

ARTICLE IV, MATT OVERLAY DISTRICT:

21-9.1 **Purpose.** The purpose of the Matt Overlay District is to preserve and maintain the rural atmosphere of the historic Matt community while promoting high quality development within its identified commercial node. The overlay seeks to encourage limited commercial growth while maintaining a sense of rural character within its residential areas through regulatory measures that address two distinct areas, the Community Village Center and the Rural Crossroads Community. The Community Village Center addresses commercial uses by orienting development closer to the street, providing public gathering places, ensuring architectural quality, creating additional mixed use standards, and expanding pedestrian facilities. The Rural Crossroads Community focuses on the preservation of the rural view shed, promotion of conservation subdivisions, maximizing the utility of open space, and adherence to residential design standards. The specific objectives of the overlay are intended to:

- (A) Enhance the character of the Community Village Center by requiring pedestrian scale elements and street-orientation placement.
- (B) Encourage mixed use development within the Community Village Center by promoting a live-work concept that integrates commercial, office, institutional and/or residential uses.
- (C) Balance the needs of pedestrians and automobiles within the Community Village Center by incorporating cross walks, bicycle and motorcycle parking, attractive landscape areas, and sidewalks, as well as pervious paths, along internal roads.
- (D) Improve mobility and pedestrian circulation within the Community Village Center by planning for and promoting pedestrian oriented developments.
- (F) Preserve the existing topography and protect the mature vegetation and natural resources within the Rural Crossroads Community by minimizing land disturbance in residential developments and providing for functional open space.
- (G) Conserve the view shed within the Rural Crossroads Community through conservation subdivision requirements.

21-9.2 **Delineation of District.** The Matt Overlay District shall consist of those parcels within the two (2) circular boundaries indicated on the Official Overlay District Map of Forsyth County. Where land is classified as an overlay district, the regulations governing development in the overlay district shall apply in addition to the regulations governing development in the underlying base zoning district. In the event of an express conflict between the standards governing a base zoning district and those governing an overlay district, the standards governing the overlay district shall control.

21-9.3 **Permitted Uses.** All uses allowed in the underlying zoning districts as established by this Code are permitted in the Matt Overlay District, except for those listed below:

- (A) Pawn shops
- (B) Automobile, boat, trailer, recreational vehicle, and vehicle parts sales, service, storage and garages
- (C) Open air business with the exception of garden centers and plant nurseries
- (D) Contractor's establishments
- (E) Open Storage yards
- (E) Camp and trailer parks
- (F) Equipment rental and sales yards
- (G) Drive-in/drive-through restaurants
- (H) Mini warehouses
- (I) Retail trade establishments with fuel pumps
- (J) Uses involving hazardous materials or those that generate a high level of noise incompatible with residential uses

21-9.4 **Design Plan Administrative Review.** Design review shall be performed by County planning staff. Should a design not meet all of the standards contained within the regulations, then the proposed design must be submitted to the Forsyth County Planning Commission for review and approval as an Alternate Design Review. Architectural elevations, exterior finish schedules, landscape, and lighting plans must be submitted to the Planning Department at the time of application for a land disturbance permit. See Chapter 7 for land disturbance and building permit procedures. These plans shall address and conform to all provisions set forth under Chapter 21, Article 9.

21-9.5 **Community Village Center – Description.** The proposed Community Village Center will provide a lively place for commerce, gatherings and a mix of uses that encourage residents in the area to live, work and relax in a central location. The Community Village Center will be easily accessed by foot, bicycle, or motorized vehicle

and will feature business establishments such as, restaurants, groceries, offices, banks and other day-to-day neighborhood services in a pedestrian-friendly setting.

21-9.6 **Community Village Center - Site Design Standards**

- (A.) **Interparcel connection** with adjoining properties is required. Adjacent property owners must mutually agree upon the horizontal and vertical location for the connection.
- (B) **Parking:**
- (1) All parking, not otherwise concealed by a building, shall be screened from view of any public street by one (1) of the following: three (3) foot tall earthen berms planted with a continuous hedge of evergreen shrubs, or a combination of evergreen shrubs and a fence or opaque wall.
 - (a) Fences and walls shall be a minimum of three (3) feet in height.
 - (b) Allowed fencing types and materials include: Split rail, natural and man-made stacked stone wall, brick, ornamental wrought iron or aluminum, textured concrete or wood.
 - (c) Fences, walls, and vegetative materials shall not obstruct any sight distance requirements.
 - (d) Unpainted pressure treated wood and chain link fences are prohibited.
 - (2) For retail uses, no more than one (1) space for each two hundred and fifty (250) square feet of floor space devoted to such use.
 - (3) Any parking over the amount required by the Forsyth County Unified Development Code shall be surfaced with porous material.
 - (4) Shared parking agreements receive a fifteen (15) percent reduction in the required number of parking spaces.
 - (a) All shared parking spaces shall be clearly marked with pavement labeling and/or signage.
 - (b) An applicant shall submit the following information as part of an application to reduce parking requirements and avoid conflicting parking demands:
 - (i) A to-scale map indicating location of proposed parking spaces.
 - (ii) Hours of business operation of nonresidential parking users.
 - (iii) Written consent of property owners agreeing to the shared parking arrangement.
 - (6) Bicycle parking spaces are required as followed: All new non-residential uses shall provide one (1) such space for every twenty (20) automobile spaces. Bicycle parking spaces shall include a bike rack with a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock.
 - (7) Motorcycle parking:
 - (a) Parking facilities shall provide one (1) motorcycle space for each twenty (20) automobile spaces not to exceed ten (10) motorcycle spaces in each lot.
 - (b) Motorcycle parking spaces shall be at least three (3) feet four (4) inches wide by seven (7) feet long.
- (C) **Open Space:**
- (1) Each retail development shall contribute to the establishment or enhancement of community public spaces by providing at least two (2) amenities such as patio/seating areas, water feature(s), clock tower, and pedestrian plazas with seating facilities. Such features shall be constructed of materials that are the same or similar to those used for the principal building(s) of the development.
 - (2) Square footage of community areas can be counted towards the minimum open space requirement of the underlying zoning district. Such areas include, but are not limited to, plazas and pedestrian walkways that connect uses and provide a pedestrian network through and around the site. Sidewalks located directly in front of business establishments shall be excluded from open space calculations.
- (D) **Landscaping:** The intent of this section is to require the integration of all landscape improvements with the overall project site requirements. All plant materials shall be used to enhance the site, particularly as viewed from an adjacent right-of-way, and to mitigate development impacts. Landscape plans shall be submitted to the Planning Department for review. The following is in addition to Ordinance No. 98 (Tree Protection and Replacement Ordinance) and shall be implemented:
- (1) **Landscape Materials:**
 - (a) A minimum of forty (40) percent of all trees and shrubs shall be evergreen and incorporated into the landscaping as group plantings to enhance winter seasonal interest and to act as

- backdrop for ornamental trees.
- (b) At least fifty (50) percent of new landscaping material shall consist of drought-tolerant species and/or native plants as identified by the Forsyth County Recommended Plant List.
 - (c) All dead and damaged plant material that occurs within the first year of installation shall be replaced with similar species within one (1) month of their detection and verification. If weather conditions are not appropriate for replanting, the property owner may postpone replacement until the next planting season.
 - (d) All replacement plant material shall be of similar size to plant material being replaced.
- (2) Landscape Strips:
- (a) A minimum twenty (20) foot wide landscape strip shall be provided along the proposed future right-of-way and reservation lines of SR 369/Matt Highway.
 - (b) A minimum fifteen (15) foot wide landscaping strip shall be provided along the proposed future right-of-way and reservation lines of Bannister Road, John Burruss Road, Elmo Road and Namon Wallace Road.
 - (c) A minimum of ten (10) feet of the required twenty (20) feet landscape buffer on S.R. 369/Matt Highway shall be located behind utility easements so plant material will not be disturbed after installation.
 - (d) One (1) overstory tree shall be provided for every twenty-five (25) linear feet of the front landscape strip. A minimum of six (6) shrubs per every twenty (20) linear feet shall be provided. Shrubs shall be planted two (2) rows deep and shall provide a solid screen within three (3) years of planting.
- (3) Facade Plantings:
- (a) Facade plantings shall be provided along the front and side of any building which faces a public right-of-way and/or is adjacent to a parking lot or other area which provides access to the building(s) by the general public.
 - (b) Facade planting areas shall be integrated into the pedestrian walkways (between the front or sides of the building and the parking area and/or associated driveways) adjacent to the building.
 - (c) Facade planting areas shall contain a minimum of one (1) ornamental tree and six (6) shrubs per thirty (30) linear feet of building frontage.
 - (d) Facade planting areas shall be a minimum of four (4) feet in width.
 - (e) Ornamental trees shall be at least six (6) feet in height and two (2) inches in caliper at time of installation.
- (4) Landscape Installation:
- (a) All landscaping shall be installed, or a landscape installation guaranty must be provided prior to the release of Certificate of Occupancy (CO), unless appropriate provisions are made to guarantee the installation of landscaping after such certificate is issued, such as approval by the Department of Planning and Development of a landscaping bond.
 - (b) The guaranty shall be stamped and signed by a registered landscape architect certifying that all landscaping meets County standards.
 - (c) All landscaping shrubs shall be a minimum of three (3) feet in height at the time of planting.
- (E) Pedestrian Paths and Walkways: Paths from the sidewalk to the buildings, between buildings, and to parking lots shall be established with minimal interruption by vehicular circulation. Pedestrian circulation within the site shall be delineated through the following methods:
- (1) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of color and durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort as well as the attractiveness of the walkways. Pedestrian walkways shall be continued across the entire length of all concrete aprons and shall be textured to match the appearance of sidewalk material in terms of color, texture and design.
 - (2) Pedestrian walkways shall be at least six (6) feet wide and shall be provided adjacent to a public street along the street frontage. Such walkways shall connect with existing and/or future sidewalks as identified in the Forsyth County Bicycle and Pedestrian Plan.
 - (3) Developers shall provide clearly marked crosswalk areas for pedestrians to safely traverse drive lanes to building entrances. Where walkways cross internal driveways, they shall be raised to slow traffic and provide safe access.
 - (4) Pedestrian walkways shall be a minimum of eight (8) feet wide along building fronts. They shall

be made out of a hard surface material such as concrete, brick, or pavers.

21-9.7 **Architectural Design Standards.** The architectural design standards established herein apply to all development requiring a land disturbance permit. They are intended to achieve a base level of quality for architectural and landscape design that is responsive to its context and contributes to the overall character of the overlay district. These standards are in addition to the design criteria contained in Chapters 11 and 12.

- (A) **Building Materials and Architectural Treatments.** The following design standards, guidelines, and enhancements are established to create a sense of architectural consistency throughout the overlay district and to ensure high quality architectural design. Design emphasis shall be focused towards pedestrian use through the provision of inviting building entries, street level amenities, and other structural and façade elements to encourage pedestrian interaction. No single architectural style or styles are required.
- (B) **Building Orientation:**
- (1) All buildings shall be required to be within thirty-five (35) feet of a street right-of-way, unless the Planning Director determines that other buildings, topographical issues, or access problems make such a requirement impractical.
 - (2) Any building abutting a public right-of-way shall be oriented to the street and/or sidewalk by locating the main pedestrian entryway towards the public road.
 - (3) Where a building is on a corner lot, or has frontage on two abutting streets, the design of the structure should have an angled entrance located at the street corner.
 - (4) Buildings shall not end abruptly at a corner. Corner buildings shall demonstrate focal points which anchor the corner by providing enhanced architectural details that clearly define all sides of the building that face the public right-of-way, including but not limited to, display windows, columns, or façade accents.
- (C) **Façade Articulation:** Articulation is intended to divide buildings into modules which reflect proportions similar to traditional buildings that integrate pedestrian scale features. This can be achieved through a combination of the following techniques:
- (1) Vertical definition enhances multi-story buildings by providing for visual interest at various intervals of the building height to encourage the perception of a more human scaled development. This may be achieved through the following:
 - (a) Provide setbacks in the primary wall plane at a minimum of every thirty (30) feet of the façade front. Recessions and extensions along the façade shall be a minimum of three (3) feet in depth as measured from the building face with a minimum width of three (3) feet and/or
 - (b) Provide a molding, ornamental trim, or window casing set vertically into the façade which shall project a minimum of three (3) inches from the primary wall surface with a minimum three (3) inch width.
 - (c) Vertical definition shall be provided on all sides of the structure.
 - (2) Horizontal definition must be achieved through details that shall extend a minimum of seventy (70) percent of wall length. Horizontal elements shall be applied to the first and second floors of all non-residential buildings except the rear facade. Elements may include:
 - (a) A molding, ornamental trim, window casing or sill that projects a minimum of three (3) inches from the primary wall surface, and/or
 - (b) A setback in the primary wall plane at the second and/or third floor level, a minimum of five (5) feet from the floor below, and/or
 - (c) A permanently affixed canopy, extending a minimum of four (4) feet from the building face, and/or
 - (d) A horizontal fascia that defines floor structure between the first and second floor and/or
 - (e) An eave of a porch, portico, or other similar elements, which extends a minimum of eighteen (18) inches from the building face.
- (D) **Principle entrance:** The principal entry area of a non-residential building shall express greater architectural detail than other portions of the building. Therefore, non-residential buildings shall incorporate at least one (1) of the following design features to provide visual relief, as well as protection from the weather for pedestrians, along the primary façade:
- (1) Recessed entries/alcoves

- (2) Arcades
- (3) Porticoes
- (4) Awnings
- (E) **Transparency:** This allows for views into and out of ground floor windows to increase a sense of security for the pedestrian and to allow merchants opportunities for merchandise display.
 - (1) At least forty percent (40%) of the wall area shall include transparent display areas, windows, or transparent doorways. Transparent elements must allow views into working areas, lobbies, and/or display areas.
 - (2) Transparency at the street level shall be measured from the finished grade at the street to ten (10) feet above grade for the entire width of the wall.
 - (3) The following alternative design treatments may be used, similarly or in combination, to meet half of the transparency requirement at the street level:
 - (a) A display case, defined as a box with transparent glass facing the street with a solid panel behind for display of products and images of goods and services offered in the area.
 - (b) Wall art, including murals, sculptural and other decorative treatments of exterior walls.
 - (c) Landscaping, which is to be at least three (3) feet high at the time of planting and of a type that will produce an opaque, evergreen planting screen capable of growing to a height of at least six (6) feet within three (3) years.
 - (d) Glass transoms, if present, that are located above any glass display windows and/or entry doors shall have a minimum height of twenty-four (24) inches and a maximum height of thirty-six (36) inches.
 - (e) Reflective and/or opaque glass is not permitted on ground level floors.
 - (f) Windows shall be placed at distances no greater than ten (10) feet apart.
- (F) **Roof Design:**
 - (1) Permissible roofs types include flat, gable, pyramidal, and hip roof forms.
 - (2) Roofs shall be made out of the following materials: asphalt shingle, wood shingle, wood shake, standing seam metal or materials designed to give the appearance of the above mentioned materials.
 - (3) Pitched roofs shall be a minimum roof pitch of one (1) foot rise to two (2) feet of run.
 - (4) Flat roofs shall be defined with an ornamental parapet or cornice concealing rooftop equipment.
- (G) **Building Materials:**
 - (1) Exterior walls for all new buildings shall consist of a minimum of eighty-five (85) percent of one or a combination of the following materials: brick, natural stone, textured traditional cement stucco, and/or glass.
 - (2) Small amounts of building materials such as tile, wood, fiber cement board, etc., may be used to enhance the elevation of the building or be used for decorative elements, but shall not exceed fifteen (15) percent of the total wall area per façade. Accent materials may not include otherwise prohibited exterior building materials.
 - (3) Prohibited exterior finishes include, but are not limited to, exposed concrete masonry unit block (CMU), synthetic stucco (EIFS), faux brick, metal siding, vinyl siding, exposed plywood and pressboard.
 - (4) Prohibited exterior building components include burglar bars and steel roll down curtains.
- (H) **Building Height:** Moderate sized structures, especially at the ground or pedestrian level kept to human scale, enhances the character and sense of community within an area.
 - (1) The maximum overall building height shall not exceed four (4) stories or fifty-two (52) feet for new development within the Community Village Center.
- (I) **Building Color:** Color shall be regulated to ensure that building colors are aesthetically pleasing and to create compatibility with surrounding buildings.
 - (1) Building colors shall consist of subtle, neutral and/or muted colors, including pastels, with low reflectance.
 - (2) No more than two (2) principle colors shall be used.
 - (3) Building trims (window trim, fascia, balustrades, and posts) may be painted in a decorative manner in a contrasting shade either lighter or darker than the primary building color(s).
 - (4) Fluorescent colors, high-intensity colors, metallic colors, and black or white as primary

colors, are prohibited. This standard does not apply to murals or other approved public art.

(J) Public Amenity:

- (1) All street furniture, where installed, shall have a location and type subject to approval including but not limited to the following: benches with accompanying waste receptacles, bicycle racks, water fountains, statues, clock towers, and pocket parks.
- (2) Vending machines, paper stands, and other similar devices must be located in the interior of the building structure.

(K) Retaining Walls

- (1) Retaining walls shall be faced with, or constructed of, natural and/or manmade stone, brick, or decorative textured concrete modular blocks only.
- (2) If any retaining wall equals or exceeds three (3) feet in height, a continuous evergreen planting shall be required along its length.

(L) Exterior Lighting: All lighting shall be designed to integrate with the overall character of the Community Village Center.

- (1) Developments located within the Community Village Center shall include pedestrian lighting as defined in 16-4.21 of this code.
- (2) Pedestrian lights shall be architecturally decorative (i.e. shepherds crooks, ornamental post tops). The same type of design shall be used along pedestrian pathways and/or common areas thru out the development and shall complement the color and theme of on-site structures.
- (3) Luminaries shall be placed so that they do not conflict with tree canopies, pedestrian walkways, utilities, road signs, fire hydrants, or street furniture elements.
- (4) Prohibited lighting includes:
 - (a) Flood lights
 - (b) Cobra head lights
 - (c) Shoebox lights
 - (d) Colored lights
 - (e) Exposed neon or fluorescent lights except for open and closed signs.
 - (f) Flashing, blinking, rotating, or moving objects caused by either electrically powered illumination or solar reflection.
 - (g) Promotional beacons, search lights, laser source lights, strobe lights or any similar light when projected above the horizon.
 - (h) Lighting used for causing sky glow to attract attention in excess of lighting used to provide safety, security and utility.

(M) Mixed-Use Developments: The following use regulation pertains to mixed use developments that front SR 369/Matt Highway, Bannister Road, John Burruss Road, Elmo Road and/or Namon Wallace Road. The crossroads formed by the intersection of these roads visually anchor this commercial node while providing the context for the Community Village Center. To ensure the commercial character of the Community Village Center is properly developed and maintained, residential units are not allowed on the ground floor for buildings within mixed use developments that front the above mentioned roadways. In addition:

- (1) Ground level buildings shall include one or more of the following uses:
 - (a) Retail trade establishments
 - (b) Restaurants, including outside seating areas
 - (c) Offices
 - (d) Personal service establishments
 - (e) Fitness gyms and/or schools for dance, martial arts, and other disciplines
 - (f) Finance, insurance and real estate establishments
 - (g) Clinics

21-9.8 **Rural Crossroads Community – Description.** The Rural Crossroads Community will be located within the outer boundary of the Matt Overlay District which is identified on the official Overlay District Map of Forsyth County. The Rural Crossroads Community will include residential subdivisions that will meet the needs of local inhabitants while encouraging protection of natural resources found within the historic Matt agricultural community.

21-9.9 **Rural Crossroads Community - Site Design Standards.** The Rural Crossroads Community shall be developed in a manner that allows for contiguous open space and conservation of environmental resources. This section of the Matt Overlay District is primarily focused on low and medium density residential districts. New residential developments within the Rural Crossroads Community (RCC) shall follow RCC-Conservation Subdivision regulations if located within 5,000 feet of County sewer facilities. A conservation subdivision is a residential development in which the lots are allowed to be smaller and/or narrower than otherwise required in the underlying zoning district, but the overall number of lots does not exceed the maximum number of lots allowed as designated by the zoning district.

- (A) **Landscape Entrance:** A minimum of four (4) non-ornamental shade trees that are a minimum of three (3) caliper inches for each tree shall be installed in a landscaped entryway of all newly created subdivisions within the Rural Crossroads Community, regardless of sewer facility status. They need to be located so as not to present traffic safety hazards, as determined by the Director of Engineering.
- (B) **Buffers:** An exterior buffer that is a minimum of fifty (50) feet in width (no part of any building lot) shall be provided along all subdivision tracts and an external roadway within the Rural Crossroads Community, regardless of sewer facility status. Landscape entry features such as fences and walls may be allowed within the buffer.
- (C) **Residential Design:** All new developments within the Rural Crossroads Community which are located on a corner lot shall continue all architectural elements on the front facade along the side and rear of the building.
- (D) **Vehicle Storage:** All new developments within the Rural Crossroads Community shall de-emphasize vehicle storage which may include, but is not limited to, garages, car ports, and/or parking slabs. This can be achieved by completing one (1) of the following:
 - (a) Orient garage doors away from the street, i.e. 'side loading garages'.
 - (b) Recess vehicle storage, creating a 'parking niche' beside the house.
 - (c) Locate vehicle storage behind the building.
- (E) **Pedestrian and Multi-Purpose Paths:** Open space shall be provided for pedestrian and/or multi-use paths, between five (5) and eight (8) feet wide, and shall be designed to connect with common areas and/or amenity destinations. This shall apply to all subdivisions within the Rural Crossroads Community, regardless of sewer facility status.
- (F) RCC-Conservation Subdivisions shall adhere to the procedures found under Chapter 19, Article VII of the County's Unified Development Code unless otherwise specified.
- (G) **Design Standards and Streets:** Design standards and street guidelines found in Chapter 19, Article VI of the County's Unified Development Code shall be followed by RCC-Conservation Subdivisions.
- (H) **Minimum Conservation Subdivision Size:** Each tract proposed to be developed shall be a minimum of fifteen (15) acres. The tract of land to be developed may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.
- (I) **Conservation Subdivision Density Determination:** The maximum number of lots in a RCC-Conservation Subdivision shall be determined by the creation of a Yield Plan or calculation. In order to increase the density level, the applicant shall complete one of the options under section 21-9.9 of this article.
 - (1) **Yield Plan:** A plan that shows the maximum number of lots based on a conventional subdivision design plan, prepared by the applicant, in which the tract of land is subdivided in a manner intended to yield the highest number of lots possible. The plan does not have to meet formal requirements for a site design plan, but the design must be capable of being constructed given site features and all applicable regulations including required open space and primary and secondary conservation areas. A yield plan cannot obtain more density than what is allowed in the underlying zoning district.
 - (2) **Calculations:** The maximum number of lots is determined by dividing the land tract area by the minimum lot size specified in Chapter 19, Table 19.1, in the County's Unified Development Code. In making this calculation, the following shall not be included in the total area of the parcel:
 - (a) Slopes over twenty-five (25) percent of at least 5,000 square feet contiguous area.
 - (b) The 100-year floodplain.
 - (c) Wetlands that meet the definition of the Army Corps of Engineer pursuant to the Clean Water Act.

- (d) Anticipated right-of-way needs for roads and utilities including electric transmission lines.
- (e) Detention ponds, septic tanks, sewage treatment plants and spray fields.
- (J) Conservation Subdivision Lakes: Property dedication to newly constructed lakes may be counted towards the total calculation for developable density if the body of water meets the standards set forth in the Georgia Environmental Protection Division regulations to allow for it to be used for potable water within the County or elsewhere.
- (K) Conservation Subdivision Density Bonus: To obtain an increase in density, the applicant shall complete one (1) of the following conditions listed below. For each condition completed, the applicant shall receive a five (5) percent increase in density. In no instance shall the total density bonus for a single development exceed fifteen (15) percent beyond the density established in the yield plan.
 - (1) Safe neighborhood access and close proximity to seventy-five (75) percent or more of required open space acreage is required.
 - (2) A donation of land for one (1) of the following public services facilities: a public school, fire station, law enforcement precinct facility, library, or community greenway facility as set forth in the Forsyth County Bicycle Transportation and Pedestrian Walkways 2025 Plan.
 - (3) A minimum of one third (1/3) of all new driveways within a RCC-Conservation Subdivision shall be constructed of porous material.
 - (4) A minimum of one third (1/3) of the total number of all new residential units within a RCC-Conservation Subdivision shall install a vegetated roof.
 - (5) A minimum of one third (1/3) of all new residential units within a RCC-Conservation Subdivision shall be equipped with on-site renewable energy systems to offset building energy costs.
 - (6) Reuse-water systems shall be installed in a minimum of fifty (50) percent of all new residential units within a RCC-Conservation Subdivision.
- (L) Minimum Conservation Subdivision Lot Size: With the availability of public water and sewer, lots sizes under Chapter 19, Table 19.1, shall be followed.
- (M) Conservation Subdivision Lot Configurations: RCC-Conservation Subdivisions shall adhere to the provisions found under Chapter 19 Article IV of the County's Unified Development Code.
- (N) Conservation Subdivision Open Space: Each conservation subdivision shall provide a minimum of fifty percent (50%) of its total land area as open space, as defined by this code. R-CC-Conservation Subdivision open space shall remain undeveloped and natural except for the provision of non-motorized passive recreation opportunities limited to no more than twenty five (25%) percent of the required open space area such as running, walking, biking, and similar outdoor activities. Motorized vehicles shall not be permitted on trail systems except for maintenance, construction, or public safety purposes. This provision shall be included within the required covenants. Activities within the open space are restricted in perpetuity through the use of an approved conservation easement and/or homeowner's covenants. No man-made structures are permitted in the open space area except for those that are related to passive recreational activities such as walking, biking or running. Trails constructed for these purposes may be constructed out of impervious material.
 - (1) Primary Conservation Areas: Primary conservation areas form the core of the open space to be protected. Active recreation areas are prohibited within this area. Primary conservation areas include the following:
 - (a) Habitats for endangered or threatened species
 - (b) Wetlands
 - (c) Flood plains
 - (d) State Waters with their associated buffers
 - (e) Shorelines and associated buffers
 - (f) Historic, cultural, and archaeological sites
 - (g) Steep slopes greater than twenty-five (25) percent of at least 5,000 square feet of contiguous area
 - (2) Secondary Conservation Areas: Conservation Subdivisions shall identify secondary conservation areas and shall integrate all or a portion of them into undivided, permanent, open space. "Undivided" refers to contiguous, usable open space. Secondary Conservation areas

include the following:

- (a) Farmlands and/or open meadows
 - (b) Tree coverage areas and mature woodlands
 - (c) Aquifer recharge areas
 - (d) A designed amenity area that serves all residents rather than individual yards
- (O) Conservation Easement Required for all Conservation Subdivisions: The required open space shall be protected in perpetuity from future development or unauthorized use by a conservation easement or permanent restrictive covenant. Forsyth County reserves the right to enforce all restrictive covenants and conservation easements. The conservation easement shall:
- (1) Clearly delineate primary and secondary conservation areas;
 - (2) Describe the features of the subject property that should be permanently protected in Accordance with the Georgia Uniform Conservation Easement Act, O.C.G.A. 44-10-1et seq;
 - (3) List the parties, that is, the owner(s) of the property, the holder of the easement and Forsyth County as the third party beneficiary with rights to enforce the easement if Forsyth County is not the holder;
 - (4) Specify how the easement may be transferred as in the case of the dissolution of a homeowners association;
 - (5) Clearly identify the boundaries of the property by survey and a metes and bounds legal description;
 - (6) Clearly list restrictions;
 - (7) Provide for maintenance of the property;
 - (8) Be shown on the final plat and duly recorded with the Clerk of Superior Court; and
 - (9) Provide for amendments only with the express written permission of the property owner(s) and Forsyth County. Amendments to the covenant shall be filed with the Director and shall be recorded in the Superior Court.