

**ORDINANCE NO. 06-08**

**ORDINANCE OF THE BOARD OF COMMISSIONERS OF COLUMBIA COUNTY, GEORGIA ADDING TO CHAPTER 90, ZONING, OF THE CODE OF ORDINANCES, A NEW SECTION UNDER ARTICLE III, COMMERCIAL, INDUSTRIAL, PROFESSIONAL, SPECIAL, PLANNED UNIT DEVELOPMENT AND PLANNED DEVELOPMENT DISTRICTS TO BE DESIGNATED AS SECTION 90-100, NODE PROTECTION OVERLAY DISTRICT; TO PROVIDE FOR AN EFFECTIVE DATE AND TO REPEAL ANY CONFLICTING ORDINANCES**

**THIS ORDINANCE** adopted by the Board of Commissioners of Columbia County, Georgia (the "Board").

**WHEREAS**, the Board desires to establish Node Protection Overlay Districts ("NPOD") to be imposed as the Board of Commissioners shall determine at various nodes within the unincorporated area of Columbia County to encourage the creation of nodes with a unique identity and to protect public health, safety and welfare through the preservation of the County's nodal areas;

**NOW, THEREFORE, BE IT ORDAINED** by the Board, and it is hereby ordained by authority of the same as follows:

**Section 1. Addition of Section 90-100.** There is hereby added to the Code of Ordinances of Columbia County, Georgia as part of Chapter 90, Zoning, Article III, Commercial, Industrial, Professional, Special, Planned Unit Development and Planned Development Districts, a new section to be designated as Section 90-100 reading as follows:

**Sec. 90-100. Node Protection Overlay District**

**(a)** A Node Protection Overlay District (NPOD) can be established to provide for and encourage the creation of a nodal area with a unique identity, to establish design guidelines for all development within the nodal area, to ensure compatibility of commercial development within the node as well as with nearby residential development, to reflect regional styles, to create human scaled architecture and outdoor spaces, to promote pedestrian and bicycle access to the nodal area as well as improving vehicular access and to protect public health, safety and welfare through the preservation and aesthetic enhancement of the county's nodal areas. The adoption of standards in an NPOD for design, construction, screening, landscaping and aesthetics is necessary to ensure that future development will not degrade the character of these nodal areas and will maintain or enhance the aesthetics and function of these nodal areas and their ability to serve as cultural assets for the residents and visitors of Columbia County. Urban design features such as lighting, coordinated signage, street

furniture and landscaping should be used to provide visual cues that tie a nodal area together. The intent of the design review process is to assure respect for the character, integrity and quality of the built environment of a NPOD; it is not intended to stifle compatible innovative architecture within the designated style of design or beneficial economic development. A “node” is defined as the area designated by the Board of Commissioners which surrounds the intersection of two roads usually classified as primary arteries where concentrations of certain types of commercial, professional and in some cases residential development activity are desirable. This is designed to be a concentrated activity center for the location of more intense land uses thereby protecting abutting neighborhoods from such uses, lessening sprawl and making the most efficient use of infrastructure which serves the area.

**(b)** Property located in an NPOD shall be subject to the requirements, restrictions and limitations for the zoning district in which each property is located subject to modifications made thereto by the requirements, restrictions and limitations set forth for the NPOD.

**(c)** Property located in a NPOD also shall be subject to such requirements, restrictions and limitations as the ordinance creating that NPOD shall specify. In the event that any property located within an NPOD is also located within a Corridor Protection Overlay District (“CPOD”) pursuant to Section 90-99 of this code, the provisions applicable to the NPOD shall apply to the property and the provision of the CPOD shall not apply to the property.

**(d)** In order not to stifle compatible innovative architecture or beneficial economic development, the Columbia County Planning Commission may review site plans, building plans and landscape/tree protection plans for any project in a NPOD which do not meet the applicable standards and requirements, and may approve variations from those standards and requirements if the Planning Commission finds that the variations permitted will not materially alter the unique identity and character of the NPOD, materially interfere with the architectural compatibility and aesthetic harmony of structures located within the NPOD or otherwise materially adversely affect the appearance or environment of the NPOD. Prior to approving such a variation, the Columbia County Planning Commission shall hold a public hearing advertised in the same manner as a public hearing for a variance application under section 90-179(c) of this chapter. Any person who appears at such public hearing and supports a position contrary to the actions taken by the Planning Commission may appeal the action of the Planning Commission to the Board of Commissioners of Columbia County by filing a written notice of such appeal with the clerk of the Board of Commissioners and the Director of the Columbia County Planning and Development Services Division. The notice of appeal must be so filed within seven days of the date of the

meeting at which the Planning Commission voted to take the action being appealed from. The Board of Commissioners shall hear such appeal at a regular or special meeting within 30 days of the date the notice of appeal is filed. The action of the Board of Commissioners shall be final.

(e) The Board of Commissioners may create one or more NPODs within the unincorporated area of Columbia County by adopting an amendment or amendments to this section describing the boundaries of the NPOD being created, giving the NPOD a name, setting out any requirements, restrictions and limitations which shall apply to that NPOD and directing that the NPOD be shown by its designated name on the then-current official zoning map of Columbia County.

**Section 2. Effective Date.** This Ordinance shall become effective upon its adoption.

**Section 3. Conflicting Ordinances.** Any Ordinances or portions of Ordinances in conflict with this Ordinance are hereby repealed to the extent necessary to eliminate such conflict.

**ADOPTED** \_\_\_\_\_, 2006, following approval on a first and second reading.

BOARD OF COMMISSIONERS OF  
COLUMBIA COUNTY, GEORGIA

By: \_\_\_\_\_  
Its Chairman

Attest: \_\_\_\_\_  
Its Clerk

[COUNTY SEAL]

**CLERK'S CERTIFICATE**

I, Phebe Dent, Clerk of the Board of Commissioners of Columbia County, Georgia, (the "Board") DO HEREBY CERTIFY that the foregoing pages of typewritten matter constitute a true and correct copy of an Ordinance, adopted by the Board of Commissioners on its second and final reading at a regular meeting of the Board of Commissioners duly held on \_\_\_\_\_, 2006 at 6:30 p.m., the first reading having been at a regular meeting of the Board of Commissioners duly held on \_\_\_\_\_, 2006 at 6:30 p.m. both of which meetings were open to the public and in which a quorum was present and acting throughout, and that the original of said Ordinance appears of record in the Ordinance Book of the Board and has been placed onto a CD Rom, which is in my custody and control. It will also be microfilmed as part of the Board of Commissioners minutes.

Given under my hand and seal of the Board, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_

\_\_\_\_\_

**Phebe J. Dent**  
**CLERK, BOARD OF COMMISSIONERS**  
**OF COLUMBIA COUNTY, GEORGIA**

**[County Seal]**