

**Action Requested/Required:**

- ☐ Vote/Action Requested
☐ Discussion or Presentation Only
☒ Public Hearing
Report Date: 8/7/25
Hearing Date: 8/21/25
Voting Date: _____

Department: Community Development

Presenter(s) & Title: Kevin Turner

Community Development Director

Agenda Item Title:

Public Hearing - Proposed Text Amendment Regarding Design Guidelines and Standards

Summary:

Staff is proposing text amendments to Section 103.07.00 - Design Guidelines and Standards of the Unified Development Code to add an administrative review process to the the overall design review process. Majority of the amendments pertain to the addition of administrative reviews that will be conducted by staff. This will allow applicants to obtain certain permits quickly and seamlessly. Additional amendments include identifying and clarifying staff that will make up the Design Review team and establishing an appeal process in the event that an administrative review is denied by staff.

Budget Implications:

Budgeted? ☐ Yes ☐ No ☒ **N/A**

Total Cost of Project: Check if Estimated ☐

Fund Source: General Fund ☐ Water & Sewer ☐ Sales Tax ☐ Other:

Staff Recommendations:

N/A

Reviews:

Has this been reviewed by Management and Legal Counsel, if required? ☒ Yes ☐ No

Attachments:

Proposed Text Amendment

ORDINANCE OF THE CITY OF CANTON

WHEREAS, the City of Canton is authorized by the constitution of the State of Georgia to adopt rules, regulations, laws, and ordinances protecting the public health, safety and welfare of the citizens of the City.

WHEREAS, the City by and through its Mayor and Council have deemed it in the best interest of the health, safety and welfare of the citizens of the City of Canton, to adopt an ordinance governing Zoning.

NOW THEREFORE, be it ordained by the Mayor and Council of the City of Canton, Georgia and it is hereby ordained by the authority thereof, that:

103.07.00 OF THE CITY OF CANTON CODE OF ORDINANCES IS TO READ AS FOLLOWS:

103.07.00 Design guidelines and standards.

103.07.01 Purpose and intent.

It is the purpose and intent of this section to establish community design standards for the City of Canton in order to encourage orderly development, to protect property values to further enhance and preserve the aesthetics that attribute to the quality of life of Canton, to protect the investments made by existing development, to ensure compatibility and harmony of the built environment, to respect the history and integrity of the city by minimizing any adverse impacts of new development, and by encouraging creativity through a variety of building materials and design elements.

103.07.02 Applicability.

- A. Community design plans shall be submitted to the community development department for all properties within the City of Canton, said properties to include non-single-family detached residential, commercial, office, institutional, industrial, and special use which are engaged in new construction, renovation, being refurbished, additions to existing structures, or being remodeled.
- B. Review and approval or denial of community design plans shall be performed by the City of Canton City Manager or his/her designee, **a representative from Planning and Zoning, and a representative from Building and Safety Services.** ~~after receiving input from additional city staff.~~ The Canton Design Review process shall not review any project within the Canton Historic District. Projects within the historic district are reviewed by the historic preservation commission when warranted.
- C. Should any activity which is regulated by a city business license cease to operate at its existing location or vacate its location for 60 days or more, a design plan including the architectural intent of the structure shall be submitted to the community development

department prior to issuance of any new business license or reoccupation of the structure by an existing business. This shall apply to any change of business license holder even if the activity being conducted is identical to the previous business license occupant.

103.07.03 Exemptions.

The following structures shall be exempt from this section:

- A. Single-family detached dwellings (except as may be conditioned by a rezoning);
- B. Agricultural structure (harvesting of timber, sod, or plants/vegetables grown for consumption or sale).

103.07.04 Submittal requirements.

The following information shall be included when submitting for community design standard review:

- A. Elevation drawings including front, rear, and sides of the proposed building(s). All elevation drawings shall be to scale.
- B. Building materials list for each structure.
 - 1) Acceptable building materials are:
 - a. Brick;
 - b. Decorative stone, decorative block;
 - c. Concrete or wood lap siding;
 - d. Finished block;
 - e. Stucco, E.I.F.S.;
 - f. Glass;
 - g. Structural panels or other material as approved by the city.
 - 2) The city encourages the majority of the exterior façade of buildings to be brick or stone.
 - 3) Acceptable building materials for structures in industrial zoning districts are those listed in subsections B.1 and B.2 above in addition to structural panels.
 - 4) Residential structures that are proposed to accommodate a non-residential use (as may be allowed by the zoning district in which the structure is located) shall retain existing building material or utilize materials found on surrounding residential structures.
- C. Colors of all structures shall be submitted and displayed in a chip form customary of the paint industry. (See community and development department staff for acceptable samples of a variety of color chips found throughout the city's built environment.)
- D. Notations on design plans which provide details of any appendages (attached or fixed) including, but not limited to, HVAC units, satellite dishes, cold storage rooms/coolers, compressors, grills, security gates, or any other element that may affect the exterior of the subject building(s).

103.07.05 General community design requirements.

The following requirements and policies are established as the minimum community design requirements of the City of Canton. These requirements are set forth for the entire community including the City of Canton to establish the aesthetic standards in which all construction is strongly encouraged to follow. These same standards shall be used to govern all public buildings constructed by the city as well as those imposed upon the community at large:

- A. All design shall be in keeping and is encouraged to be compatible with the existing built environment.

B. Factors considered for community design shall include:

- 1) Mass of building(s);
- 2) Height;
- 3) Size;
- 4) Site placement;
- 5) Relationship of proposed structure(s) to those properties adjacent to subject structure(s);
- 6) Color;
- 7) Materials used and in combination thereof;
- 8) Compatibility of the structure to the balance of the overall project;
- 9) Preservation of any scenic views or corridors;
- 10) Historical compatibility when appropriate for area;
- 11) Design components shall be related to the physical and aesthetic elements of the project as a whole;
- 12) Design to complement adjacent and surrounding properties;
- 13) Design shall be of such to protect the visibility of any material or element that may be visible from a street (public or private), drive, or adjacent properties;
- 14) Any attached device to the subject structure shall be in keeping with the overall scope of the building and shall not be the predominant or primary characteristic of the building but secondary to the building;
- 15) Protection of view corridors;
- 16) Protection from shadow casting of subject building(s) in relationship to the built environment.

103.07.06 Fees.

A fee for plan submittal and review shall be established by city council. Said fee shall be submitted at the time of plan review submittal.

103.07.07 Approval.

- A. Upon approval of community design plans, the director shall commit to writing said approval to the applicant.
- B. An applicant shall have one year from the issuance of the Design Review approval to apply for a building or land disturbance permit. ~~The approval period shall follow the same as established for land disturbance permits and building permits.~~ The applicant is entitled to one 90-day extension in which to begin work. Said extension request shall be made in writing by the applicant to the director and shall be submitted **at least** two business days prior to the expiration of approval. Upon expiration of said extension, the applicant shall reapply for community design standard review and approval.

103.07.08 Administrative Review

- A. The following project items do not need design review approval from the Design Review team. Review and approval of the proposed project is handled by the Community Development Department.
 - 1) Accessory structures, i.e.
 - a. Dumpster enclosures
 - b. Garages
 - c. Mail kiosks
 - 2) Additions, less than 25 percents of the principal building

- 3) Awnings / canopies
 - 4) Doors
 - 5) Fences
 - 6) Louvres / shutters
 - 7) Painting, earth or neutral hue tones
 - a. Accent colors, limited to 20 percent of the facade
 - 8) Railings / ramps
 - 9) Solar panels / arrays
 - 10) Utilities, properly screened
 - 11) Windows
- B. Continuation of existing development that received approval from the Canton Design Review team prior.
- a. Townhomes
- C. Zoning conditions of approval prior to August 1, 2025 that require Design Review approval can be reviewed administratively.

~~103.07.08~~ **103.07.09 Denial.**

- A. Should the application seeking approval of community design standards be denied, it shall be found and described so in writing to the applicant stating the reason(s) for said denial and shall include a list of prescribed remedies.
- B. Reasons for denial shall pertain to the following:
 - 1) Negative impact to the environment;
 - 2) Negative impact to property values;
 - 3) Negative impact to surrounding or adjacent properties;
 - 4) Negative impact to the public health, safety, or welfare.
 - 5) Failure to comply with section 103.07.00 of this unified development code.

~~103.07.09~~ **103.07.10 Enforcement.**

Any violation or attempted violation of section 103.07.00 or of any condition or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to state law.

~~103.07.10~~ **103.07.11 Appeals.**

- A. Any person aggrieved by a decision of the director with respect to any determination made in accordance with section 103.07.00 shall have the right to appeal to the city council.
- B. Any person aggrieved by a decision of the Community Development Department staff with respect to any determination made in accordance with section 103.07.00 shall have the right to appeal to the Canton Design Review team.

~~103.07.11~~ **103.07.12 Other design considerations.**

In addition to section 103.07.00 and other design-related standards identified in this UDC, additional design requirements may apply, including but not limited to the City of Canton Historic District Design Guidelines that are on file at the community development department.

All ordinances or parts of ordinances or regulations in conflict herewith are hereby repealed.

Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of the ordinance shall become and be made part of the Code of Ordinances, City of Canton, Georgia and the section of this ordinance may be renumbered to accomplish such intention.

This ordinance shall take effect and be in force on the date of approval appearing below, the public welfare demanding it.

The above ordinance was read and approved by the Mayor and Council this _____.

Bill Grant, Mayor

ATTEST:

Annie Fortner, City Clerk

Approved as to form and content:

Robert M. Dyer, City Attorney

First Reading _____

Adopted by Council _____

Approved by Mayor _____

Veto by Mayor _____

Second Vote by Council _____

Effective Date _____