial object(s), there shall be no land disturbing activity or timbering unless approved by the Department of Environment and Community Development. The person or entity seeking a permit shall also comply with O.C.G.A. 36-72-4. If a parcel is adjacent to a cemetery, there shall be no land disturbance in that parcel unless approved by the Department of Environment and Community Development.

The following development standards shall be required as a part of the application process for a Land Disturbance Permit or Building Permit on any parcel with a cemetery or on any parcel adjacent to a cemetery:

- A. A report prepared by an archeologist determining the boundary of the cemetery and stating the number of graves believed to be present and their location as can be determined from the use of minimally invasive investigation techniques, including remote sensing methods and the use of metal probes.
- B. A survey of the cemetery prepared by or under the direction of a registered surveyor showing the location of the boundaries of the cemetery or burial ground based on an archeologist's report.
- C. A 25-foot natural undisturbed buffer with a 10-foot improvement setback shall be provided around the perimeter of the outermost burials, as determined by an archeologist, if a cemetery is located on the parcel of land to be developed. If a cemetery is adjacent to the parcel to be developed, a 25-foot natural undisturbed buffer with a 10-foot improvement setback shall be provided along common property lines on the parcel where the Land Disturbance Permit or Building Permit is being sought.
- D. A temporary tree protection fence shall be installed on the outer perimeter of the 25-foot undisturbed buffer before any land disturbing activity occurs. If the cemetery is located on an adjacent parcel, the tree protection fence shall be located along common property lines. The temporary tree protection fence shall remain in place until construction is completed.
- E. A permanent 6-foot high fence or wall with a gate shall be constructed along the perimeter of a cemetery on a parcel for which land disturbing activity is sought. The fence shall be constructed of a durable metal material. At minimum fence shall be black vinyl clad chain-link. Uncoated chain-link fence is prohibited. The location of the fence shall be as determined by an archaeologist. If the cemetery is located on an adjacent parcel, the fence shall be located interior to the required buffer and improvement setback or along

ZONING RESOLUTION OF FULTON COUNTY

the common property line(s) as may be approved by the Fulton County Arborist. The gate shall have a latch and be 4 feet wide if the cemetery is inactive or 10 feet wide if active.

- F. Uninhibited daylight access to the cemetery shall be provided via a 20-foot graveled easement to the cemetery from the nearest public road. The easement shall be recorded in the Fulton County Courthouse.
- G. A maintenance plan for a cemetery located on the parcel for which a Land Disturbance Permit or Building Permit is sought shall be developed and implemented.
- H. The location of a cemetery, as identified by the surveyor, shall be included on the recorded plat.
- I. A small plaque/marker with the name of the cemetery, range of burials and any other historical information may be placed on the cemetery fence.