Crisp County, Georgia
Land Development Code

GENERAL APPLICABILITY

PROCEDURES AND PERMITS

USE OF LAND AND STRUCTURES

RESTRICTIONS ON PARTICULAR USES

LOT AND BUILDING STANDARDS

LANDSCAPING, BUFFERS AND TREE CONSERVATION

OFF-STREET PARKING

SIGN REGULATIONS

PROJECT DESIGN STANDARDS

LAND DEVELOPMENT ACTIVITIES

GRANDFATHERED DEVELOPMENT

ADMINISTRATION AND ENFORCEMENT

GLOSSARY OF DEFINITIONS

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CHAPTER 1. GENERAL

ARTICLE I. TITLE AND AUTHORITY.

Sec. 1-1 Title.

This Development Code regulates the use of land, the location, and use of buildings, and other site improvements, and the construction of public facilities and private improvements related to the development of land. This Development Code shall be known as and may be cited as "The Land Development Code of Crisp County, Georgia" or, for brevity, "The Development Code."

Sec. 1-2 Authority.

This Development Code is adopted under authority of Article 9, Section 2, Paragraph 3 and 4 of the Constitution of the State of Georgia, and pursuant to the Zoning Procedures Law (O.C.G.A. 36-66-1 *et seq.*) and other applicable laws enacted by the General Assembly.

Sec. 1-3 Adoption.

(a) Repeal of conflicting laws.

All conflicting County laws or parts of laws are hereby repealed to the extent of their conflict. Where this Development Code overlaps with other requirements adopted by the County Commission or with those of any State or federal law or agency, whichever imposes the more stringent restrictions shall prevail unless specifically stated otherwise in this Development Code.

(b) Effective date.

This Development Code shall take effect upon its adoption by the Board of Commissioners.

Sec. 1-4 Purpose and intent.

(a) Purpose.

The purpose of this Development Code is to promote the health, safety, morals and general welfare of the public, and is intended:

(1) To promote the orderly and beneficial development and expansion of the County;

(2) To provide adequate access to natural light and air;

(3) To provide adequate water, sewerage, and surface drainage;

(4) To prevent undesirable overcrowding of population;

(5) To secure safety from fire, panic and other dangers;

(6) To promote the orderly and desirable subdivision of land;

(7) To insure the orderly and desirable development of streets;

(8) To promote the orderly and desirable development of public and private utilities and services; and,

(9) To insure proper legal description and recordation of all subdivided land.

(b) Intent in interpretation.

In the interpretation and application of this Development Code all provisions shall be:

(1) Considered as minimum requirements;

(2) Liberally construed in favor of the property owner; and,

(3) Deemed neither to limit nor repeal any other powers granted under state statutes.

(c) Intent relative to private property agreements.

This Development Code is not intended to repeal, abrogate, or impair any valid easement, covenant or deed restriction duly recorded with the Clerk of the Superior Court, to the extent that such easement, covenant or deed restriction is more restrictive than the requirements imposed by this Development Code.

ARTICLE II. GENERAL APPLICABILITY.

Sec. 1-5 Lands to which this Code applies.

This Development Code applies to all lands within the unincorporated areas of the County.

Sec. 1-6 Use of land or structures.

(a) No structure or land shall hereafter be used or occupied, located, extended, moved, converted, or structurally altered except in full compliance with the provisions of this Development Code.

(b) No part of a yard, buffer, or off-street parking spaces required in connection with any use or structure for the purpose of complying with this Development Code shall be included as part of a yard, buffer, or off-street parking spaces required for any other use or structure, unless specifically allowed under the provisions of this Development Code.

(c) Street rights-of-way shall not be considered a part of a lot or front yard setback for the purpose of meeting the minimum requirements of this Development Code.

(d) Public utility easements shall not be included in the calculation of the required minimum lot size needed for an on-site sewage management system, pursuant to Health department regulations.

Sec. 1-7 Acceptance of public streets.

(a) The County shall not accept a public street unless such street substantially corresponds in its location and lines with a street shown on a preliminary subdivision plat approved under the provisions of this Development Code.

(b) There shall not be any water mains, sewers, connections, or other facilities or utilities in any street unless such street is shown on a final plat approved by the County or the street has attained the legal status of a public street.

Sec. 1-8 Recordation and transfer of property.

(a) The Clerk of Superior Court shall not file or record a plat that would result in the division of a property into 2 or more lots that have not been approved as required by this Development Code.

(b) Any deed or other instrument of conveyance, including a security deed, bond for title, or any other document purporting to convey, then or in the future, title to real estate, filed for record with the Clerk of the Superior Court, wherein the property to be conveyed is described in some manner other than by reference to a recorded plat, shall be accompanied by a certificate signed by the party filing such deed or other instrument, which certificate shall be in the following form:

> I,_____, do hereby certify
>
> that the instrument herewith filed for record in the Office of the Clerk of the Superior Court of Crisp County, Georgia, does not result in the subdivision of a tract of land into 2 or more tracts or lots.
>
> This ____ day of_____,20___.

(c) No person, firm or corporation shall transfer, sell, or agree to sell any land by reference to, or exhibition of, or by other use of a plat of the subdivision of such land before such plat has been appropriately approved and recorded with the Clerk of the Superior Court; provided further, that the description of metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring such land shall not exempt the transaction from the requirements of this Development Code.

Sec. 1-9 Street frontage required.

No building permit shall be issued on any lot unless the street giving access to the lot shall be accepted and opened as a public street prior to that time, or shall otherwise be maintained as

a street by the County or approved by the County as a private street under the provisions of this Development Code.

Sec. 1-10 One principal house on a lot.

With respect to single-family detached dwellings, only one principal building and its customary accessory buildings and structures may be erected on any one lot.

Sec. 1-11 Lot reduction prohibited.

No yard or lot existing prior to the effective date of this Development Code or any subsequent amendment to it shall be reduced in dimension or area below the minimum requirements set forth in this Development Code. Yards or lots created after the effective date of this Development Code shall meet at least the minimum requirements established by this Development Code.

Sec. 1-12 Exemptions.

(a) Previously Issued Permits.

The provisions of this Development Code and any subsequent amendments shall not affect the validity of any lawfully issued and effective building permit or development permit if:

(1) The development activity or building construction authorized by the permit has been commenced prior to the effective date of this Development Code or the amendment, or will be commenced after such effective date but within 6 months of issuance of the permit; and

(2) The development activity or building construction continues without interruption (except because of war or natural disaster) until the development or construction is complete. If the permit expires, any further development or construction on that site shall occur only in conformance with the requirements of this Development Code in effect on the date of the permit expiration.

(3) Governmental Bodies.

All governmental bodies and authorities legally exempt from regulation under the police power of Crisp County are exempt from the regulations contained in this Development Code.

ARTICLE III. INTERPRETATION.

Sec. 1-13 Responsibility for interpretation.

(a) The Planning Director shall be responsible for the interpretation of the requirements, standards, definitions or any other provision of this Development Code.

(b) Interpretations of the Planning Director may be appealed under the provisions of this Development Code relating to Appeals.

Sec. 1-14 Use of figures for illustration.

Figures associated with defined terms or regulatory paragraphs in this Development Code are provided for illustration only and do not limit or change the meaning of the term as defined or the requirements of the regulation as written.

Sec. 1-15 Use of words and phrases.

For the purpose of this Development Code, the following shall apply to the use of words and phrases:

(a) Words used in the present tense include the future tense. Words used in the singular tense include the plural tense, and words used in the plural tense include the singular tense. The masculine person "he" or "his" also means "her" or "hers."

(b) References to the "County" and to the County Commission and any public officials or appointed bodies of the County not otherwise named by political jurisdiction or defined in this Development Code shall always mean Crisp County, Georgia, and its governing body, appointed or employed officials, and appointed bodies as named. These include:

(1) The County Administrator, appointed as such by the Crisp County Board of Commissioners, or the County Administrator's designee.

(2) The Planning Director, appointed as such by the County Administrator, or the Planning Director's designee.

(3) The Public Works Director, appointed as such by the County Administrator, or the Public Works Director's designee.

(4) The Zoning Board of Appeals, created as such and appointed by the Crisp County Board of Commissioners.

(5) The Building Inspector, appointed as such under the Building Code, or the Chief Building Official's designee.

(c) References to an administrative department of Crisp County shall always mean the department created by the County Commission as such. These include:

(1) *Planning Department:* References to action by the "Planning Department" (officially referred to as the "Zoning and Codes Department") shall mean action by the Planning Director or that administrative official to whom responsibility for that action has been assigned by the Planning Director.

(2) *Public Works Department:* References to action by the "Public Works Department" shall mean action by the Public Works Director or that administrative official to whom responsibility for that action has been assigned by the Public Works Director.

(3) *Fire Department:* A reference to action by the "Fire Department" shall mean action by the Fire Chief or that administrative official of the Crisp County Fire Department to whom responsibility for that action has been assigned by the Fire Chief.

(d) References to public officials, departments, or appointed bodies of jurisdictions other than Crisp County shall always mean such persons or bodies having jurisdiction over or relative to Crisp County, Georgia. These include:

(1) The Clerk of the Superior Court of Crisp County, Georgia.

(2) The Crisp County Health Department.

(3) The Middle South Georgia Soil and Water Conservation District.

(4) The Middle Flint Regional Development Center.

(5) The Georgia Departments of Natural Resources (DNR) and Transportation (DOT).

(6) The United States Army Corps of Engineers, the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), the Federal Emergency Management Agency (FEMA) and the Environmental Protection Agency (EPA).

(e) The word "person" is intended to include any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this State, any interstate body, or any other legal entity.

(f) The words "shall," "will," "is to" and "must" are always mandatory and not discretionary, while the word "may" is permissive.

(g) The word "and" indicates that all of the conditions, requirements or factors so connected must be met or fulfilled, while the word "or" indicates that at least one condition, requirement or factor so connected must be met.

(h) The term "such as" is intended to introduce one or more examples in illustration of a requirement or point, and is intended to mean "including but not limited to the following."

(i) The verbs "zone" and "rezone" have the same meaning and refer to the act of amending the Official Zoning Map through the process established by this Development Code.

(j) The nouns "zone," "zoning district" and "district" have the same meaning and refer to the zoning districts established under this Development Code.

(k) The word "day" means a calendar day unless otherwise specified as a work day, which means Monday through Friday.

(l) The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended," "arranged," or "designed to be used or occupied."

(m) The word "map" or "zoning map" means the official Zoning Map of Crisp County, Georgia, and may include a series of maps in sections.

Sec. 1-16 Meaning of words and phrases.

(a) All words and phrases are to be interpreted within the context of the sentence, paragraph, subsection, section and Article in which they occur.

(b) Words and phrases defined in this Development Code shall be interpreted as defined without regard to other meanings in common or ordinary use, unless the context of the word or phrase indicates otherwise. Words and phrases not defined in this Development Code shall be construed to have the meaning given by common and ordinary use as defined by Webster's *Third New International Dictionary*.

Definitions are clearly identified as such and are located throughout this Development Code in the Chapters, Articles, or Sections to which they most readily refer. All definitions, regardless of location within a Chapter, Article, or Section of this Code, apply equally to the use of such terms throughout the Code. A glossary of all defined terms is appended to the end of this Code for convenience. However, if differences in wording occur between definitions of a term, the definition contained within an Article of this Code shall control.

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CHAPTER 2. PROCEDURES AND PERMITS

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CHAPTER 2. PROCEDURES AND PERMITS.

ARTICLE I. PURPOSE, DEFINITIONS, AND OVERVIEW.

Sec. 2-1 Purpose of Chapter 2.

This Chapter describes the process through which a rezoning or special use may be approved on a property, the approval process for construction of subdivisions and other land development projects, the procedures for amendments to the text of this Development Code, and the process for appeals from an administrative decision, for a special exception, or for hardships.

Sec. 2-2 Definitions.

Applicant: A property owner or their authorized representative who has petitioned the County for approval of a zoning change, development permit, building permit, hardship variance, special exception, or appeal, or any other authorization for the use or development of their property under the requirements of this Development Code.

Application: A petition for approval of a zoning change, development permit, building permit, hardship variance, special exception, or appeal, or any other authorization for the use or development of a property under the requirements of this Development Code.

As-Built Survey Drawings: Drawings specifying the dimensions, location, capacities, and operational capabilities of structures and facilities as they have been constructed.

Building Code: The technical codes approved for enforcement or otherwise adopted or adopted as amended by the County under the Georgia Uniform Codes Act, which regulate the construction of buildings and structures.

Condition of Zoning Approval: A requirement adopted by the County Commission at the time of approval of a rezoning or special use, placing greater or additional requirements or restrictions on the property than provided in this Development Code in order to reduce an adverse impact of the rezoning or special use and to further the protection of the public health, safety, or general welfare.

Condominium: A multiple unit dwelling in which each dwelling unit is owned or financed by the occupant, but in which halls, entrance ways, common areas, and underlying lands are owned jointly.

Condominium Plan: A drawing that is required to be recorded prior to the first conveyance of a condominium unit, including, but not limited to, a condominium floor plan, condominium plot plan, or condominium site plan.

DBH: Diameter Breast Height, a standard for measuring the diameter of a tree.

Owner: A person having or controlling a majority fee simple interest in a property, or their authorized representative.

Plat: A drawing prepared by a land surveyor that describes and depicts real property boundaries, including, but not limited to, a map, condominium plat, subdivision plat, as-built survey, easement survey, or retracement survey.

Public Improvement: The construction, enlargement, extension, or other construction of a facility intended for dedication to the public, including but not limited to a street, curb and gutter, sidewalk, cross drain, catch basin, traffic control, and street name sign, or other roadway appurtenance other than a driveway apron connection; domestic water supply system main, fire hydrant, valve, or other appurtenance other than a supply line to a building; or sanitary sewerage main or outfall, lift station, force main, manhole, or other appurtenance other than a drain line from a building.

Subdivision: (1) The division of a property or tract of land into two or more tracts or lots; (2) a land development project in which two or more lots are created, along with the streets and utilities needed to support construction of buildings on the lots.

Subdivision, Major: The division of land into 2 or more lots that will require the construction or extension of public streets, water, or other public facilities (other than the direct connection of buildings to existing facilities).

Subdivision, Minor: The division of land into 2 or more lots, each of which will be adequately served by existing public streets, water, and other public facilities.

Zoning Change: An amendment to the Zoning Map (rezoning), approval of a special use, or approval of a change in the conditions of approval associated with a rezoning or special use.

Sec. 2-3 Overview—land development.

The following presents a summary of the plans and procedures involved in the land development approval and construction regulation process.

(a) Zoning changes (rezoning or special use approval).

A request for rezoning or approval of a special use must be approved prior to development or construction. A zoning change for a multifamily or nonresidential project must include a sketch plan showing the proposed layout of the building, parking lots, etc.

(b) Subdivisions with public improvements (major subdivisions).

The division of land into 2 or more lots that will require the construction or extension of public streets, water, or other public facilities (other than the direct connection of buildings to existing facilities) shall be conducted as follows:

(1) Project Approval is granted by the Planning Department upon review and approval of a Preliminary Subdivision Plat.

(2) A Development Permit is issued by the Planning Department based on review and approval of development plans for construction of the subdivision.

(3) Receipt and approval by the Planning Department of accurate surveys of the as-built condition of public improvements is required in order to allow filing of a Final Plat.

(4) Approval of a Final Subdivision Plat by the Planning Department will authorize recordation of the plat with the Clerk of Superior Court.

(5) After recordation of the Final Plat, the lots may be sold and building permits on the lots may be obtained.

(6) No sooner than 1 year after recordation, all public improvements will be inspected by the Public Works Department. After the developer has made any required repairs, public acceptance of the improvements shall be issued by the County Administrator.

(c) Subdivisions not requiring public improvements (minor subdivisions).

The division of land into 2 or more lots, each of which will be adequately served by existing public streets, water, and other public facilities, shall be conducted as follows:

(1) Approval of a Final Subdivision Plat by the Planning Department will authorize recordation of the plat with the Clerk of Superior Court.

(2) After recordation of the Final Plat, the lots may be sold and building permits on the lots may be obtained.

(d) Multi-family and nonresidential projects.

(1) Project Approval is granted by the Planning Department upon review and approval of a Site Plan for the project.

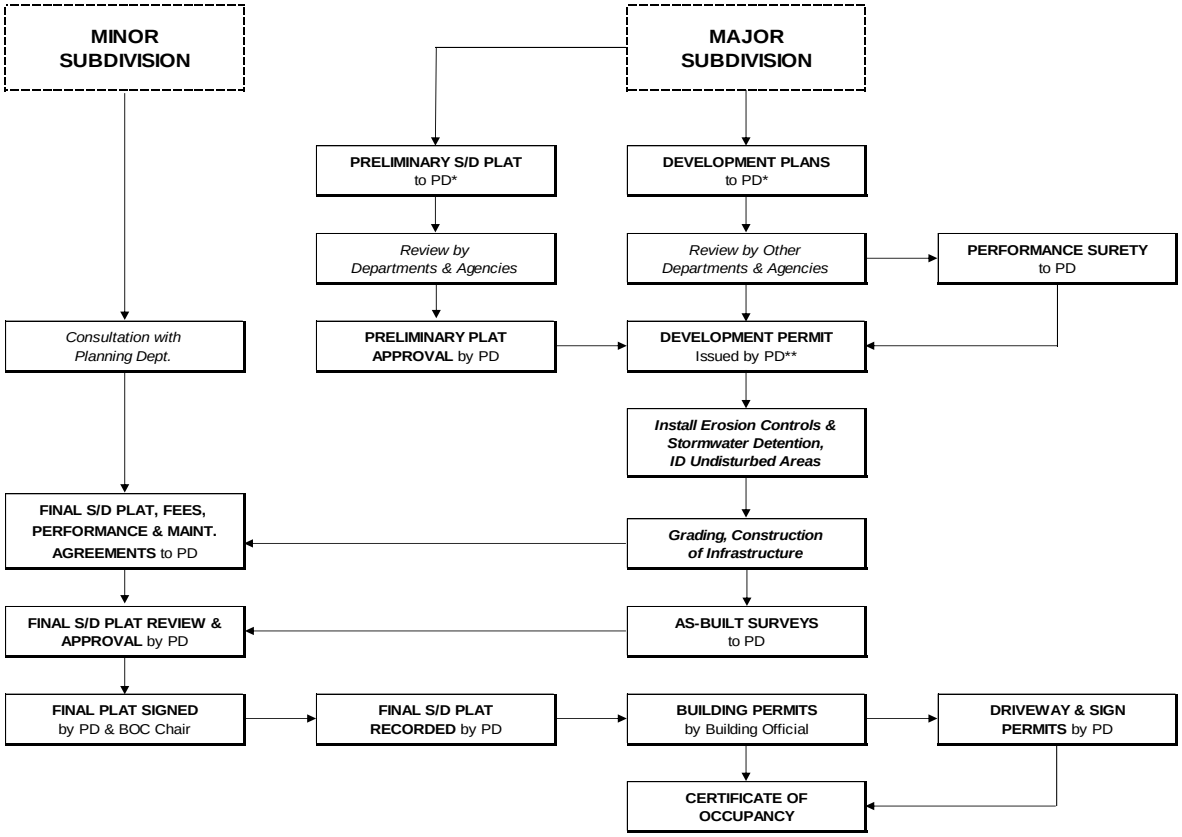
(2) A Development Permit is issued by the Planning Department based on review and approval of development plans for construction of the project.

(3) A Building Permit is issued by the Planning Director based on review and approval of architectural plans. Buildings falling under the authority of the State Fire Marshall shall be approved by the Fire Department prior to issuance of the building permit.

(4) Receipt by the Planning Department of accurate surveys of the as-built condition of all public improvements is required in order to authorize permanent water and sewer service.

(5) Permanent electric power and occupancy of the building is authorized by the Building Inspector based on final inspection and issuance of a Certificate of Occupancy.

Subdivision Development Approval Process

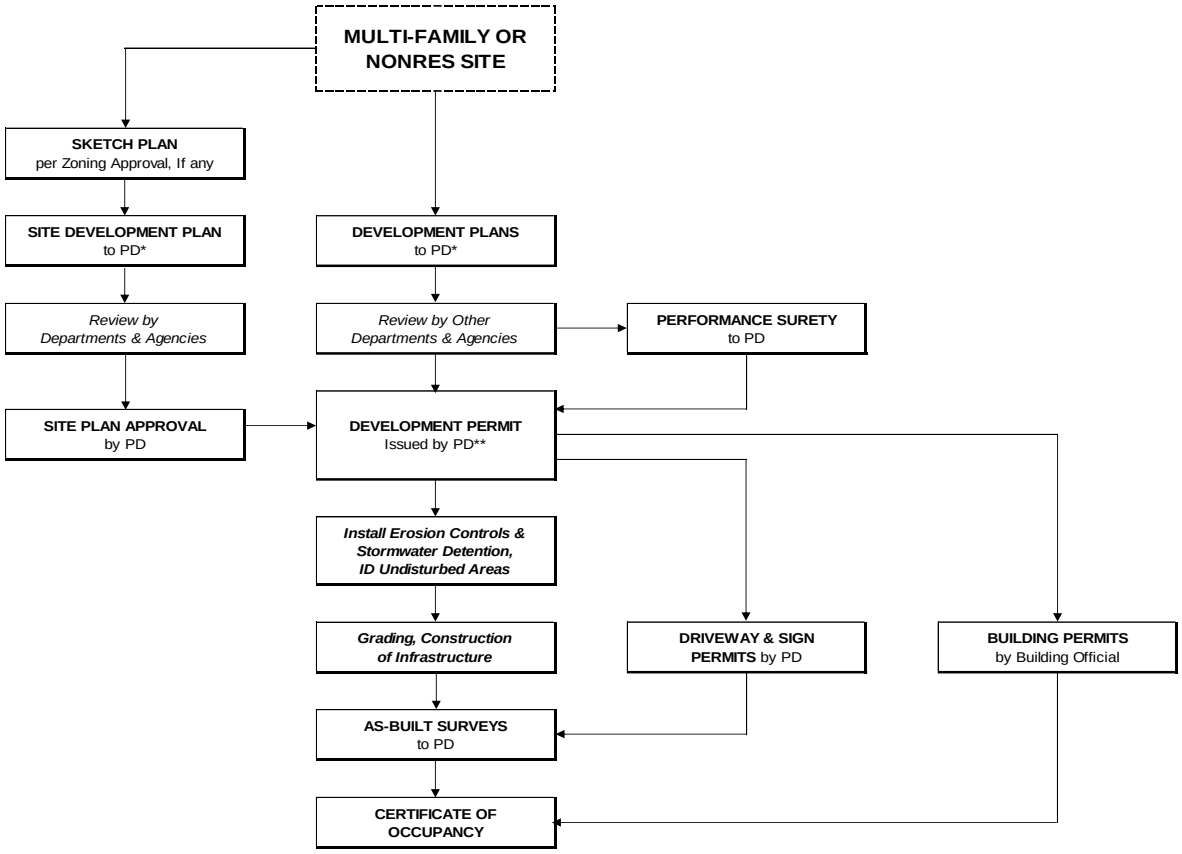


PD -- Planning Director / Planning Department
BOC -- Board of Commissioners

* Incomplete applications will be returned within 5 days.
** Including Flood Area Permit, if applicable.

This flow chart is **ILLUSTRATIVE ONLY**. See the Development Code text for details and application requirements.

Site Development Approval Process



PD -- Planning Director / Planning Department

* Incomplete applications will be returned within 5 days.
** Including Flood Area Permit, if applicable.

This flow chart is **ILLUSTRATIVE ONLY**. See the Development Code text for details and application requirements.

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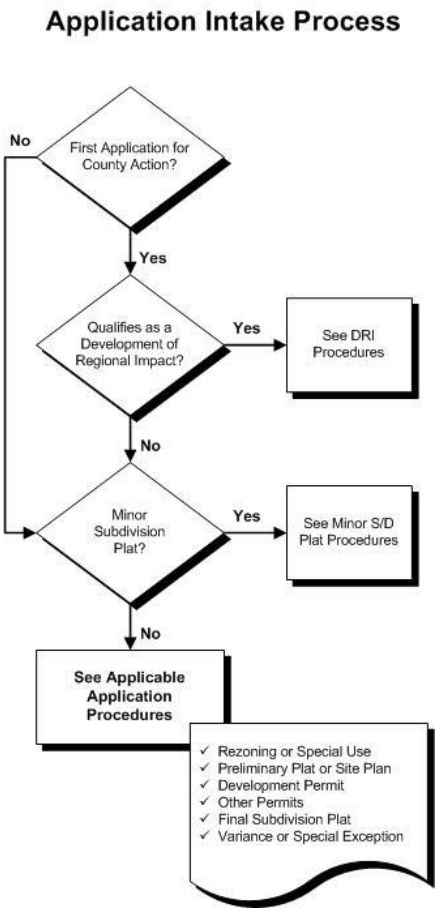
Sec. 2-4 Application intake.

An application for any permit or approval under this Chapter will first be considered as follows:

(a) If the application is for a project that qualifies as a Development of Regional Impact (DRI), and is the first request for County action or is a revision to a previous DRI, refer to ARTICLE XIV of this Chapter for details and procedures.

(b) If the application is for approval of a minor subdivision plat, refer to Sec. 2-45 (b).

(c) If the application is for any other type of approval or permit, refer to the appropriate sections of this Chapter for procedures pertinent to the request.



ARTICLE II. REZONING APPROVAL.

The Official Zoning Map may be amended from time to time by the County Commission under the procedures in this Section. In addition, changes in the conditions of approval pertaining to a specific rezoning approval may also be approved by the County Commission following the procedures in this Section.

Sec. 2-5 Initiation of rezoning proposal.

(a) A proposed rezoning for any property or properties may be initiated by the County Commission, or by the owner of the property. Unless initiated by the County Commission, any such proposed rezoning shall be initiated by the owner of a majority interest in the property affected, or their authorized representative.

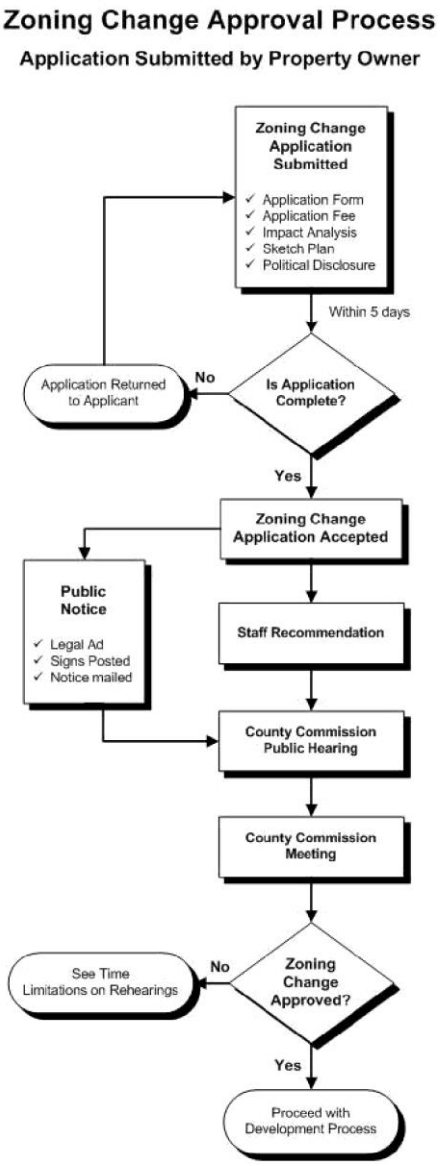
(b) Applications.

(1) All applications by an owner or initiated by the County Commission on behalf of the owner of all of the property to be considered for rezoning shall be submitted to the Planning Department on the Department's application forms by the owner of the property or the owner's representative. All applications shall be accompanied by a non-refundable fee, if any, as set by the County Commission from time to time. Completed forms, plus any information the applicant feels to be pertinent will be filed with the Planning Department.

(2) In addition, any special exception variance proposed by the applicant that is related to the rezoning may be submitted along with the rezoning application and become part of the application.

(3) Any communication relative to an application for a zoning change submitted by the owner of the property or the owner's representative will be regarded as informational only until a proper and complete application is accepted by the Planning Director. The Planning Department shall review the application for completeness within 5 days following the submission deadline. Incomplete or improper applications will be returned to the applicant, who shall have 3 work days in which to resubmit the application complete and proper in all respects.

(4) No application shall be required for a rezoning initiated by the County Commission on its own motion and not on behalf of the owner of all of the property proposed to be rezoned. In this situation, the County Commission is the "applicant".



(c) Time limitations on re-hearings.

(1) An application for a rezoning affecting the same property shall not be considered by the County Commission more often than once every 12 months from the date of action by the County Commission either approving or denying the rezoning; provided, however, that the County Commission may approve a reduction in the waiting period to no less than 6 months.

(2) The County Commission may consider a property for rezoning without regard to the time limitations of Sec. 2-5 (c)(1) above only in connection with settlement of litigation or pursuant to an order by a court of competent jurisdiction. However, the County Commission, if time permits, shall direct staff to advertise, post the property, and notify the applicant and owner in writing prior to taking such action.

(d) Fees shall be forwarded by the Planning Department to the Finance Department which shall supervise the application of same to the cost of advertising and other administrative expenses.

Sec. 2-6 Elements of the rezoning process.

(a) For consideration of a proposed rezoning initiated by the property owner or by the County Commission on behalf of the owner of the property, the following shall apply:

(1) The owner or the owner's representative shall comply with the requirements for a rezoning sketch plan under Sec. 2-7 and the requirements under Sec. 2-8 for submission of an impact analysis.

(2) The standards for rezoning under Sec. 2-9 shall be considered by the County Commission, and the proposed rezoning shall be afforded an advertised public hearing in accordance with Sec. 2-10 below.

(3) Approval of such a rezoning may be subject to conditions of approval provided under Sec. 2-11 and the provisions of Sec. 2-12 regarding the effect of the approval shall apply.

(b) For consideration of a proposed rezoning initiated by the County Commission on its own motion and not on behalf of the owner of the property, the following shall apply:

(1) The requirements for a rezoning sketch plan under Sec. 2-7 and the requirements under Sec. 2-8 for submission of an impact analysis shall not apply.

(2) The standards for rezoning under Sec. 2-9 shall be considered by the County Commission, and the proposed rezoning shall be afforded an advertised public hearing in accordance with Sec. 2-10 below.

(3) Approval of such a rezoning may be subject to conditions of approval provided under Sec. 2-11 and the provisions of Sec. 2-12 regarding the effect of the approval shall apply.

Sec. 2-7 Rezoning sketch plan.

(a) An application for a PUD Planned Unit Development, or a multifamily or nonresidential use or project, shall be accompanied by a sketch plan if any new construction is proposed or alteration of the site is required under the site or development design standards of this Development Code.

(b) A sketch plan may be prepared by the applicant, a professional engineer, a registered land surveyor, a landscape architect, a land planner, or any other person familiar with land development activities.

(c) The sketch plan shall be drawn to approximate scale on a boundary survey of the tract or on a property map showing the approximate location of the boundaries and dimensions of the tract.

(d) The sketch plan shall show the following:

(1) Current zoning district classification of the subject property and all adjacent properties, and zoning district boundaries if they cross the property.

(2) Man-made features within and adjacent to the property, including existing streets and names, city and county political boundary lines, and other significant information such as location of bridges, utility lines, existing buildings to remain, and other features as appropriate to the nature of the request.

(3) Proposed use of the property.

(4) The proposed project layout including:

a. For PUD Planned Unit Developments, the sketch plan must conform to the sketch plan requirements under the special provisions for PUDs contained in Chapter 4 of this Development Code.

b. For office or industrial parks, approximate lot lines and street right-of-way lines, along with the front building setback line on each lot.

c. For multi-family and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, buffers, parking areas, and driveways.

(e) The sketch plan shall also indicate:

(1) Name and address of the property owner.

(2) Name, address, and telephone number of the applicant (if different than the owner).

(3) If drawn on a boundary survey: date of survey and source of datum.

(4) Date of plan drawing, and revision dates, as appropriate.

(5) North point and approximate scale of the drawing

(6) Location (Land District and Land Lot) and size of the property in acres (or in square feet if less than an acre).

(7) Location sketch of the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location sketch.

(8) A statement as to the source of domestic water supply.

(9) A statement as to the provision for sanitary sewage disposal.

(10) The approximate location of proposed storm water detention facilities.

(11) Such additional information as may be useful to permit an understanding of the proposed use and development of the property.

Sec. 2-8 Impact analyses.

(a) If the rezoning has been initiated by an owner or their representative, the application must be accompanied by a written, documented analysis of the proposed rezoning with regard to each of the standards for rezoning enumerated under Sec. 2-9 below.

(b) An application for a proposed development that is capable of generating 1,000 average daily vehicle trips or more shall be accompanied by a traffic study, prepared by a professional engineer registered in Georgia. Anticipated vehicle trips may be based upon the latest edition of Trip Generation published by the Institute of Transportation Engineers. The Planning Director may waive this requirement when conditions warrant.

(c) A traffic study, prepared by a professional engineer registered in Georgia, shall also be required for a proposed modification to a previously approved rezoning if the average daily vehicle trips will increase by 10% or more than calculated for the original rezoning approval, or average daily vehicle trips will exceed 1,000 for the first time. The Planning Director may waive this requirement when conditions warrant.

(d) For a proposed development that will generate fewer than 1,000 average daily vehicle trips or an increase of less than 10%, a traffic study, prepared by a professional engineer registered in Georgia, may be required by the Planning Director if traffic impact appears to be of concern relative to the standards for rezoning consideration contained in Sec. 2-9 below. Determination of such requirements will be made within 5 working days of receipt of the application for rezoning and must be submitted to the Planning Director at least 5 working days prior to the first public hearing.

(e) A traffic study or other studies of the impact of the proposed development may be required by the Board of Commissioners as deemed necessary for adequate consideration and a fully-informed decision on the rezoning request, relative to the standards for rezoning consideration contained in Sec. 2-9 below.

Sec. 2-9 Standards for rezoning consideration.

(a) Map amendments (rezoning).

The County Commission shall consider the following standards in considering any rezoning proposal, giving due weight or priority to those factors that are appropriate to the circumstances of each proposal:

(1) Is the proposed use consistent with the stated purpose of the zoning district that is being requested?

(2) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

(3) Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?

(4) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?

(5) Are their substantial reasons why the property cannot or should not be used as currently zoned?

(6) Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water, or sewer utilities, and police or fire protection?

(7) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?

(8) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare, and the right to unrestricted use of property?

(b) Related special exception variance requests.

The County Commission shall be guided by the standards included under Sec. 2-84 relating to special exception variances for any such variances accompanying the rezoning application.

(c) Change in conditions of rezoning approval.

Any application that proposes a change in the conditions of approval previously established by the County Commission through action on a zoning change shall be reviewed in light of the standards set forth in this Section, above.

Sec. 2-10 Process for rezoning.

Before the County Commission may take final action on a proposed rezoning, it shall hold an advertised public hearing on the proposal along with any accompanying special exception variances. See ARTICLE IV of this Chapter for the procedures for advertising and holding the public hearing, as well as the provisions for withdrawal of an application.

Sec. 2-11 Conditional approval of rezoning.

In approving the rezoning of a property, the Board of Commissioners may impose conditions of approval that it deems necessary in order to make the requested action acceptable and consistent with the purposes of this Development Code and of the zoning district(s) involved, to ameliorate negative issues identified through evaluation of the standards governing consideration of a rezoning and any accompanying special exception variances under Sec. 2-9 , or to further the goals and objectives of any County adopted plan.

(a) Types of conditions.

Such conditions of approval may consist of any or all of the following:

(1) Dedication of required rights-of-way to the County where insufficient amounts or none exist;

(2) Setback requirements from any lot line;

(3) Specified or prohibited locations for buildings, parking, loading, or storage areas, or other land uses;

(4) Driveway curb cut restrictions;

(5) Restrictions as to what land uses or activities shall be allowed;

(6) Maximum building heights or other dimensions;

(7) Special drainage or erosion provisions;

(8) Landscaping or planted area which may include the location, type, and maintenance of plant materials;

(9) Fences, walls, berms, or other landscaping or buffering provisions or protective measures;

(10) Preservation of existing trees or planting of new trees or other vegetation;

(11) Special measures to alleviate undesirable views, light, glare, noise, dust, or odor;

(12) Permitted hours of operation;

(13) Architectural style or materials;

(14) A requirement that developers must build according to the rezoning sketch plan as adopted or modified by the conditions of approval;

(15) A limitation on exterior modifications of existing buildings; or

(16) Any other requirement that the Board of Commissioners may deem appropriate and necessary as a condition of rezoning approval.

(b) Such conditions of approval:

(1) Shall only be valid if they are included in the motion approving the rezoning;

(2) Shall be in effect as long as the zoning is in effect;

(3) Shall be required of the property owner and all subsequent owners as a condition of their use of the property; and

(4) Shall be interpreted and continuously enforced by the Planning Director in the same manner as any other provision of this Development Code.

(5) Project approval of a preliminary plat or site plan under ARTICLE VI, a development permit under ARTICLE VII or a building permit under ARTICLE XI of this Chapter, shall not be issued for a conditionally approved property until the Planning Director determines that such plans or permits are in compliance with all applicable conditions of zoning approval.

(c) Change in conditions of conditional zoning approval.

Any application that proposes a change in the conditions of approval previously established by the Board of Commissioners through action on a rezoning shall be considered a new

application and therefore subject to all procedures and provisions regarding the approval of a rezoning under this Article.

Sec. 2-12 Effect of rezoning approval.

(a) Approval of a rezoning and any accompanying special exception variance shall be in full force and effect upon their approval by the County Commission.

(b) For a property on which a use, building, structure, or other improvements existed in conformity with this Development Code prior to the effective date of a rezoning affecting the property, any such use, building, structure, or other improvements no longer in conformance shall be governed under the provisions for Nonconformities in Chapter 11 of this Development Code.

(c) Construction of any use, building, structure, or other improvements for which a building permit has been issued in conformity with this Development Code prior to the effective date of a rezoning affecting the property may continue to completion in accordance with the provisions for Exemptions of Previously Issued Permits in Chapter 1 and, upon completion, shall be governed under the provisions of the Grandfathered Development Chapter 11 of this Development Code, as applicable.

ARTICLE III. SPECIAL USE APPROVAL.

A special use permit may be approved by the County Commission under the procedures in this Article. In addition, changes in the conditions of approval pertaining to a specific special use approval may also be approved by the County Commission following the procedures in this Article.

Sec. 2-13 Initiation of special use request.

(a) An application for a special use for any property or properties may be initiated by the owner of a majority interest in the property affected, or their authorized representative. In addition, any special exception variances proposed by the applicant that are related to the special use may be submitted along with the special use application and will become part of the application.

(b) All applications shall be submitted to the Planning Department on the Department's application forms. All applications shall be accompanied by a non-refundable fee, if any, as set by the County Commission from time to time. Completed forms, plus any information the applicant feels to be pertinent will be filed with the Planning Department.

(c) The Planning Department shall review the application for completeness within 5 days of submission. Incomplete or improper applications will be returned to the applicant.

(d) Time limitations on re-hearings.

(1) An application for a special use affecting the same property shall not be considered by the County Commission more often than once every 12 months from the date of action by the County Commission either approving or denying the special use;

provided, however, that the County Commission may approve a reduction in the waiting period to no less than 6 months.

(2) The County Commission may consider a property for a special use without regard to the time limitations of Sec. 2-13 (d)(1) only in connection with settlement of litigation or pursuant to an order by a court of competent jurisdiction. However, the County Commission, if time permits, shall direct staff to advertise, post the property, and notify the applicant and owner in writing prior to taking such action.

(e) Fees shall be forwarded by the Planning Department to the Finance Department who shall supervise the application of same to the cost of advertising and other administrative expenses.

Sec. 2-14 Special use sketch plan.

(a) An application for a special use shall be accompanied by a sketch plan if any new construction is proposed or alteration of the site is required under the site or development design standards of this Development Code.

(b) A sketch plan may be prepared by the applicant, a professional engineer, a registered land surveyor, a landscape architect, a land planner, or any other person familiar with land development activities.

(c) The sketch plan shall be drawn to approximate scale on a boundary survey of the tract or on a property map showing the approximate location of the boundaries and dimensions of the tract.

(d) The sketch plan shall show the following:

(1) Zoning district classification of the subject property and all adjacent properties, and zoning district boundaries if they cross the property.

(2) Man-made features within and adjacent to the property, including existing streets and names, city and county political boundary lines, and other significant information such as location of bridges, utility lines, existing buildings to remain, and other features as appropriate to the nature of the request.

(3) Proposed use of the property.

(4) The proposed project layout including:

a. For office or industrial parks, approximate lot lines and street right-of-way lines, along with the front building setback line on each lot.

b. For event facilities, multi-family, and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, buffers, parking areas, and driveways.

(e) The Sketch Plan shall also indicate:

(1) Name and address of the property owner.

(2) Name, address, and telephone number of the applicant (if different than the owner).

(3) If drawn on a boundary survey: date of survey and source of datum,

(4) Date of plan drawing, and revision dates, as appropriate.

(5) North point and approximate scale of the drawing

(6) Location (Land District and Land Lot) and size of the property in acres (or in square feet if less than an acre).

(7) Location sketch of the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location sketch.

(8) A statement as to the source of domestic water supply.

(9) A statement as to the provision for sanitary sewage disposal.

(10) The approximate location of proposed storm water detention facilities.

(11) Such additional information as may be useful to permit an understanding of the proposed use and development of the property.

Sec. 2-15 Impact analyses.

(a) If the special use request has been initiated by an owner or their representative, the application must be accompanied by a written, documented analysis of the proposed use with regard to each of the standards for special use approval enumerated under Sec. 2-16 below.

(b) An application for a proposed development that is capable of generating 1,000 average daily vehicle trips or more shall be accompanied by a traffic study, prepared by a professional engineer registered in Georgia. Anticipated vehicle trips may be based upon the latest edition of Trip Generation published by the Institute of Transportation Engineers. The Planning Director may waive this requirement when conditions warrant.

(c) A traffic study, prepared by a professional engineer registered in Georgia, shall also be required for a proposed modification to a previously approved special use if the average daily vehicle trips will increase by 10% or more than calculated for the original special use approval, or average daily vehicle trips will exceed 1,000 for the first time. The Planning Director may waive this requirement when conditions warrant.

(d) For a proposed development that will generate fewer than 1,000 average daily vehicle trips or an increase of less than 10%, a traffic study, prepared by a professional engineer registered in Georgia, may be required by the Planning Director if traffic impact appears to be of concern relative to the standards for consideration contained in Sec. 2-16 , below. Determination of such requirements will be made within 5 working days of receipt of the

application for special use approval and must be submitted to the Planning Director at least 5 working days prior to the first public hearing.

(e) A traffic study or other studies of the impact of the proposed development may be required by the Board of Commissioners as deemed necessary for adequate consideration and a fully-informed decision on the rezoning request, relative to the standards for special use consideration contained in Sec. 2-16 , below.

Sec. 2-16 Standards for special use consideration.

(a) Approval of special use.

A special use otherwise permitted within a zoning district shall be considered to be compatible with other uses permitted in the district, provided that due consideration is given to the following objective criteria. Emphasis may be placed on those criteria most applicable to the specific use proposed:

(1) Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located?

(2) Will the proposed special use increase local or state expenditures in relation to cost of servicing or maintaining neighboring properties?

(3) Will the establishment of the special use impede the normal and orderly development of surrounding property for uses predominate in the area?

(4) Is the location and character of the proposed special use consistent with a desirable pattern of development for the locality in general?

(5) Is or will the type of street providing access to the use be adequate to serve the proposed special use?

(6) Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?

(7) Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the special use?

(8) Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor?

(9) Will the hours and manner of operation of the special use have no adverse effects on other properties in the area?

(10) Will the height, size or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?

(b) Related special exception variance requests.

The County Commission shall be guided by the standards included under Sec. 2-84 relating to special exception variances for any such variances accompanying the special use application.

(c) Change in conditions of special use approval.

Any application that proposes a change in the conditions of approval previously established by the County Commission through action on a special use shall be reviewed in light of the standards set forth in this Section for a special use, as appropriate.

Sec. 2-17 Process for special use approval.

Before the County Commission may take final action on a proposed special use, along with any accompanying special exception variances, it shall hold an advertised public hearing on the proposal. See ARTICLE IV of this Chapter for the procedures for advertising and holding the public hearing, as well as the provisions for withdrawal of an application.

Sec. 2-18 Conditional approval of special uses.

In approving a special use, the Board of Commissioners may impose conditions of approval that it deems necessary in order to make the requested action acceptable and consistent with the purposes of this Development Code and of the zoning district(s) involved, to ameliorate negative issues identified through evaluation of the standards governing consideration of a special use and any accompanying special exception variances under Sec. 2-16 , or to further the goals and objectives of any County adopted plan.

(a) Types of conditions.

Such conditions of approval may consist of any or all of the following:

(1) Dedication of required rights-of-way to the County where insufficient amounts or none exist;

(2) Setback requirements from any lot line;

(3) Specified or prohibited locations for buildings, parking, loading, or storage areas or other land uses;

(4) Driveway curb cut restrictions;

(5) Restrictions as to what land uses or activities shall be allowed;

(6) Maximum building heights or other dimensions;

(7) Special drainage or erosion provisions;

(8) Landscaping or planted area which may include the location, type and maintenance of plant materials;

(9) Fences, walls, berms, or other landscaping or buffering provisions or protective measures;

(10) Preservation of existing trees or planting of new trees or other vegetation;

(11) Special measures to alleviate undesirable views, light, glare, noise, dust or odor;

(12) Permitted hours of operation;

(13) Architectural style or materials;

(14) A requirement that developers must build according to the special use sketch plan as adopted or modified by the conditions of approval;

(15) A limitation on exterior modifications of existing buildings;

(16) A time limit after which the use shall terminate or a new special use approval is required; or

(17) Any other requirement that the Board of Commissioners may deem appropriate and necessary as a condition of rezoning or approval of a special use.

(b) Such conditions of approval:

(1) Shall only be valid if they are included in the motion approving the special use;

(2) Shall be in effect as long as the special use approval is in effect, or for the period of time as may be specified in the motion for approval of the special use;

(3) Shall be required of the property owner and all subsequent owners as a condition of their use of the property; and

(4) Shall be interpreted and continuously enforced by the Planning Director in the same manner as any other provision of this Development Code.

(5) Project approval of a preliminary plat or site plan under ARTICLE V, a development permit or a building permit shall not be issued for a conditionally approved property until the Planning Director determines that such plans or permits are in compliance with all applicable conditions of approval.

(c) Change in conditions of conditional special use approval.

Any application that proposes a change in the conditions of approval previously established by the Board of Commissioners through action on a special use shall be considered a new application and therefore subject to all procedures and provisions of this Chapter regarding the approval of a special use under ARTICLE III.

Sec. 2-19 Effect of special use approval.

(a) Approval of a special use and any accompanying special exception variance shall be in full force and effect upon approval by the County Commission.

(b) For a property on which a use, building, structure or other improvements existed in conformity with this Development Code prior to the effective date of a special use approval affecting the property, any such use, building, structure or other improvements no longer in conformance shall be governed under the provisions for Nonconformities in Chapter 1 of this Development Code.

(c) Construction of any use, building, structure, or other improvements for which a building permit has been issued in conformity with this Development Code prior to the effective date of a special use permit affecting the property may continue to completion in accordance with the provisions for Exemptions of Previously Issued Permits in Chapter 1 and, upon completion, shall be governed under the provisions of the Grandfathered Development Chapter of this Development Code, as applicable.

ARTICLE IV. TAKING ACTION: REZONING AND SPECIAL USE APPLICATIONS.

Before the County Commission may take final action on a proposed rezoning or special use, it shall hold a public hearing on the proposal.

Sec. 2-20 Public notice.

(a) Notification to the general public.

(1) At least 15 days but not more than 45 days prior to the public hearing, notice shall be published in a newspaper of general circulation within the county. The notice, shall state the time, place and purpose of the hearing.

(2) A rezoning or special use initiated by an owner or their representative shall be heard at a public hearing only upon:

a. The published notice, in addition to the requirements above, shall include the location of the property, the present zoning classification of the property, and the zoning classification or special use proposed for the property requested; and

b. At least 15 days prior to the public hearing, the Planning Department shall post a sign or signs of not less than 6 square feet stating the date, time and place for the public hearing, the present zoning classification, and the nature of the proposed zoning change or special use. One such sign shall be placed in a conspicuous location along each street frontage of the property for which the rezoning has been requested. If the property has no street frontage, the sign shall be placed on each street from which access will be gained to the property.

(b) Notice to surrounding property owners.

If the proposed rezoning was initiated by an owner or their representative, notice may also be given to surrounding property owners as a convenience, as follows:

(1) Prior to the County Commission public hearing, the Planning Department may mail a notice to all persons owning property located adjacent to or across the street from the property that is the subject matter of the rezoning or special use. The written notice will be mailed to the property owners as such names and addresses appear on the County's ad valorem tax records.

(2) The notice is to state the time, place, and purpose of the hearings.

Sec. 2-21 County commission public hearing; drug dependency facility.

When a proposed rezoning or special use relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency, the following shall apply:

(a) A preliminary public hearing shall be held by the County Commission on the proposed action. Such public hearing shall be held at least six months and not more than nine months prior to the date of final action on the zoning decision.

(b) The hearing required by this Section shall be in addition to the public hearing required under Sec. 2-22 , below, for rezoning or special use of the property. Notice of the preliminary public hearing shall be given in accordance with the provisions of Sec. 2-20 , above.

Sec. 2-22 County commission public hearing; rezoning or special use.

The public hearing held by the County Commission for action on a rezoning or special use and any accompanying special exception variances will be conducted in the following manner:

(a) Opening the hearing.

(1) The public hearing will be convened at the scheduled and advertised time and place by the Chair, the Vice-Chair or the County Commission's designee, who will act as the Presiding Official.

(2) The Presiding Official will call for each proposed zoning change or special use to be presented to the County Commission.

(3) The Presiding Official shall open the public hearing by stating the matter being considered at the hearing. At this time, the presiding official may summarize the public hearing procedures.

(b) Procedural rules.

(1) The Presiding Official may administer oaths and compel the attendance of witnesses by subpoena.

(2) The Presiding Official shall conduct the public hearing informally, as strict adherence to the rules of evidence is not required.

(3) All parties participating in the public hearing shall introduce only relevant evidence.

(4) All parties participating shall have the right to present witnesses and to cross-examine witnesses.

(5) No person in attendance is to speak unless first formally recognized by the Presiding Official. Upon rising to speak each person recognized is to state their name and home address.

a. The Presiding Official may encourage reasonable limits on the number of persons who may speak for or against a proposal, on the time allowed for each

speaker, and on the total time allowed for presentation of the proposed zoning change.

b. Such reasonable time limitations, however, shall not deny any member of the general public to speak at the public hearing

c. No less than 10 minutes is to be provided for all of those speaking in support of the zoning change or special use and no less than 10 minutes is to be provided for all of those speaking against, unless such proponents or opponents take less time than the minimum allowed.

d. Altogether, the total amount of time afforded the proponents of the application and the opponents, including rebuttal and cross-examination, shall be equal. Neither side, however, is required to use the total time available.

(6) During the public hearing, the County Commission members may ask questions at any time. Time devoted to questions and answers will not be counted against any time limitations that have been imposed on presentations.

(c) Proceedings.

(1) Proponents of the application.

a. Persons who support the application will be asked to comment first. The applicant or their designated agent may, upon recognition and upon statement of name, address, and relationship to the matter, present and explain the application. The applicant may appear in person or may be represented by an agent or counsel.

b. The applicant or the applicant's representative shall be required to attend the public hearing unless written notice of hardship is received prior to the hearing. Failure of the applicant or the applicant's representative to attend the public hearing, except in cases of hardship, may be due cause for the tabling of the application.

c. The applicant shall have the burden of proof, which shall include the presentation of evidence and the burden of persuasion of each factor necessary to receive the approval of the request.

d. After completion of the presentation of the applicant, other persons who support the request will be asked to comment, and will be allowed to speak in support of the request upon recognition and upon identification of the person's name, address, and relationship to the matter.

(2) Persons opposing the application.

Persons who oppose the application will next be asked to comment. Each interested person, after being recognized, and providing their name, address and relationship to the matter, shall be afforded an opportunity to speak.

(3) Rebuttal.

The applicant shall have an opportunity for rebuttal concerning the request. Rebuttal must be limited to points or issues raised by opponents to the application at the hearing.

(4) Cross-examination.

Upon the request of any participant in the public hearing speaking in favor of or opposing the application, the Presiding Official shall allow such participant to ask a question or questions of any other participant. The question or questions shall be posed through the Presiding Official, who may determine the relevancy of the question or questions to the subject of the public hearing. Relevant questions shall be addressed by the participant to whom the question or questions are directed.

(5) Discussion.

All public comments having been heard, the members of the County Commission may discuss the matter among themselves. During this discussion period, the members may call on the Planning Director, any proponent or opponent, or other persons in attendance to clarify points made previously, to answer questions or to provide additional information. Such persons may respond upon recognition.

(6) Delay, rescheduling or continuation of hearing.

A public hearing on an application may be delayed, rescheduled or continued to another time and date, provided the announcement of the new time, place and date is given at the time and place of the advertised hearing, which announcement shall constitute public notice for the delayed, rescheduled or continued hearing.

(7) Transcription.

a. All proceedings of the public hearing shall be recorded on tape or other media. The recording of the proceedings shall be retained until any further appeals on a request have been exhausted.

b. The appellant or any person in opposition to the request, at their expense, is allowed to have the public hearing transcribed by a court reporter.

(d) Decisions.

(1) At the next meeting of the County Commission following the public hearing on a rezoning or special use, action shall be considered by vote of the County Commission.

(2) Findings of fact.

a. The County Commission shall first adopt findings of fact supporting their decision and may adopt any additional report it deems appropriate.

b. In order to approve an application, the County Commission shall further make a finding that the reasons set forth in the application justify the granting of the application and that approval would be the minimum needed to make possible the reasonable use of the land, building or structure.

c. In preparing its findings of fact, the County Commission must consider the standards for approval set forth under Sec. 2-9 for a rezoning, or under Sec. 2-16 for a special use, and for any accompanying special exception variances, as applicable.

(3) Action on a proposed rezoning or special use.

a. A motion to approve or deny an application must be approved by an affirmative vote of at least 3 of the members in order for the motion to be approved.

b. If a motion to approve an application fails, the application is automatically denied. If a motion to deny an application fails, another motion would be in order.

c. A tie vote on a motion for approval of an application shall be deemed a denial of the application. A tie vote on any other motion shall be deemed to be no action, and another motion would be in order.

d. If no action is taken on an application, it shall be considered tabled and action deferred to the next regular meeting of the County Commission.

(4) In taking action on a rezoning application, the County Commission may:

a. Approve, approve with conditions, or deny the proposal; or,

b. Approve or approve with conditions any portion of the area proposed for rezoning, thus reducing the boundaries of the area rezoned; or

c. Rezone the area or any portion of the area proposed for rezoning to a zoning district different than that requested by the applicant; or,

d. Allow withdrawal if so requested by the applicant (with or without imposing a six month period during which another zoning change on the property may not be considered); or,

e. Table the proposal for consideration at its next scheduled meeting.

(5) In taking action on a special use application, the County Commission may:

a. Approve, approve with conditions, or deny the proposal; or,

b. Allow withdrawal if so requested by the applicant (with or without imposing a six month period during which another special use on the property may not be considered); or,

c. Table the proposal for consideration at its next scheduled meeting.

(6) In taking action on any special exception variance accompanying a rezoning or special use application, the County Commission may:

a. Consider only those variances that accompanied the rezoning or special use application, and only for such rezoning or special use application that has been approved by the County Commission.

b. Variances that accompanied a rezoning or special use application that is denied by the County Commission shall be considered automatically denied by the County Commission.

c. Action on an accompanying special exception variance shall be taken in accordance with the requirements specified under subparagraph (3) of this Section 2-22 (d).

d. In taking action on a special exception variance accompanying a rezoning application, the provisions specified under subparagraph (4) of this Section 2-22 (d) shall apply.

Sec. 2-23 Withdrawal of rezoning or special use request.

Any applicant wishing to withdraw a proposed rezoning or special use prior to final action by the County Commission shall file a written request for withdrawal with the Planning Director.

(a) If the request for withdrawal is received prior to the publication of notice for the public hearing, the application shall be withdrawn administratively by the Planning Director without restriction on the re-filing of a proposed rezoning or special use on the property in the future.

(b) If notice has been published (or is irretrievably set for publication) but the application has not been heard by the County Commission, the application shall be withdrawn administratively by the Planning Director, and an application for a rezoning on the property may not be resubmitted for 6 months from the date of withdrawal. In addition, the Planning Director shall mail written notice of the withdrawal to the property owners previously notified. The cost of mailing shall be borne by the applicant.

(c) Should any request for withdrawal be made by the applicant at the County Commission hearing, the application shall remain on the County Commission's public hearing agenda and the withdrawal request shall be considered for approval or denial, with or without prejudice, by the County Commission.

Sec. 2-24 Appeal to court.

A final decision regarding a rezoning or special use by the County Commission shall be appealed only by *a certiorari* to a court of competent jurisdiction. Such appeal must be taken within 30 days of the decision of the County Commission.

ARTICLE V. PROJECT APPROVAL.

The Planning Department must first approve a preliminary plat for a major subdivision, a condominium plan, or a site plan for development of a multi-family or nonresidential project prior to the issuance of a development permit or initiation of any land disturbing or construction activities.

Sec. 2-25 Responsibility for project approval.

(a) The Director of Planning is responsible for administering the review and approval process for preliminary subdivision plats, condominium plans, and site plans. The Director of Planning shall forward a copy of the project approval application to other appropriate County Departments, the Georgia Department of Transportation, or others as appropriate, for their review and comment. The Director of Planning shall provide all comments to the applicant for resolution, who shall work directly with each department as necessary to resolve all issues.

(b) A preliminary plat, condominium plan, or site plan may be prepared by a professional engineer, a registered land surveyor, a landscape architect, or any registered design professional familiar with land development and project construction activities.

Sec. 2-26 Procedure for project approval.

(a) A pre-application review with a preliminary sketch is suggested.

(b) An application for project approval may be processed independently or in conjunction with an application for issuance of a development permit.

(c) An application for project approval shall be submitted to the Planning Department. The application shall include:

(1) The name and address of the person requesting review.

(2) A properly completed application form, as furnished by the Planning Department, requesting review for project approval.

(3) The preliminary subdivision plat, condominium plan, or site plan showing the entire ownership proposed to be included in the subdivision, condominium, or development project, drawn to the specifications of this Article and submitted in the number of copies established by the Planning Department.

(4) Payment of the applicable application and review fees as established by the County Commission from time to time.

(d) The Planning Department will review the application for completeness at the time of submission. Incomplete applications will be returned to the applicant.

(e) Following receipt of a complete application, the Planning Department will indicate on the drawing or in writing all comments related to compliance with this Development Code.

(f) For subdivisions or condominium projects abutting a State highway:

(1) If a proposed subdivision or condominium includes or abuts on any part of the State Highway System, two copies of the preliminary subdivision plat or condominium plan shall be forwarded by the Planning Department to the appropriate office of the Georgia Department of Transportation for recommendation and approval as provided in O.C.G.A. 32-6-151.

(2) Failure of the Department of Transportation to act within 30 days from submission shall constitute approval. If the plat is recommended for rejection, the reasons for rejection and requirements for approval shall be given in writing. Compliance with the requirements of the Georgia Department of Transportation is expected of the owner to the satisfaction of the Planning Director.

(g) The owner is responsible for compliance with all codes, regulations, and zoning requirements, and for the satisfaction of all the noted and written comments.

(h) The Planning Department may not approve any preliminary subdivision plat, condominium plan, or site plan that shows a lot or situation that would clearly require a variance to order to be reasonably usable, whether due to the presence of flood plain, unusual configuration, zoning compliance, lack of public utilities, or for any other reason.

(i) When the Planning Department has determined that the preliminary subdivision plat, condominium plan, or site plan is in compliance with the requirements, purpose, and intent of this Development Code, it will be approved. The Director of Planning will sign and date the CERTIFICATE OF PROJECT APPROVAL stamped or printed on a reproducible copy of the preliminary subdivision plat, condominium plan, or site plan. One copy of the approved drawing will be transmitted to the applicant and 1 copy will be retained by the Planning Department.

(j) The Certificate of Project Approval will remain in effect for a period of 1 consecutive year after which time it will become null and void and a new Certificate may be required if no permit has been issued or no development activity has begun.

Sec. 2-27 General standards for project approval.

(a) The proposed name of the development and proposed street names shall not duplicate or too closely approximate, phonetically, the name of any other development or street in the County. If shown to the contrary, the Planning Department may refuse to accept such development or street names. The development may use letter designations in place of proposed street names at the option of the applicant.

(b) The preliminary plat, condominium plan, or site plan shall be prepared on a boundary survey of the tract proposed to be subdivided or developed, showing the location of the boundaries and dimensions of the tract. If the tract proposed to be developed is a portion of a larger tract, a map must be submitted showing the boundaries of the larger tract and the location of the portion proposed to be developed within it. Such map may be included on, or otherwise be drawn to the same standards as, the location map required under Sec. 2-28 .

(c) The preliminary subdivision plat, condominium plan, or site plan shall be clearly and legibly drawn at a scale of not less than 100 feet to 1 inch. The recommended maximum dimensions of the sheet size is 36 inches by 42 inches and the minimum dimensions of 17 inches by 22 inches; however, the Director of Planning may approve other sheet sizes and graphic scales as appropriate.

(d) For property of over 100 acres, a smaller scale may be used where, in the judgment of the Director of Planning, presentation of detailed data is not necessary to evaluate the entire project. It is the intent of this provision that in all cases sufficient information shall be provided for an adequate evaluation of the public and private improvements.

(e) The preliminary plat, condominium plan, or site plan shall be approved, disapproved or requested to be modified by the Planning Director within 60 days after the plat or site plan has been submitted complete in all details and as required under this Development Code. If action is not taken within the said stated time, then the plat, condominium plan, or site plan shall be considered approved.

(f) Approval of a preliminary plat, condominium plan, or site plan shall not constitute approval of a final subdivision plat, final condominium plan, or development plans, or approval of a development permit or any other permit authorizing construction or development activities. Rather it shall be deemed an expression of approval to the general layout submitted on the preliminary plat, condominium plan, or site plan as a guide to the preparation of the development plans and/or the final subdivision plat or condominium plan required by this Development Code.

Sec. 2-28 Preliminary plat, condominium plan, or site plan requirements.

(a) Proposed name of development and its acreage.

(b) Name and address of the property owner and subdivider or developer.

(c) Name, address, and telephone number of the applicant.

(d) Date of survey, north point and graphic scale, source of datum, date of plan drawing, and revision dates, as appropriate.

(e) Proposed use of the property.

(f) Location (Land District and Land Lot) and size of the property in acres (or in square feet if less than an acre).

(g) Location map of the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets, railroads, waterways or lakes, or other landmarks. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location sketch.

(h) Name and boundary of former approved subdivision if any or all of the land in the preliminary subdivision plat has been previously subdivided, showing boundaries of the lots to be re-subdivided.

(i) Zoning district classification of the subject property and all adjacent properties, and zoning district boundaries as appropriate.

(j) Rezoning or special use application number, date of approval, and conditions of approval, as applicable.

(k) Variances obtained on the property by application number, date of approval, and conditions of approval, as applicable.

(l) Recorded deed names of adjoining property owners or subdivisions.

(m) Natural features within the property, including:

(1) Drainage channels, bodies of water, wooded areas, and other significant natural features such as rock outcroppings.

(2) On all water courses entering or leaving the property, the direction of flow shall be indicated, the 100-year flood plain, and wetland areas

(n) Protected groundwater recharge areas.

(o) Man-made features within and adjacent to the property, including street right-of-way and pavement widths, names of existing streets, all easements, city and county political boundary lines, and other significant information such as location and dimensions of bridges, utility lines, existing buildings to remain, and other features.

(p) The proposed project layout including:

(1) For subdivisions, lot lines and street right-of-way lines, with proposed street names or letter designations and right-of-way widths, along with the front building setback line and the dimension of its length on each lot (i.e., the lot width), utility and other easements, and land to be reserved for public uses.

(2) For condominium plans and multi-family and nonresidential development site plans, the outline and location of all buildings, the location of all minimum building setback lines, outdoor storage areas, buffers, parking areas and garages, driveways, curb cuts, utility and other easements, and designated fire lanes.

(q) The proposed phasing of the development if it is proposed to be built in sections.

(r) A statement as to the source of domestic water supply.

(s) A statement as to the provision for sanitary sewage disposal**.** For those properties that will not be served by a public sanitary sewerage system, location and results of percolation tests as required and approved by the Crisp County Health Department are to be shown.

(t) The approximate location of proposed storm water detention facilities.

(u) Such additional information as may be reasonably required to permit an adequate evaluation of the development activity proposed in the application.

Sec. 2-29 Design professional and owner certifications.

Each preliminary plat, condominium plan, or multi-family or nonresidential development site plan, is to include a certification by the design professional and by the owner that read as shown on Figure 2.1 and are signed in blue ink on the original drawing.

Sec. 2-30 Evidence of project approval.

(a) For any subdivision of 5 lots or more, at least one of which is less than 3 acres in size, a predevelopment review letter or other approval from the Health Department as required by their regulations shall be filed with the Planning Director.

(b) Each preliminary subdivision plat or site plan shall carry the Certificate of Project Approval as shown on Figure 2.2 printed or stamped on the plat.

Figure 2.1

DESIGN PROFESSIONAL CERTIFICATION

It is hereby certified that this [preliminary plat][preliminary condominium plan][site development plan] was prepared using a survey of the property prepared by_____, RLS, and dated _____; and further that the proposed [subdivision][condominium][development] meets all requirements of the Crisp County Land Development Code, as applicable to the property.

By (name): _____

Signed: _____

Registered Design Professional No. _____

Address: _____

Telephone Number:_____

Date: _____

OWNER'S CERTIFICATION

As the owner of this land, as shown on this [preliminary plat][preliminary condominium plan][site development plan], or his agent, I certify that this drawing was made from an actual survey, and accurately portrays the existing land and its features and the proposed development and improvements thereto.

Date: _____

[Owner][Agent] (name): _____

Signed: _____

Figure 2.2

CERTIFICATE OF PROJECT APPROVAL

All applicable requirements of the Crisp County Land Development Code relative to Project Approval having been fulfilled, approval is hereby granted by the Planning Director, subject to further compliance with all provisions of said Development Code.

_____

Director (or designee)

Date: _____

This approval does not constitute approval of a development permit, a Condominium Plan or a Final Subdivision Plat. This Certificate of Project Approval shall expire 12 months from the date of approval if a development permit has not been issued or a development permit has been issued but development activity has not been commenced.

NOT FOR RECORDING

ARTICLE VI. DEVELOPMENT PLANS.

Sec. 2-31 General requirements.

(a) Persons seeking to undertake land-disturbing activity (as defined in this Development Code) shall not commence or proceed until development plans are approved and a development permit is issued by the Planning Department. The process for approval of a development permit is presented in the Development Permit Section, below.

(b) The development plans for a project shall conform in all respects with the requirements of this Development Code, and shall include each of the plans in this Section as appropriate to the project. These include:

(1) Erosion and sedimentation control plan;

(2) Grading Plan;

(3) Stormwater Management Plan;

(4) Street Improvement Plan;

(5) Landscaping, Buffer and Tree Conservation Plans; and,

(6) Public Utility Plans.

(c) All development plans and supporting studies shall be prepared by or under the supervision of a professional engineer registered in the State, except that the Landscaping, Buffer and Tree Conservation plans are to be prepared by or under the supervision of a landscape architect registered in the State.

Sec. 2-32 Erosion and sedimentation control plan.

(a) Plans must be prepared to meet the erosion and sedimentation control requirements of the County's Soil Erosion, Sedimentation and Pollution Control Ordinance.

Sec. 2-33 Grading plan.

(a) Existing and proposed topography.

Grading plans shall identify existing and proposed topographic contour lines at the interval required for erosion and sedimentation control plans, above.

(b) Areas to remain undisturbed.

Grading plans shall outline any area that is required to remain undisturbed, such as a natural buffer, tree protection area or greenway (see the Landscaping, Buffers and Tree Conservation Chapter and the Land Development Activities Chapter of this Code) and shall identify and describe the protective fencing or staking to be placed surrounding such area.

(c) Wetlands certification.

Grading plans shall include a Wetlands Certification indicating whether or not wetlands are located on the property. The design professional that prepared the grading plans shall add a statement to the grading plan sheet indicating whether or not wetlands are located on the property by checking the appropriate box. The Wetlands Certification shall read as shown in Figure 2.3.

Figure 2.3: Wetlands Certification

The design professional whose seal appears herein certifies the following: (1) the Crisp County Generalized Wetlands Map has been consulted; (2) the appropriate plan sheet

❑ **DOES** ❑ **DOES NOT**

indicate wetlands as shown on the map or as determined by a certified wetlands delineator; and (3) if wetlands are indicated the landowner or developer has been advised that land disturbance of protected wetlands shall not occur unless the appropriate Section 404 Permit or Letter of Permission has been obtained from the U.S. Corps of Engineers for jurisdictional wetlands, or approval has been obtained from Crisp County to disturb other (nonjurisdictional) wetlands.

(d) Flood plain.

If the property contains any area of special flood hazard (the 100-year flood plain), grading plans in and around the flood plain shall be designed in conformance to all requirements relating to Flood Damage Prevention under the Land Development Activities Chapter of this Development Code.

Sec. 2-34 Stormwater management plan.

(a) The Stormwater Management Plan shall include sufficient information to evaluate the environmental characteristics of the affected areas, the potential impacts of the proposed development on water resources, and the effectiveness and acceptability of measures proposed for managing storm-water runoff. The developer shall certify on the drawings that all clearing, grading, drainage, construction, and development shall be conducted in strict accordance with the plan.

(b) The minimum information submitted for support of a Stormwater Management Plan shall be as follows:

(1) Site plan.

Provide a site plan drawn to a scale of not less than one inch equals 50 feet with the following characteristics and information:

a. Graphic scale, north arrow, and date. The north arrow shall be identified as magnetic, true, or grid north.

b. Vicinity map showing the site location relative to surrounding landmarks, highway intersections, rivers and streams.

c. Topography showing existing and proposed elevations in accordance with the following:

1. For sites smaller than 1 acre in size, show the direction of drainage and spot elevations at all breaks in grade and along drainage channels or swales at selected points not more than 100 feet apart.

2. For sites of 1 acre and larger, show channels or scales at selected points not more than 100 feet apart.

3. For sites of 1 acre and larger with slopes of more than 2 percent, show contours with an interval of not more than five feet.

4. Elevations shall be based on the datum plane established by the United States Coastal and Geodetic Survey.

d. Delineation of property lines and deed record names of adjacent property owners.

e. Location and right-of-way of streets, roads, railroads and utility lines, either on or adjacent to the property to be developed. Specify whether utility lines are in easements or rights-of-way and show the location of towers and poles.

f. Size and location of existing sewers, water mains, drains, culverts or other underground facilities within the tract or within the right-of-way of streets or roads adjoining the tract. Grades and invert elevations of sewers shall be shown.

g. Location of existing buildings and other improvements.

h. Proposed conditions:

1. Layout of proposed streets, roads, alleys, drives, paved areas and public crosswalks, with widths and road names or designations.

2. Preliminary plans of storm sewer system with grade, pipe size and location of outlet.

3. Location of proposed buildings and other improvements.

4. Certification by a registered land surveyor or professional engineer attesting that the site plan has been prepared in conformity with the minimum standards of this Section.

(2) The location and size of all proposed drainage improvements shall be designed in accordance with and meet all standards relating to Storm-water Drainage under

Chapter 9 of this Development Code. The Storm-water Management Plan shall include:

a. Location and profiles of all storm drainage pipes and slopes of receiving channels. Hydraulic grade lines to be shown on all pipes that cross streets and on all detention basin outfalls.

b. Stormwater detention facility design and construction details.

c. Location and typical construction details of all inlets and catch basins, headwalls and other drainage structures.

d. The 100-year ponding limits above each street cross drain.

(3) The Stormwater Management Plan must also include:

a. The hydrologic and hydraulic analysis required for the system design under Chapter 9.

b. When required by the Director of Planning, provide a soils investigation for all sites proposed as ponds or impoundments or for stormwater detention

c. Provide a reconstruction schedule for both temporary and permanent facilities. Reference the schedule to other development activities such as clearing, rough grading, construction, final grading and vegetation establishment.

d. Provide a plan for maintenance of the stormwater facilities. Describe specific actions and a recommended schedule of maintenance required to maintain the facilities at a satisfactory level of service.

e. Provide a cost estimate for construction of the stormwater management facilities. Provide a separate estimate of the annual cost for maintenance of the proposed facilities.

Sec. 2-35 Street improvement plan.

(a) Center line profiles and typical street sections of all proposed streets shall be required. Profiles shall be drawn on standard plan and profile sheet with plan section showing street layout, pavement and right-of-way width, curvature, and required drainage facilities. Typical street sections shall be provided for street widening.

(b) Where sanitary sewer or storm water sewers are to be installed within a street, the grade, size, location and bedding class of pipe, and the location and invert elevation of manholes shall be indicated on the road profile.

(c) Center line profiles covering streets that are extensions of existing streets shall include elevations at 50-foot intervals for such distance as may be adequate to provide continuity consistent with the standards required by this Development Code for street improvements, but no less than 200 feet.

(d) All plan elevations shall be coordinated and sited into U.S. Coast and Geodetic Survey or Georgia Department of Transportation bench marks where feasible or into reference monuments established by the Federal Emergency Management Agency.

(e) A street striping plan, showing striping in accordance with the *Manual on Uniform Traffic Control Devices*, latest edition as published by the Federal Highway Administration, shall be prepared for any street newly constructed or widened to 4 or more lanes.

Sec. 2-36 Landscaping, buffer and tree conservation plans.

All proposed landscaping as required by this Code in Landscape Strips or Parking Lots and in Buffers, and trees to be retained or planted as required by the Tree Conservation provisions of this Code, shall be illustrated. The plans may be consolidated on one sheet, and are to show:

(a) Site landscaping plan.

(1) Scale at 1 inch = 20 feet to 50 feet.

(2) North reference.

(3) The location and size of all utilities on the site.

(4) The location of all existing and proposed parking areas, sidewalks and other paved surfaces.

(5) The location of all existing and proposed buildings and structures.

(6) The boundaries of each required landscape strip.

(7) A planting plan showing the location, size and common name of proposed plant materials.

(8) The location, size and common name of all existing plant materials to be retained that contribute to meeting the minimum requirements of this Code for landscape strips or parking lot landscaping.

(b) Buffer plan.

A buffer plan shall be prepared for any structural buffer required in accordance with the specifications and standards contained in this Development Code. Plans shall not be required for natural buffers, which are to be shown on the grading plan. The buffer plan shall show:

(1) The boundaries of each required buffer area.

(2) All grading and construction details for earthen berms, walls and fences that are proposed as part of the visual screen.

(3) A planting plan showing the location, size and type of proposed plant materials.

(4) The location, size and common name of all existing plant materials to be retained that contribute to meeting the minimum requirements of this Code for buffers.

(5) Typical cross-sections of the buffer illustrating the improvements proposed and typical location of vegetation. At least one cross-section shall be provided for each buffer.

(c) Tree conservation plan.

The site landscaping plan shall include a tree conservation plan for any multi-family or nonresidential development. Such plan shall be submitted to the Department prior to any grading, bulldozing, or other removal of existing vegetation that may affect the health of existing tree coverage. A preliminary plan may be submitted for industrial lots, as provided below.

(1) The full tree protection plan shall show the following:

a. The extent of the development site or disturbed area.

b. All significant trees to be removed and all other trees 10 inches DBH or larger to be removed.

c. All significant trees and all other trees 10 inches DBH or larger which will remain on the development site and be protected during construction; and trees less than 10 inches DBH which are submitted for credit as part of the tree conservation requirement.

d. In heavily wooded areas that will not be disturbed, the plan may show only the boundaries of each stand of trees and a list of the number, size, and type (e.g., hardwood, softwood; deciduous, evergreen) of trees in each stand which are submitted for credit.

e. Locations of proposed on-site underground utility lines.

f. Locations of other on- and off-site utility lines. Indicate areas where trees cannot be planted because of interference with (1) existing or proposed utilities on public rights-of-way or on utility rights-of-way or easements and (2) existing utilities on adjoining properties.

g. Limits of tree conservation areas, showing trees to be maintained and planted, specifying type and size.

h. Grade changes or other work adjacent to a significant tree or any other tree 10 inches DBH or larger which would affect it adversely, with drawings or descriptions as to how the grade, drainage, and aeration will be maintained around the tree.

i. Planting schedule, if applicable.

(2) A preliminary tree conservation plan may be submitted for development of an industrial site that will be cleared and graded for purposes of marketing to prospects. Planting of new trees will not be required on an industrial lot until a use is proposed to be developed on that lot, and locations of new trees need not be shown on the preliminary plan. The preliminary tree conservation plan shall show the following:

a. The extent of the development site or disturbed area.

b. All significant trees to be removed and all other trees 10 inches DBH or larger to be removed.

c. Grade changes or other work adjacent to a significant tree or any other tree 10 inches DBH or larger which would affect it adversely, with drawings or descriptions as to how the grade, drainage, and aeration will be maintained around the tree.

d. Units of new trees that will be required on the lot when it is developed, calculated by subtracting trees to be retained.

e. Removal of significant trees and other trees 10 inches DBH or larger shall be permitted only in conjunction with an approved preliminary tree protection plan, an approved grading plan, and actual grading of building pads (i.e., not simply to clear the lot).

Sec. 2-37 Public utility plans.

(a) Domestic water supply plan.

If connection to a public water system is proposed or required, the domestic water supply plan shall depict all water system improvements, water mains, fire hydrants, valves and other appurtenances, and other information as may be required by the Crisp County Water Works and EPD (as applicable).

(b) Sewage disposal plan.

(1) If a connection to a public system is proposed, sewage disposal plans are to include: Sanitary sewerage plans, including profiles of all mains and outfalls, lift station and force main details, typical manhole construction details, and other information as may be required by the Director of Planning, the providing entity or other applicable regulatory agency.

(2) For projects approved to be served by on-site sewage disposal systems, location of septic tank, extent of drain field and attendant structures, location and results of percolation tests, and other information shall be shown as required by the County Health Department.

ARTICLE VII. DEVELOPMENT PERMIT.

Sec. 2-38 Responsibility for development actions.

(a) No person shall conduct any land-disturbing activity, including grading, clearing and grubbing, tree clearance, land development or project construction without first obtaining a development permit from the Planning Department to perform such activity.

(b) Any person proposing development shall first submit to the Planning Department an application for a development permit, including all civil design and construction drawings

required by this Development Code. The application must be authorized by the property owner.

(c) The Planning Department is responsible for administering the review and approval process for issuance of development permits.

(1) The Planning Department shall forward a copy of the development permit application, including the civil design and constructions drawings for the project, to other departments, the Georgia Department of Transportation or others as appropriate, for their review and comment. The Planning Department shall provide all comments to the applicant for resolution, and shall issue the development permit when all requirements of this Development Code are met.

(2) The applicant or the applicant's design professional shall submit the erosion and sedimentation control plan to the Georgia Soil and Water Conservation Commission in accordance with the Commission's rules and requirements. A development permit will not be issued by the County until approval of the Georgia Soil & Water Conservation Commission is received by the Planning Director.

(d) Approval of plans by the Planning Department shall not imply or transfer acceptance of responsibility for the application of the principles of engineering, architecture, landscape architecture or any other profession, from the professional, corporation or individual under whose hand or supervision the plans were prepared.

(e) The completion of inspections and authorization for work continuation shall not transfer responsibility for the quality of the work performed or materials used from the owner, nor imply or transfer acceptance of responsibility for project design or engineering from the professional, corporation or individual under whose hand or supervision the plans were prepared.

(f) No development permit shall be interpreted to relieve any owner of the responsibility of maintaining full compliance with all applicable codes, ordinances and other regulations. Any development permit issued in error or in contradiction to the provisions of this Development Code shall be considered to have been null and void upon its issuance.

(g) Liability.

(1) The approval of an erosion and sedimentation control plan or other plans under the provisions of this Development Code, the issuance of a development permit, or the compliance with any other provisions of this Development Code shall not relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the County Commission or the Soil and Water Conservation District for damage to any person or property.

(2) The fact that any activity for which a development permit has been issued results in injury to the property of another shall neither constitute proof of, nor create a presumption of, a violation of the standards provided for in this Development Code or the terms of the development permit.

Sec. 2-39 Development activities authorized.

A development permit shall be issued to authorize all activities associated with development activity regulated by this Code, including, but not limited to, clearing and grubbing, grading and the construction of such improvements as streets, surface parking areas and drives, storm water drainage facilities, sidewalks, or other structures permanently placed on or in the property except for buildings, signs, or other structures requiring the issuance of a building permit.

Sec. 2-40 Process for approval of development permit.

An application for a development permit may proceed simultaneously with an application for a preliminary subdivision plat or site plan, but may not be issued prior to project approval of such plat or plan by the Planning Department.

(a) The application for a development permit shall be submitted to the Planning Department and must include the following:

  (1) Application on the form furnished by the Planning Department, requesting review for issuance of a development permit.

  (2) Submission of the following in a number of copies as established by the Planning Department:

    a. The preliminary plat or site plan requesting or reflecting project approval by the Planning Department.

    b. The civil design and construction drawings prepared in conformance with the specifications and standards in this Development Code.

    c. A copy of the transmittal letter forwarding the erosion and sedimentation control plan to the Georgia Soil & Water Conservation Commission.

  (3) Payment of any development permit fee, as established from time to time by the County Commission.

  (4) Soil erosion bond, if required, under the Land Development Activities Chapter of this Development Code.

(b) The application will be checked for completeness within 5 days of its submission. Incomplete applications will be returned to the applicant.

(c) Prior to acceptance of a development permit application, the applicant or the applicant's design professional shall forward the erosion and sedimentation control plan to the Georgia Soil & Water Conservation Commission for its review and approval or disapproval concerning the adequacy of the erosion and sedimentation control plan. No development permit will be issued unless the plan has been approved by said Commission and ratified by the Middle South Georgia Soil & Water Conservation District, and any variances and bonding, if required, have been obtained.

(d) The applicant may be required by the Planning Department to secure development approval from other agencies if they are affected by the development. Development approval may be required from but not limited to:

(1) Fire Department

(2) County Health Department

(3) Soil and Water Conservation District

(4) Georgia Department of Transportation

(5) Georgia Department of Natural Resources

(6) US Army Corps of Engineers

(7) US Environmental Protection Agency

(e) Upon receipt of comments from other departments and agencies, the Planning Department will indicate on a copy of the civil design and construction drawings or in writing all comments related to compliance with this Development Code, conditions of zoning approval, and other regulations or ordinances, as appropriate.

(f) The Planning Department will forward its comments to the applicant.

(g) The applicant will be responsible for compliance with all codes, regulations and zoning requirements and for the satisfaction of all of the comments received. The owner will also be responsible for obtaining approval from all other agencies affected by the project.

(h) No development permit will be issued unless the applicant provides a statement by the County Tax Commissioner's office certifying that all ad valorem taxes levied against the property and due and owing have been paid.

Sec. 2-41 Issuance of development permit.

(a) Following satisfaction of all comments, receipt of approvals from all affected agencies and receipt of all required bonds, the Planning Department shall issue a development permit authorizing development activity to begin based on the approved civil design and construction drawings.

(b) No development permit shall be issued unless the erosion and sedimentation control plan has been approved by the Soil and Water Conservation District, project approval has been granted by the Planning Department, and the Planning Department has affirmatively determined that the plan is in compliance with all requirements of this Development Code. If the development permit is denied, the reason for denial shall be furnished to the applicant.

(c) If the tract is to be developed in phases, then a separate development permit shall be required for each phase.

(d) The development permit may be suspended, revoked or modified, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in title is not in compliance with the approved erosion and sedimentation control plan or that the holder

or his successor in title is in violation of this Development Code. A holder of a development permit shall notify any successor in title as to all or any portion of the land affected by the approved plan or the conditions contained in the development permit.

Sec. 2-42 Expiration of development permit.

(a) A development permit shall expire if the development activity described in the permit is not begun within 6 months from the date of issuance.

(b) Any development permit that has expired may be renewed by the Planning Department within 6 months of expiration. If a development permit has expired for more than 6 months, the applicant shall be required to apply for a new development permit under the development permit approval process of this Development Code.

ARTICLE VIII. FLOOD AREA PERMIT.

Sec. 2-43 Flood area permit required.

If development or construction is proposed within or affecting an area of special flood hazard, approval of a flood area permit application shall be required. An application for a flood area permit may be included with and reviewed along with a development permit application.

Sec. 2-44 Application process for a flood area permit.

(a) Application for a flood area permit shall be made to the Planning Department on forms furnished by them prior to any development activities.

(b) The application for a flood area permit shall conform to the requirements of the County's Flood Damage Prevention Ordinance.

ARTICLE IX. DRIVEWAY PERMIT.

(a) No driveway connecting to a public street or a public right-of-way or public property shall be repaired or installed without first having approval from the Public Works Department. If the driveway connects to a State or U.S. numbered highway, approval of the Georgia Dept. of Transportation shall be required prior to County approval.

(b) Applications may be made to the Public Works Department.

(c) A permit shall expire for work not started within 90 days or completed within 6 months after issuance of a permit, and a new permit shall be required before beginning or completing the work.

ARTICLE X. FINAL SUBDIVISION PLAT.

Sec. 2-45 Final subdivision plat required.

(a) Final plat for major subdivision.

Approval and recording of a final plat for a major subdivision (as defined in this Development Code) is subject to the following requirements:

(1) Before a plat of a major subdivision is recorded with the Clerk of the Superior Court of Crisp County and title to the lots thereon can be conveyed, a final plat showing the final design of the major subdivision shall be submitted to the Planning Department for review in a number of copies as required by the Planning Director. Until a final plat of a major subdivision has been submitted to and reviewed and approved by the Planning Director, the Clerk of the Superior Court shall not record the plat of such subdivision, nor shall the owner or agent of such subdivision transfer title to any lot within the subdivision by reference to the final subdivision plat or any other map of the subdivision, by deed or by metes and bounds description.

(2) Major subdivisions shall comply with all requirements and provisions of this Sec. 2-45 .

(b) Final plat for minor subdivision.

Unless Planning Department, approval is not required under Sec. 2-45 (b)(3)b, approval and recording of a final plat for a minor subdivision (as defined in this Development Code) is subject to the following requirements:

(1) Before a plat of a minor subdivision is recorded with the Clerk of the Superior Court of Crisp County and title to the lots thereon can be conveyed, a final plat showing the final design of the minor subdivision shall be submitted to the Planning Department for review. Until a final plat of a minor subdivision has been submitted to and reviewed and approved by the Planning Director, the Clerk of the Superior Court shall not record the plat of such subdivision nor shall the owner or agent of such a subdivision transfer title to any lot within the subdivision by reference to the final subdivision plat or any other map of the subdivision, or by deed or by metes and bounds description.

(2) Minor subdivisions shall comply with all requirements and provisions of this Sec. 2-45 (b) to the extent applicable to such subdivisions or as otherwise indicated within this Section.

(3) Minor plat exceptions.

a. In the division of a property into two or more properties that qualifies as a minor subdivision, all of the properties so created (including the remainder of the original property) must be shown on the final plat, unless the remainder of the original property is larger than 10 acres, in which case only the newly created lots must be surveyed and shown on the final plat along with a location sketch showing the outline of the entire original property and the outline of the newly created lots relative to existing streets and other landmarks or natural features.

b. Non-development land sales.

The division of a tract of land into two or more properties that qualifies as a minor subdivision for which no sanitary sewer connection or approval of a septic tank is required may be filed for recordation by the Clerk of the Superior Court without the approval of the Planning Department otherwise required by this Sec. 2-45 .

1. Such a plat must contain a certification signed and sealed by a licensed surveyor that approval of the plat by the Planning Department is not required under the provisions of O.C.G.A. 15-6-67(d), and the plat shall be clearly captioned as follows in bold, clearly legible type:

   The tract or tracts depicted on this plat are not eligible for connection to a sanitary sewer system or for on-site sewage disposal (septic tank) approval.

2. Such a plat must comply with the requirements of Sec. 2-48 (a), Sec. 2-49 and Sec. 2-50 of this Development Code.

Sec. 2-46 Responsibility.

(a) The Director of Planning shall be responsible for coordination of the approval process for all final subdivision plats.

(b) The final subdivision plat shall be certified and sealed by a registered land surveyor.

(c) The owner is responsible for compliance with all requirements of this Development Code. Approval of a final subdivision plat and acceptance of the public improvements and dedications therein shall not relieve the owner of this responsibility.

Sec. 2-47 Procedures for final plat approval.

(a) Prior to submission of an application for final subdivision plat approval, all public improvements shall have been properly installed and completed in accordance with all requirements and standards of this Development Code and as-built surveys of the improvements shall have been approved by the Planning Director as required in the Land Development Activities Chapter of this Code. An application for a final subdivision plat approval shall be made to the Planning Department. The application shall include:

   (1) The name and address of the person to whom the notice of approval shall be sent.

   (2) A properly completed application form, as furnished by the Planning Department, requesting final subdivision plat review.

   (3) Five copies of the final subdivision plat drawing prepared in conformance with the specifications in this Section, the original of which shall be drawn in permanent ink on cloth or film.

   (4) Payment of all applicable final subdivision plat filing and recording fees, as established by the County Commission from time to time.

(5) The application shall include either: (a) a copy of a properly executed and binding contract for the installation of traffic signalization if required under this Development Code; or (b) an agreement approved by the Georgia Department of Transportation for installation of the required traffic signalization.

(b) The Planning Department shall review the application for completeness at the time of submission. Incomplete applications will be returned to the applicant.

(c) Within 2 weeks following receipt of the application, the Planning Department shall indicate on the drawing or in writing all comments related to compliance with this Development Code. The Director of Planning shall have sole authority to determine the applicability of any provisions of this Development Code to the final plat.

(d) The owner shall be responsible for compliance with all codes, regulations and zoning requirements, and for the satisfaction of all the noted and written comments of the Planning Department. Resubmission of all revised drawings shall be made to the Planning Department.

(e) When all of the requirements of this Development Code, and any conditions of zoning approval, have been met, the Director of Planning and the Chair of the County Commission shall sign and date the CERTIFICATE OF FINAL PLAT APPROVAL stamped or printed on a reproducible copy of the final subdivision plat.

(f) Once the final subdivision plat has been so certified, it shall be recorded by the Planning Department, or by the applicant with the Planning Director's approval, with the Clerk of Superior Court.

(g) Subsequent to the recording of the final plat, one copy on cloth or film and one additional copy with all certificates endorsed thereon shall be filed with the records of the Planning Department. The Map book, volume and page numbers where the plat is recorded shall also be indicated on the copies.

Sec. 2-48 General standards for final plats.

(a) a. The final subdivision plat shall be drawn on an appropriate material and sheet size, and using minimum line weights and letter heights as required by Georgia law for the recordation of maps and plats (O.C.G.A. § 15-6-67), and as acceptable to the Clerk of Superior Court.

(b) b. The final subdivision plat shall substantially conform to the preliminary subdivision plat and may constitute only that portion of the approved preliminary subdivision plat that the owner proposes to record at any one time, provided that such portion conforms to the requirements of this Development Code.

Sec. 2-49 Final plat requirements.

The final subdivision plat shall contain all caption information and plat data required by Georgia law pertaining to the recordation of maps and plats (O.C.G.A. § 15-6-67, as amended), as well as the additional information required in this Subsection.

(a) Caption.

The maps or plats shall have a title or name, including the name of the subdivision, which shall be contained in the caption, and the caption shall also provide the following information:

(1) The county, tax map and parcel number, and subdivision, if the property lies within a particular subdivision;

(2) The date of plat preparation;

(3) The scale, stated and shown graphically;

(4) The name, address, telephone number, and registration number of the land surveyor or the statement that he is the county surveyor and is not required by law to be a registered surveyor; and

(5) All reproductions of original maps or plats shall bear the original signature, in black ink, of the registrant placed across the registration seal in order to be a valid or recordable map or plat.

(b) Plat data.

Maps or plats shall be made in a professional manner and in accordance with the standards of good drafting procedures and shall show the following information, as specified:

(1) All maps or plats shall show the direction and distance from a point of reference to a point on the boundary of the individual survey, and such additional data as may be required to relocate the boundary point from the point of reference with the same degree of accuracy required of the parcel surveyed. The point of reference shall be an established, monumented position which can be identified or relocated from maps, plats, or other documents on public record;

(2) All maps or plats of boundary surveys or subdivision surveys shall show bearings of all lines of the boundary or lot lines, and distances of all boundary or lot lines, and area of the parcels expressed in acres or square feet;

(3) All maps or plats shall show the width and the former widths, if pertinent, of all rights of way adjacent to or crossing the property or adjacent to any point of reference;

(4) All maps or plats shall show easements and apparent encroachments, if pertinent;

(5) In the case of curved lines, the curve shall be defined by curve data to include the radius, arc length, chord bearing, and distance for regular curves. Chord distances and directions shall be given for irregular curves;

(6) All land lot lines, land district lines, land section lines, and city and county boundaries intersecting or adjacent to the surveyed property shall be indicated by lines drawn upon the map or plat with appropriate words and figures;

(7) All corner markers and markers of pertinent reference points shall be fully described and indicated as to their material or types and shall be constructed of a permanent

material such as iron, steel, concrete, or stone, as required for survey monuments under the Project Design Standards Chapter of this Code;

(8) An arrow shall be shown on the map or plat to indicate the principal meridian, and a notation shall be made as to the reference of bearings to magnetic north, astronomic north, or grid north. A grid north reference shall indicate the zone;

(9) All linear distances shown on maps or plats shall be horizontal;

(10) All angular directions shown on maps or plats shall be represented in degrees and minutes. Where plats state or surveys require accuracy in excess of 1 in 5,000, the angular directions shall be represented in degrees, minutes, and seconds. All angular directions shall be referenced to the principal meridian; and

(11) All maps or plats shall show the state plane coordinates of at least two permanent monuments thereon, when a National Geodetic Survey monument is within 500 feet of any point on the property mapped or platted, or any point of reference shown thereon.

(c) Additional data.

The following is to be shown on the final plat in addition to the caption information and plat data required by Georgia law:

(1) Street names including both the name and the suffix, such as “street,” “avenue,” etc.

(2) Name of the former subdivision if any or all of the property has been previously subdivided.

(3) If the plat covers an area that is a portion of a larger area included within an approved preliminary plat, location sketch of the area being final platted within the preliminary plat boundary and any areas previously recorded within the subdivision.

(4) Lot lines with dimensions to the 1/100 (0.01) foot, necessary internal angles, arcs, and chords and tangent or radii of rounded corners.

(5) Building front setback lines with dimensions as to length across each lot and distance from the street right-of-way.

(6) Lots or sites numbered in numerical order and blocks lettered alphabetically.

(7) Location, dimensions and purpose of all easements, including slope easements, if required, and any areas to be reserved, donated, or dedicated to public use.

(8) A listing of the private covenants recorded with each lot or a statement of the location of such covenants, if applicable.

(9) The extent of any area of special flood hazard, as defined in this Development Code.

(10) Curve data shall be required for all curves of greater than ten degrees on new roads. Pertinent data including street centerlines, radius, central angle, and tangent distance must be given for regular curves. Chord distances and directions shall be given for irregular curves on preexisting roads.

(11) If private streets are provided, a notation consistent with the requirements of Sec. 2-52 .

(12) If the subdivision is within, partially within, or adjacent to any property zoned RR, or is otherwise adjacent to an existing agricultural use or operation, a notation that reads as follows: "The lots or properties shown on this plat are subject to the requirements of State law and Chapter 4 of the Crisp County Land Development Code regarding notification to purchasers of the proximity of agricultural zoning or uses."

Sec. 2-50 Surveyor and owner certificates.

Each Final Subdivision Plat shall carry the following certificates printed or stamped on the plat. The original certificates on the reproducible copy of the final plat shall be signed and dated in blue ink.

(a) Surveyor's Certificate, to read and be completed as follows:

Figure 2.4

SURVEYOR'S CERTIFICATE

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown thereon actually exist and their location, size, type and material are correctly shown

The field data upon which this plat is based has a closure precision of one foot in _____ feet, and an angular error of _____ per angle point, and was adjusted using _____ rule.

This plat has been calculated for closure and is found to be accurate within one foot in _____ feet.
By (name):

Registered Georgia Land Surveyor No.

Address: _____

Telephone Number: _____

Date: _____

(b) Surveyor's Seal. The reproducible final subdivision plat drawing shall bear the original signature, in blue ink, of the registered land surveyor placed across the surveyor's seal in order to be valid and recordable.

(c) Owner's Certificate, to read and be completed as follows, and signed in blue ink on the original drawing:

Figure 2.5

OWNER'S CERTIFICATE

State of Georgia
County of Crisp

The undersigned certifies that he or she is the owner of the land shown on this plat and that the plat and the public improvements contained therein or associated therewith meet all applicable requirements and standards of the Crisp County Unified Land Development Code. The owner further acknowledges this plat and allotment to be his free act and deed, and dedicates to the public forever all areas shown or indicated on this plat as streets, easements or other public use areas, and all water system and other public improvements as depicted on the as-built surveys for this subdivision, approved on _ (date) _ .

Owner's name: _____

Owner's address: _____

Date: _____

_____

(Owner's signature)

Sec. 2-51 Approval by health department.

A final approval letter by the Health Department that the water supply and sewage disposal systems installed or proposed to be installed fully meet the requirements of the Health Department's regulations (except for those lots excluded from development by the Health Department and so marked on the final plat) shall be submitted on a separate form to the Planning Department. The Health Department certification statement shall include written notice that each lot not on public sewer must have a septic tank permit prior to the issuance of a building permit. For developments with public sewerage and public water systems, this certification may be omitted.

Sec. 2-52 Notification of private streets.

If private streets are provided, the final plat must include a notation that the purchaser of each lot must execute a release consistent with the requirements of Chapter 9 of this Development Code. Such notation shall read substantially as shown in Figure 2.6.

Figure 2.6

Notification of Private Streets

This subdivision is served by private streets. The transfer in title of any lot within this subdivision shall require execution of a release of all maintenance responsibility and liability for such streets on the part of Crisp County in accordance with Chapter 9 of the Crisp County Unified Land Development Code. Such release shall be required for issuance of a Building Permit.

Sec. 2-53 Certificate of final subdivision plat approval.

The following shall be stamped or printed on the final subdivision plat for execution upon its approval by the County.

Figure 2.7

CERTIFICATE OF FINAL PLAT APPROVAL

All requirements of the Crisp County Unified Land Development Code having been represented as being fulfilled by this plat and the related as-built surveys approved on (date) , Crisp County hereby approves this plat for recordation by the Clerk of Superior Court and recognizes the owner's offer of dedication of all areas and public improvements shown thereon and on said as-built surveys on behalf of the public, subject to maintenance and guarantee by the owner for one year from the date of this approval.

_____Date _____

(Signature of Director of Planning)

Sec. 2-54 Acceptance of public improvements.

(a) Prior to expiration of the maintenance period, a final acceptance inspection of the public improvements shall be conducted by the appropriate entities (Public Works, Water and/or Public Safety).

(b) The owner must correct all defects or deficiencies in materials or workmanship and make such repairs as necessary to approximate the as-built condition of the improvements.

(c) Upon certification by the appropriate entities (Public Works, Water and/or Public Safety) that the public improvements depicted on the as-built surveys are in conformance with the specifications of this Development Code and are in good repair, the County Commission shall accept the public improvements into perpetual maintenance.

ARTICLE XI. BUILDING PERMITTING.

Sec. 2-55 Building permit required.

(a) A building permit issued by the Planning Director is required in advance of the initiation of construction, erection, moving, or alteration of any building or structure in accordance the provisions of the building code. No building permit shall be issued and no building shall be erected on any lot in the county unless access has been established in accordance with this Development Code. No building permits shall be issued before approval of the final plat. All structures shall comply with the requirements of this Development Code, whether or not a building permit is required.

(b) In all instances in this Article, reference to the Planning Director includes the Planning Director's designee, in accordance with Sections 1-15(b)(3) and 1-15(c)(1) of this Development Code.

Sec. 2-56 Application for a building permit.

The Planning Director is responsible for administering and enforcing the building codes of the County.

(a) Prior to issuance of a building permit, the owner shall have received a development permit if required by this Development Code.

(b) Zoning verification shall be obtained from the Planning Department. The following shall be attached to the Zoning Verification Application:

    (1) For a single-family detached or two-family dwelling, a plat or other indication of the location of the lot.

    (2) For a multi-family or nonresidential building, the site plan upon which was granted project approval by the Planning Department.

    (3) A street address number as shown on the final plat or as assigned by the Planning Department.

(c) Plumbing, electrical and mechanical permits shall be issued separately by the Planning Director or separately identified on the building permit. Such permits must be issued prior to commencement of work by each affected trade.

(d) Standards for approval.

(1) Building permits shall be issued only on buildable lots of record, as defined in this Development Code.

(2) Building permits shall be issued in conformance with the adopted technical codes and supplements that constitute the County's building code. Conformance to this Development Code is also required as a prerequisite to issuance of a building permit.

(e) Application for a building permit shall be made to the Planning Department. The application shall include:

(1) Application on the form furnished by the Planning Department, requesting issuance of a building permit.

(2) A copy of the zoning verification approved by the Planning Department.

(3) Building plans.

a. Single-family detached site built – One set of building plans and a plat of the property showing the actual dimensions and shape of the lot to be built upon.

b. Multi-family and nonresidential -- Two sets of the building plans drawn to scale, and a plat of the property showing the following:

1. The actual dimensions and shape of the lot to be built upon;

2. The exact sizes and locations on the lot of buildings already existing, if any; and

3. The location and dimensions of the proposed building or alteration.

(4) The application shall include such other information as lawfully may be required by the Planning Director, including existing or proposed building or alteration; existing or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Code.

(5) For principal multi-family or principal nonresidential buildings, plans shall be prepared by or under the supervision of an architect registered in Georgia, who shall sign and seal each sheet in the original set of drawings, unless the building is exempted from this requirement by Georgia Law.

(6) County Health Department Approval if an on-site sewage disposal system or an on-site water supply has been allowed.

(7) County Fire Department/EMS approval of the driveway serving the proposed building as to its road bed, surface, width, topography, and accessibility to emergency

vehicles. Such approval may be waived in writing as determined by the Fire Department/EMS, but is mandatory for all construction in the RR zoning district.

(8) Water meter receipt issued by the Public Utilities Department.

(9) For applications to move a house, structure or building, the following additional information is required:

a. The name of the person performing the moving;

b. The origin and destination of the moving;

c. The names of the owners of the property from which the house is removed and of the property to which it is moved;

d. A detailed outline of the route to be followed and the equipment to be used;

e. An estimate of the time involved, including the time of the day when said operation shall be conducted; and

f. Details of the foundation upon which the structure will be placed, which must meet the requirements for a permanent foundation.

g. Any application for a permit must be made at least 48 hours prior to the proposed moving, unless this requirement is waived by the Planning Director, with the concurrence of the Sheriff's Department, under extenuating circumstances.

h. In addition to a fee charged for permits, the mover of any house, building or structure shall deposit with the Planning Director $400.00 for each house, to be returned to the mover within 5 days after such moving if no damage is done to public property.

i. The Sheriff's Department shall furnish a police escort if he or she deems it necessary

Sec. 2-57 Building permit approval procedures

(a) No later than five business days after receipt of any application for a building permit, the Planning Director shall either:

(1) Issue the permit; or,

(2) Notify the applicant as to whether the submitted documents meet the requirements of a complete application.

(b) Except as otherwise provided in this Section, time spent by the Planning Director determining whether an application is complete shall count toward the total 30 days for plan review or inspection.

(1) If the Planning Director determines that the application is not complete, the applicant shall be provided written notice identifying the items that are not complete.

(2) The 30-day time period is tolled when the application is rejected as incomplete. If within 30 days after the Planning Director has provided notice that the application is incomplete the applicant submits revisions to address the identified deficiencies, the Planning Director shall have an additional five business days to review the application for completeness.

(c) Upon notification to the applicant that a complete application has been accepted, the Planning Director shall also notify the applicant as to whether the personnel employed or contracted by the County will be able to provide regulatory action within 30 days for plan review or provide inspection services within two business days of receiving a valid written request for inspection.

(d) If the Planning Director determines that the personnel employed by the County cannot provide regulatory action or inspection services within the time frames required under paragraph (b) of this Section, the applicant shall have the option of retaining, at its own expense, a private professional provider to provide the required plan review or inspection in accordance with the provisions of this Section. If the applicant elects to utilize the services of a private professional provider, the regulatory fees associated with such regulatory action shall be reduced by 50 percent and such reduced amount shall be paid to the County in accordance with the County's policies.

(e) If the Planning Director determines that the personnel employed by the County can provide regulatory action or inspection services within the time frames required under paragraph (b) of this Section, a convenience fee not to exceed the full amount of the regulatory fees associated with such regulatory action shall be paid to the County in accordance with the County's policies. Upon payment in full of the convenience fees associated with the complete application, the applicant may nevertheless choose to retain, at its own expense, a private professional provider to provide the required plan review or inspection, subject to the requirements set forth in this Section.

(f) If the Planning Director states its intent to complete the required plan review within the time prescribed by paragraph (b) of this Section, or any extension thereof mutually agreed to by the applicant and the County, and the Planning Director fails to complete such plan review in the time prescribed by paragraph (b) of this Section, or any extension thereof mutually agreed to by the applicant and the governing authority, the Planning Director shall issue the applicant a project initiation permit.

(1) The Planning Director shall be allowed to limit the scope of a project initiation permit and limit the areas of the site to which the project initiation permit may apply but shall allow the applicant to begin work on the project, provided that portion of the initial phase of work is compliant with applicable codes, laws, and rules.

(2) If the plans submitted for permitting are denied for any deficiency, the time frames and process for resubmittal shall be governed by subparagraphs (1) through (3) of paragraph (b) of Sec. 2-59 .

(3) Any delay in the processing of an application that is attributable to a cause outside the control of the County or through fault of the applicant shall not count toward days for the purposes of this Section.

(g) Any plan review or inspection conducted by a private professional provider shall be no less extensive than plan reviews or inspections conducted by County personnel.

(h) The person, firm, or corporation retaining a private professional provider to conduct a plan review or an inspection shall be required to pay to the County the same regulatory fees which are required by either paragraph (d) or (e) of this Section, as applicable.

Sec. 2-58 Private professional providers

(a) A private professional provider performing plan reviews under this Article shall review plans to determine compliance with all applicable regulatory requirements. Upon determining that the plans reviewed comply with the applicable regulatory requirements, such private professional provider shall prepare an affidavit or affidavits on a form adopted by the Department of Community Affairs certifying under oath that the following is true and correct to the best of such private professional provider's knowledge and belief and in accordance with the applicable professional standard of care:

(1) The plans were reviewed by the affiant who is duly authorized to perform plan review pursuant to this Section and who holds the appropriate license or certifications and insurance coverage stipulated in this Section;

(2) The plans comply with all applicable regulatory requirements; and,

(3) The plans submitted for plan review are in conformity with plans previously submitted to obtain governmental approvals required in the plan submittal process and do not make a change to the project reviewed for such approvals.

(b) All private professional providers providing plan review or inspection services pursuant to this Section shall secure and maintain insurance coverage for professional liability (errors and omissions) insurance.

(1) The limits of such insurance shall be not less than $1 million per claim and $1 million in aggregate coverage for any project with a construction cost of $5 million or less and $2 million per claim and $2 million in aggregate coverage for any project with a construction cost of more than $5 million.

(2) Such insurance may be a practice policy or project-specific coverage. If the insurance is a practice policy, it shall contain prior acts coverage for the private professional provider. If the insurance is project-specific, it shall continue in effect for two years following the issuance of the certificate of final completion for the project.

(3) The Planning Director or the County Commission may establish, for private professional providers working within the County, a system of registration listing the private professional providers within their stated areas of competency. The permit applicant shall verify compliance with the insurance requirements of this paragraph.

(c) The private professional provider shall be empowered to perform any plan review or inspection required by the County, including, but not limited to, inspections for footings, foundations, concrete slabs, framing, electrical, plumbing, heating ventilation and air conditioning (HVAC), or any and all other inspections necessary or required to determine compliance with all regulatory requirements and for the issuance of a building permit or certificate of occupancy by the County, provided that the plan review or inspection is within the scope of such private professional provider's area of competency.

(d) Nothing in this Section shall authorize any private professional provider to issue a certificate of occupancy. Only the Planning Director or County Fire Marshal shall be authorized by the County Commission to issue a certificate of occupancy.

Sec. 2-59 Procedures for permit issuance

(a) The permit applicant shall submit a copy of the private professional provider's plan review report to the Planning Director within five days of its completion. Such plan review report shall include at a minimum all of the following:

(1) The affidavit of the private professional provider required under Sec. 2-58 (a);

(2) The applicable fees; and

(3) Any documents required by the local official and any other documents necessary to determine that the permit applicant has secured all other governmental approvals required by law.

(b) No more than 30 days after receipt of both a permit application and the affidavit from the private professional provider required pursuant to this Article, the Planning Director shall issue the requested permit or provide written notice to the permit applicant identifying the specific plan features that do not comply with the applicable regulatory requirements, as well as the specific code chapters and sections of such regulatory requirements. If the Planning Director does not provide a written notice of the plan deficiencies within the prescribed 30-day period, the permit application shall be deemed approved as a matter of law and the permit shall be issued by the local Planning Director on the next business day.

(1) If the Planning Director provides a written notice of plan deficiencies to the permit applicant within the prescribed 30-day period, the 30-day period shall be tolled pending resolution of the matter. To resolve the plan deficiencies, the permit applicant may elect to dispute the deficiencies pursuant to this subsection or to submit revisions to correct the deficiencies.

(2) If the permit applicant submits revisions to address the plan deficiencies previously identified, the Planning Director shall have the remainder of the tolled 30 day period plus an additional five business days to issue the requested permit or to provide a second written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes regulatory requirements, with specific reference to the relevant code chapters and sections of such regulatory requirements.

a. If the Planning Director does not provide the second written notice within the prescribed time period, the permit shall be issued by the Planning Director on the next business day.

b. In the event that the revisions required to address the plan deficiencies or any additional revisions submitted by the applicant require that new governmental approvals be obtained, the applicant shall be required to obtain such approvals before a new plan report can be submitted.

(3) If the Planning Director provides a second written notice of plan deficiencies to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the deficiencies pursuant to this subsection or to submit additional revisions to correct the deficiencies. For all revisions submitted after the first revision, the Planning Director shall have an additional five business days to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable regulatory requirements, with specific reference to the relevant code chapters and sections.

(c) Upon submission by the private professional provider of a copy of his or her inspection report to the Planning Director, the Planning Director shall be required to accept the inspection of the private professional provider without the necessity of further inspection or approval by the inspectors or other personnel employed by the County unless the Planning Director has notified the private professional provider, within two business days after the submission of the inspection report, that it finds the report incomplete or the inspection inadequate and has provided the private professional provider with a written description of the deficiencies and specific code regulatory requirements that have not been adequately addressed.

Sec. 2-60 Prequalification of private professional providers

(a) The County may provide for the prequalification of private professional providers who may perform plan reviews or inspections pursuant to this Section.

(1) No ordinance implementing prequalification shall become effective until notice of the County's intent to require prequalification and the specific requirements for prequalification have been advertised in the newspaper in which the sheriff's advertisements for that locality are published, and by any other methods the County ordinarily utilizes for notification of engineering, architecture, or construction related solicitations.

(2) The ordinance implementing prequalification shall provide for evaluation of the qualifications of a private professional provider only on the basis of the private professional provider's expertise with respect to the objectives of this Section, as demonstrated by the private professional provider's experience, education, and training.

(3) Such ordinance may require a private professional provider to hold additional certifications, provided that such certifications are required by ordinance for plan review personnel currently directly employed by the County.

(b) Nothing in this Section shall be construed to limit any public or private right of action designed to provide protection, rights, or remedies for consumers.

Sec. 2-61 Enforcement

(a) The owner shall be responsible for compliance with this Development Code and all building code requirements, regulations, and for the satisfaction of all of the comments of the Planning Director.

(b) If the work authorized by a building permit has not begun within 6 months from the date of issuance the permit shall expire, unless it is renewed. The Planning Director may renew a building permit for a period of no more than 6 months if there have been no changes in the rules, regulations, codes or ordinances of the County that would materially affect construction of the building. A building permit may not be renewed more than once, and shall not be renewed more than 8 months after the initial approval of the building permit

(c) If the Planning Director determines that the building construction or plans do not comply with the applicable building code requirements, the official may deny the permit or request for a certificate of occupancy, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law, after giving notice to the owner, the architect of record, the engineer of record, or the contractor of record and by posting a copy of the order on the site of the project and opportunity to remedy the violation within the time limits set forth in the notice, if the official determines noncompliance with regulatory requirements, provided that:

(1) The Planning Director shall be available to meet with the private professional provider within two business days to resolve any dispute after issuing a stop-work order or providing notice to the applicant denying a permit or request for a certificate of occupancy or certificate of completion; and

(2) If the Planning Director and the private professional provider are unable to resolve the dispute or meet within the time required by this Section, the matter shall be referred to the County Zoning Board of Appeals, which shall consider the matter not later than its next scheduled meeting.

(d) Nothing in this Section shall limit the authority of the Planning Director to issue a stop-work order for a building project or any portion of such project, which may go into effect immediately, after giving notice and opportunity to remedy the violation, if the Planning Director determines that a condition on the building site constitutes an immediate threat to public safety and welfare. A stop-work order issued for reasons of immediate threat to public safety and welfare shall be appealable to the County Zoning Board of Appeals.

Sec. 2-62 Disciplinary guidelines for private professional providers

When performing building code plan reviews or inspection services, a private professional provider is subject to the disciplinary guidelines of the applicable professional licensing board with jurisdiction over such private professional provider's license or certification under State Law, as applicable.

(a) Any complaint processing, investigation, and discipline that arise out of a private professional provider's performance of plan reviews or inspection services shall be conducted by the applicable professional licensing board.

(b) Notwithstanding any disciplinary rules of the applicable professional licensing board with jurisdiction over such private professional provider's license or certification under State Law, the Planning Director may decline to accept plan reviews or inspection services submitted by any private professional provider who has submitted multiple reports which required revisions due to negligence, noncompliance, or deficiencies.

Sec. 2-63 Certificate of occupancy.

(a) It is unlawful to use or occupy or permit the use or occupancy of any part of a building, structure, or premises, until a certificate of occupancy has been issued stating that the building or structure or premises conforms to the requirements of the building codes and this Development Code.

(b) A certificate of occupancy shall be required for any of the following:

(1) Occupancy and use of a building or structure constructed or enlarged.

(2) Change in use of existing buildings to uses of a different classification.

(3) Any change in use of a nonconforming use, lot or building.

(c) Permanent electric power may not be supplied to any structure until a certificate of occupancy shall have been issued and the power company contacted by the Planning Director.

(d) A record of all certificates of occupancy shall be maintained by the Planning Director and a copy shall be furnished upon request to any person.

Sec. 2-64 Exclusions

(a) This Article shall not apply to hospitals, ambulatory health care centers, nursing homes, jails, penal institutions, airports, buildings or structures that impact national or state homeland security, or any building defined as a high-rise building in the State Minimum Standards Code; provided, however, that interior tenant build-out projects within high-rise buildings are not exempt from this Article.

(b) The County, the Planning Director, and local building code enforcement personnel and agents of the County shall be immune from liability to any person or party for any action or inaction by an owner of a building or by a private professional provider or its duly

authorized representative in connection with plan review and inspection services by private professional providers as provided in this Article.

(c) Nothing in this Article shall apply to inspections for compliance with a state or local fire safety standard or erosion control standard.

(d) To the extent that a provision of this Article conflicts with requirements of federal laws or regulations or impairs the County's receipt of federal funds, such provision shall not apply.

ARTICLE XII. SIGN PERMITS.

Sec. 2-65 Sign permits; applications.

(a) Applications for sign permit.

An application for a sign permit shall be made to the Planning Department and shall be accompanied by written approval of the property owner, site plans, and specifications as may be required by the Planning Director, along with any required fees.

(b) Multi-Tenant Nonresidential Projects.

(1) A uniform sign plan is required for any multi-tenant nonresidential development, such as a shopping center, before any signs for the development or the development's tenants may be erected on the property.

(2) The uniform sign plan shall govern the placement and design of all signs within the development as to their location, number, materials, size, letter style, and color.

(3) A uniform sign plan shall be submitted and approved as follows:

a. The uniform sign plan shall consist of such drawings and specifications as may be required to clearly illustrate the location, materials, size, letter style, and color of all and every sign to be placed as freestanding and building signs within the development.

b. The uniform sign plan is to be submitted to the Planning Department. The uniform sign plan shall be approved upon a finding by the Planning Director that:

1. The plan provides that signs of a similar type and function within the development shall have a consistency of size, lettering style, color scheme, and construction materials so as to present a unified design concept while respecting the differences between tenant types and occupancies.

2. The signs proposed in the uniform sign plan shall comply with the requirements of the Sign Regulations Chapter in all respects.

(4) The requirements of the approved uniform sign plan shall be recorded by the owner in the office of the Clerk to Superior Court prior to issuance of a Certificate of Occupancy or connection to permanent power for the development, and shall be

included in any sale, lease, or other transfer of right of occupancy affecting any part of the development.

(5) All tenants of the development, whether an owner, lessee, subtenant, purchaser, or other occupant, shall comply with the approved uniform sign plan.

Sec. 2-66 Modifications to sign restrictions.

(a) Modifications to the restrictions on signage for a specific property or development may be requested for administrative approval.

(b) Such requests shall be submitted to the Planning Department for review and handling.

(c) A request for modification shall be supported by a uniform sign plan.

(1) The uniform sign plan shall consist of such drawings and specifications as may be required to clearly illustrate the location, materials, size, letter style, and color of all and every sign to be placed as freestanding and building signs within the development.

(2) The uniform sign plan shall establish design standards such that signs of a similar type and function within the development shall have a consistency of size, lettering style, color scheme, and construction materials so as to present a unified design concept while respecting the differences between tenant types and occupancies.

(d) Denial.

If the Planning Director denies the requested modification, the applicant may appeal the decision to the Board of Zoning Appeals.

(e) Approval.

(1) Following approval by the Planning Director or the Board of Zoning Appeals, the requirements of the approved uniform sign plan shall be recorded by the owner in the office of the Clerk to Superior Court prior to issuance of a certificate of occupancy for the development, and shall be included in any sale, lease, or other transfer of right of occupancy affecting any part of the development.

(2) All tenants of the property or development, whether an owner, lessee, subtenant, purchaser, or other occupant, shall comply with the approved uniform sign plan.

ARTICLE XIII. CEMETERY DISTURBANCE PERMIT.

Sec. 2-67 Findings and intent.

In accordance with O.C.G.A. 36-72-1 *et seq.* and other State laws relating to abandoned cemeteries and burial grounds, the following findings and intent of the State of Georgia are incorporated herein:

(a) The care accorded the remains of deceased persons reflects respect and regard for human dignity as well as cultural, spiritual, and religious values. The General Assembly declares

that human remains and burial objects are not property to be owned by the person or entity which owns the land or water where the human remains and burial objects are interred or discovered, but human remains and burial objects are a part of the finite, irreplaceable, and nonrenewable cultural heritage of the people of Georgia which should be protected.

(b) It is the intent of the General Assembly that the provisions of this Section be construed to require respectful treatment of human remains in accord with the equal and innate dignity of every human being and consistent with the identifiable ethnic, cultural, and religious affiliation of the deceased individual as indicated by the method of burial or other historical evidence or reliable information.

(c) Counties are authorized to preserve and protect any abandoned cemetery or any burial ground that the county determines has been abandoned or is not being maintained by the person who is legally responsible for its upkeep, whether or not that person is financially capable of doing so.

Sec. 2-68 Definitions related to cemetery disturbance.

The following definitions are used in this Section:

Abandoned Cemetery: A cemetery which shows signs of neglect including, without limitation, the unchecked growth of vegetation, repeated and unchecked acts of vandalism, or the disintegration of grave markers or boundaries and for which no person can be found who is legally responsible and financially capable of the upkeep of such cemetery.

Archeologist: Any person who is:

(1) A member of or meets the criteria for membership in the Society of Professional Archaeologists and can demonstrate experience in the excavation and interpretation of human graves; or

(2) Employed on July 1, 1991, by the state or by any county or municipal governing authority as an archeologist.

Burial Ground: An area dedicated to and used for interment of human remains. The term shall include privately owned burial plots, individually and collectively, once human remains have been buried therein. The fact that the area was used for burial purposes shall be evidence that it was set aside for burial purposes.

Burial Object: Any item reasonably believed to have been intentionally placed with the human remains at the time of burial or interment or any memorial, tombstone, grave marker, or shrine that may have been added subsequent to interment. Such term also means any inscribed or uninscribed marker, coping, curbing, enclosure, fencing, pavement, shelter, wall, stoneware, pottery, or other grave object erected or deposited incident to or subsequent to interment.

Cemetery or Cemeteries: In relation to the disturbance of an abandoned cemetery, any land or structure in this state dedicated to and used for interment of human remains. It may be either a burial park for earth interments or a mausoleum for vault or crypt interments or a combination of one or more thereof.

Descendant: A person or group of persons related to a deceased human by blood or adoption in accordance with the meaning of the term as used in Title 19 of the Official Code of Georgia.

Genealogist: A person who traces or studies the descent of persons or families and prepares a probative record of such descent.

Human Remains: The bodies of deceased human beings in any stage of decomposition, including cremated remains.

Preserve and Protect a cemetery or burial ground: To keep safe from destruction, peril, or other adversity and may include the placement of signs, markers, fencing, or other such appropriate features so as to identify the site as a cemetery or burial ground and may also include the cleaning, maintenance, and upkeep of the site so as to aid in its preservation and protection.

Sec. 2-69 Permit requirements.

(a) Permit required for developing land on which cemetery located.

No known cemetery, burial ground, human remains, or burial object shall be knowingly disturbed by the owner or occupier of the land on which the cemetery or burial ground is located for the purposes of developing or changing the use of any part of such land unless a cemetery disturbance permit is first authorized by the Board of Commissioners.

(b) Application for a cemetery disturbance permit.

An application for a permit shall include, at a minimum, the following information:

(1) Evidence of ownership of the land on which the cemetery or burial ground is located in the form of a legal opinion based upon a title search;

(2) A report prepared by an archeologist stating the number of graves believed to be present and their locations as can be determined from the use of minimally invasive investigation techniques, including remote sensing methods and the use of metal probes, which activities shall not require a permit;

(3) A survey prepared by or under the direction of a registered surveyor showing the location and boundaries of the cemetery or burial ground based on an archeologist's report;

(4) A plan prepared by a genealogist for identifying and notifying the descendants of those buried or believed to be buried in such cemetery. If those buried or believed to be buried are of aboriginal or American Indian descent, the genealogist, in preparing the notification plan, shall consult with the Council on American Indian Concerns created pursuant to Georgia law under O.C.G.A. 44-12-280 and shall include in the notification plan not only any known descendants of those presumed buried but also any American Indian tribes as defined in paragraph (2) of O.C.G.A. 44-12-260 that are culturally affiliated; and

(5) A proposal for mitigation or avoidance of the effects of the planned activity on the cemetery or burial ground. If the proposal includes relocation of any human remains or burial objects, the proposal shall specify the method of disinterment, the location and method of disposition of the remains, the approximate cost of the process, and the approximate number of graves affected.

(c) Identification and notification of descendants of person in cemetery sought to be developed.

The applicant shall implement its plan for identifying and locating descendants no later than the date the application is submitted to the Planning Director. The Planning Director shall review the applicant's plan for identifying and notifying the descendants of the deceased persons and may require as a condition for issuing a permit that the applicant implement additional reasonable attempts to identify and locate descendants. Notice to possible descendants shall include information on how to contact the Planning Director and a summary of the rights of descendants under Georgia law. The Planning Director shall promptly inform any descendant who indicates an interest in the disposition of the human remains and burial objects regarding any proposals for mitigation, the terms of any permit issued, the time and place of any scheduled public hearings, and appeal procedures and events.

(d) Application fee.

The Board of Commissioners may impose an application fee that shall reflect the cost to the County for processing and reviewing the application including, but not limited to, the cost of hiring an attorney, independent archeologist, and independent surveyor to assist in making recommendations regarding the applicant's plan. Such fee, if imposed, shall not exceed $2,500.00.

Sec. 2-70 Procedure for permit approval.

(a) Public hearing on development of abandoned cemetery; time for decision on application for permit.

(1) Within 15 days after the Planning Director is satisfied that all reasonable effort has been made to notify descendants, as provided in Sec. 2-69 (c), the Board of Commissioners shall schedule a public hearing at which any interested party or citizen may appear and be given an opportunity to be heard. In addition to the notice required in Sec. 2-69 (c), notice of the public hearing shall be advertised in the legal organ of the County once a week for the two consecutive weeks immediately preceding the week in which any such hearing is held.

(2) Within 30 days after the conclusion of the public hearing, the Planning Director shall notify the applicant in writing of the decision of the Board of Commissioners. The Board of Commissioners shall have the authority to deny the application with written reasons, to authorize issuance of a permit adopting the application in whole or in part, or to authorize issuance of a permit which may include additional requirements to mitigate the proposed activity's adverse effects on the cemetery

or burial ground, including but not limited to relocation of the proposed project, reservation of the cemetery or burial ground as an undeveloped area within the proposed development or use of land, and respectful disinterment and proper disposition of the human remains. The Board of Commissioners may adopt the applicant's proposal for mitigation.

(b) Issues considered in decision on application for permit.

The Board of Commissioners shall consider the following in making its determination:

(1) The presumption in favor of leaving the cemetery or burial ground undisturbed;

(2) The concerns and comments of any descendants of those buried in the burial ground or cemetery and any other interested parties;

(3) The economic and other costs of mitigation;

(4) The adequacy of the applicant's plans for disinterment and proper disposition of any human remains or burial objects;

(5) The balancing of the applicant's interest in disinterment with the public's and any descendant's interest in the value of the undisturbed cultural and natural environment; and

(6) Any other compelling factors that the governing authority deems relevant.

(c) Appeal of decision on application for permit.

(1) Should any applicant or descendant be dissatisfied with a decision of the Board of Commissioners, he or she, within 30 days of such decision, may file an appeal in the Superior Court of Crisp County.

(2) Until the expiration of the time for appeal as set forth in Sec. 2-70 (c)(1), the applicant shall not begin or resume activities that comply with the permit issued by the governing authority. If an appeal is filed, the applicant may begin or resume activities that comply with the permit only upon consent of the Board of Commissioners and the party seeking judicial review or upon order of the reviewing court for good cause shown.

Sec. 2-71 Inspections and supervision.

(a) Inspection to ensure applicant's compliance.

The Planning Department shall inspect as necessary to determine whether the applicant has complied with the provisions of this Section requiring cessation or limitation of activity and with the terms of the permit as authorized by the Board of Commissioners.

(b) Disinterment and disposition of human remains or burial objects.

Any disinterment and disposition of human remains or burial objects permitted under this Section shall be supervised, monitored, or carried out by the applicant's archeologist and shall be done at the expense of the person or entity to whom the permit is issued.

Sec. 2-72 Penalties

Any person who knowingly fails to comply with the provisions of this chapter shall be guilty of a misdemeanor of a high and aggravated nature and, upon conviction, shall pay a fine of not more than $5,000.00 for each grave site disturbed; provided, however, that any person who knowingly violates the provisions of Sec. 2-69 (a) shall be guilty of a misdemeanor of a high and aggravated nature and, upon conviction, shall be incarcerated for not more than six months and shall pay a fine not less than $5,000.00 for each grave site disturbed.

ARTICLE XIV. DEVELOPMENTS OF REGIONAL IMPACT.

Sec. 2-73 Types of approvals covered.

The provisions of this Section apply to any type of governmental action requested by a private party related to a development project, such as a rezoning or special use approval, special exception variance or hardship variance approval, project approval, issuance of a development or building permit, or hookup to a public utility.

Sec. 2-74 Thresholds for regional review.

Any development project for which any governmental action is requested that meets or exceeds development thresholds adopted by the Georgia Department of Community Affairs (DCA) shall be considered a Development of Regional Impact (DRI):

Sec. 2-75 Submission to the regional development center.

(a) First request for project approval.

(1) Upon determination by the Planning Director that an application qualifies for DRI review, the applicant shall provide such information as necessary for the DRI review on forms available from DCA.

(2) The DRI review forms prepared by the applicant shall be submitted by the Director of Planning to the River Valley Regional Commission (RVRC).

(3) Once the RVRC has accepted the DRI forms as complete, the 30-day review period officially begins.

(4) Throughout the DRI process, the applicant shall coordinate with the Planning Department and the RVRC and provide such additional information as may be needed to complete the DRI evaluation.

(b) Subsequent requests for project approval.

Once the development project has been reviewed by the RVRC and the first governmental action has been granted, no further reviews by the RVRC of subsequent governmental actions need to be reviewed by the RVRC unless the project is significantly or substantially revised (as established by DCA guidelines for DRI reviews).

Sec. 2-76 Final Action by the County.

Further consideration of the development project shall not be made by the County on a Development of Regional Impact until either:

(a) A report has been received from the RVRC reflecting its findings and recommendations, if any; or,

(b) Said report is not received within 30 days of official determination by the RVRC that the project is a DRI.

ARTICLE XV. TEXT AMENDMENTS.

This Development Code may be amended from time to time in whole or in part by the County Commission under the provisions of this Article.

Sec. 2-77 Initiation of text amendments.

A proposed change to the text of this Development Code may be proposed when public necessity, general welfare or good zoning practice justify such action by the County Commission or the County Administrator.

Sec. 2-78 Text amendment process.

Before the County Commission may take final action on a proposed text amendment, it shall hold an advertised public hearing on the proposal. The public hearing shall follow the same procedures for advertising and holding a public hearing as for a rezoning or special use as presented in ARTICLE IV of this Chapter, as well as the provisions for withdrawal of an application, except as otherwise provided by this Article.

Sec. 2-79 Standards for text amendments.

The County Commission shall consider the following standards in considering any proposal that would result in a change to the text of this Development Code, giving due weight or priority to those factors that are appropriate to the circumstances of each proposal:

(a) Is the proposed amendment consistent with the purpose and intent of this Land Development Code as stated under Chapter 1?

(b) Does the proposed amendment further or is it compatible with the purpose and intent of the Comprehensive Plan?

(c) Is the proposed amendment required to adequately address new or changing conditions or to properly implement the Comprehensive Plan?

(d) Does the proposed amendment reasonably promote the public health, safety, morality or general welfare?

Sec. 2-80 Effect of text amendment approval.

(a) Approval of a text amendment shall be in full force and effect upon its approval by the County Commission or upon the stated effective date thereof.

(b) For a property on which a use, building, structure or other improvements existed in conformity with this Development Code prior to the effective date of a text amendment affecting the property, any such use, building, structure or other improvements no longer in conformance shall be governed under the provisions for Nonconformities in Chapter 11 of this Development Code.

(c) Construction of any use, building, structure, or other improvements for which a building permit has been issued in conformity with this Development Code prior to the effective date of a text amendment may continue to completion as though no change had occurred and, upon completion, shall be governed under the provisions for Nonconformities in Chapter 11 of this Development Code, as applicable.

ARTICLE XVI. APPEALS.

Sec. 2-81 Types of appeals.

Persons may appeal to the Zoning Board of Appeals for relief under the following circumstances:

(a) When aggrieved by an action or an interpretation of the Planning Director of the County made under this Development Code.

(b) When an exception is desired for a particular property from certain requirements of this Development Code, as specified in this Section.

(c) When compliance with the requirements of this Development Code would create a particular and unique hardship.

(d) When the requirements for flood protection affect an historic structure.

Sec. 2-82 Initiation of appeals.

(a) All requests for relief shall be taken as an appeal to the Zoning Board of Appeals, as provided in this Section.

(b) If denied, an application for a hardship variance or special exception variance affecting the same property shall not be reconsidered for a period of 12 months from the date of denial; provided, however, that the Zoning Board of Appeals may reduce the waiting period under extenuating circumstances or on its own motion.

Sec. 2-83 Appeals of an administrative decision.

(a) Appeals of an administrative action or interpretation by the Planning Director to the Zoning Board of Appeals may be initiated by any person aggrieved by the decision. Such appeal shall be taken within 30 days of the action or interpretation appealed from, by filing the

appeal in writing with the Planning Director. The Planning Director shall transmit a notice of said appeal to the Board of Appeals specifying the grounds thereof.

(b) It is the intention of this Code that all questions arising in connection with the enforcement or interpretation of this code shall be presented first to the Planning Director and that such question shall be presented to the Zoning Board of Appeals only on appeal from the decision of the Planning Director.

(c) The holder of or applicant for a development permit or a building permit may appeal any of the following actions taken by an administrative official:

(1) The suspension, revocation, modification or grant with condition of a development permit by the Director of Planning upon finding that the holder is not in compliance with the approved erosion and sedimentation control plan or other approved plans.

(2) The determination that the holder is in violation of development permit or building permit conditions.

(3) The determination that the holder is in violation of any other provision of this Development Code.

(d) Interpretations.

The Zoning Board of Appeals, upon appeal of an aggrieved party from a decision of the Planning Director, or at the request of the Planning Director, shall:

(1) Interpret the use of words or phrases within the context of the intent of this Development Code.

(2) Determine the boundaries of the various zoning districts where uncertainty exists.

(3) Determine the validity of any order, determination, decision, or other interpretation by any person acting under authority of this Development Code, where a misinterpretation or misapplication of the requirements or other provisions of this Development Code is alleged, following confirmation of such validity by the Planning Director.

(4) Interpret such other provisions of this Development Code as may require clarification or extension in specific or general cases.

(e) An appeal of an administrative decision stays all legal proceedings in furtherance of the action appealed from, unless the officer or department head from whom the appeal is made certifies to the Zoning Board of Appeals, after the notice of appeal shall have been filed, that by reason of facts stated in the certificate a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which must be granted by a court of competent jurisdiction.

Sec. 2-84 Special exception variances.

(a) General limitations on relief.

Special Exception Variances shall be limited to relief from the following requirements of this Development Code:

(1) Minimum building setbacks.

(2) Maximum building height.

(3) Maximum height of a fence.

(4) Minimum lot width.

(5) Public street frontage.

(6) Buffers and screening.

(7) Signage, in accordance with a uniform sign plan.

(8) Parking requirements, such as the number of spaces required or improvement standards for parking lots. Approval of any change in parking lot improvement standards shall have the concurrence of the Fire Chief.

(9) Minimum lot area per dwelling unit, as required under Table 5-1, for the sole purpose of allowing an accessory family care dwelling and in strict accordance with the provisions applicable to such an accessory family care dwelling set out under Article VI of Chapter 4, Restrictions on Particular Uses.

(10) Encroachment into a street-side utility easement.

(11) Construction or placement of an accessory use to a dwelling prior to or in lieu of the placement of a principal residence on a property, provided that the following standards shall apply:

a. The accessory use or structure must otherwise be allowed only as one of the "customary accessory uses to a dwelling" listed in the applicable Section of Article VI of Chapter 4.

b. The square footage of all accessory buildings and the number and floor area of parking spaces in a stand-alone garage and/or an outdoor parking area approved on the vacant lot must not exceed the total floor area of accessory buildings and the number and square footage of parking spaces allowed as accessory uses for a dwelling in the applicable Section of Article VI of Chapter 4.

c. Within two years of approval of the Special Exception Variance, either a principal dwelling structure must be constructed on the property or a new Special Exception Variance must be applied for and approved for a period of no more than an additional two years.

(12) AG telecommunications towers.

a. Approval of an AG telecommunications tower serving an active nonconforming agricultural operation in a zoning district where agricultural operations are not

an allowed use, and which otherwise meets all of the requirements for an AG tower in Chapter 4.

b. Approval of the addition of a telecommunications antenna and equipment to an existing or proposed AG tower for the purpose of providing internet access to surrounding and nearby residents and other land uses.

(13) Such other requests for a Special Exception Variance as may be specifically required by other provisions of this Land Development Code not specified above.

(b) Standards for approval.

A Special Exception Variance may be granted upon a finding that the relief, if granted, would not cause substantial detriment to the public good or be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity nor diminish and impair property values within the surrounding neighborhood or impair the purpose and intent of the Development Code.

(c) Administrative approval.

(1) Special Exception Variances shall be considered by the Zoning Board of Appeals unless the variance is approved administratively. Only those variances listed in this Subsection, below, and within the parameters stated, may be considered for administrative approval.

(2) The Planning Director, upon a finding that a Special Exception Variance listed below meets the standards for approval contained in paragraph (b) of this Section may administratively approve such special exception variance within and not exceeding the following parameters:

a. Minimum building setbacks.

Not to exceed a reduction in the minimum setback required by 10%, except the front setback may be reduced or waived for a multi-family or nonresidential use if the parking is located in the side or rear yards.

b. Maximum building height.

Not to exceed an additional 4 feet above the maximum allowed.

c. Maximum height of a fence.

Not to exceed an additional 2 feet above the maximum allowed.

d. Automobile parking requirements

Not to exceed a change by more than 10% in the number of spaces required, shared parking, or the proximity of spaces to the use served.

e. Encroachment into a street-side utility easement.

Any encroachment must be deemed necessary by the Planning Director for the reasonable development, use or enjoyment of the property, and shall be placed at the owner's liability for any damage resulting from the placement,

operation or maintenance of utilities located within the easement. An encroachment for the placement of an on-site sewage disposal system drain field or replacement field must be at the request of the Health Department due to a lack of a reasonable alternate location.

f. AG telecommunications tower.

All pertinent requirements of Chapter 4 regarding telecommunications towers are met and the agreement for the AG tower to be removed within 1 year following the cease of all agricultural operations on the property or approval of a development permit for a residential subdivision on the property.

(d) If denied by the Zoning Board of Appeals (or the County Commission, if applicable), an application for a special exception variance affecting the same property shall not be reconsidered for a period of 12 months from the date of denial; provided, however, that only the Board of Appeals may reduce the waiting period under extenuating circumstances or on its own motion.

(e) In no case shall a special exception variance be granted from the conditions of approval imposed on a property through a zoning change granted by the County Commission.

Sec. 2-85 Hardship variances.

(a) General.

(1) Relief from the application of the provisions of this Development Code may be granted by the Zoning Board of Appeals upon a finding that compliance with such provision will result in a hardship to the property or owner that is substantially unwarranted by the protection of the public health, safety or general welfare, and the need for consistency among all properties similarly zoned.

(2) Such relief may be granted only to the extent necessary to alleviate such unnecessary hardship and not as a convenience to the applicant nor to gain any advantage or interest over similarly zoned properties.

(b) Standards for approval.

A hardship variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding by the Zoning Board of Appeals that:

(1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; or

(2) The application of the Development Code to this particular piece of property would create an unnecessary hardship; or

(3) There are conditions that are peculiar to the property involved which adversely affect its reasonable use or usability as currently zoned; or

(4) Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this Development Code, provided, however, that no

variance may be granted for a use of land or building or structure that is prohibited in a given district by this Code.

(c) If denied, an appeal for a hardship variance affecting the same property shall not be reconsidered for a period of 12 months from the date of denial; provided, however, that the Zoning Board of Appeals may reduce the waiting period under extenuating circumstances or on its own motion.

(d) In no case shall a hardship variance be granted for any of the following:

(1) A condition created by the applicant, including the result of an unwise investment decision or real estate transaction.

(2) A change in the conditions of approval imposed through a rezoning granted by the County Commission.

(3) Reduction of a minimum lot size required by a zoning district.

(4) A use of land or buildings or structures that is not permitted by the zoning district that is applicable to the property.

(5) Any increase in the number of dwelling units or nonresidential building floor area otherwise permitted by the zoning district that is applicable to the property.

Sec. 2-86 Flood protection variances.

(a) Flood protection variances may be approved for the reconstruction, rehabilitation or restoration of buildings listed on the National Register of Historic Places or the State Inventory of Historic Places provided that the proposed reconstruction, rehabilitation or restoration will not result in the building losing its historical designation.

(b) In passing upon a flood protection variance, the Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Development Code relating to flood damage prevention, and the:

(1) Danger that materials may be swept onto other lands to the injury of others;

(2) Danger to life and property due to flooding or erosion damage;

(3) Susceptibility of the facility and its contents to flood damage and the effect of such damage on the individual owner;

(4) Importance of the services provided by the facility to the community;

(5) Necessity of the facility to a waterfront location, in the case of a functionally dependent facility;

(6) Availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

(7) Compatibility of the use with existing and anticipated development;

(8) Relationship of the use to the comprehensive plan and flood plain management program for that area;

(9) Safety of access to the property in times of flood for ordinary and emergency vehicles;

(10) Expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and

(11) Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

(c) Upon consideration of the factors listed above, and the purposes of this Development Code, the Board of Appeals may attach such conditions to the granting of the variance as it deems necessary to further the purposes of flood damage prevention.

(d) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(e) Conditions for variances are as follows:

(1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of an historical building, a determination that the variance is the minimum necessary so as not to destroy the historical character and design of the building.

(2) Variances shall only be approved upon:

a. Showing of good and sufficient cause;

b. Determination that failure to grant the variance would result in exceptional hardship; and

c. Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expenses, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or Development Codes.

(1) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the building is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(2) The Planning Department shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

Sec. 2-87 Process for granting an appeal.

(a) Upon receiving a notice of an appeal, the Planning Director shall assemble such memos, papers, plans, or other documents as may constitute the record for the appeal or as may provide an understanding of the issues involved.

(b) An application for an appeal shall include such descriptions, maps or drawings as needed to clearly illustrate or explain the action requested. The Planning Director may request such additional information from the appellant as necessary to provide a full understanding of the appellant's request.

(c) Once the record has been assembled, the Planning Director shall schedule the appeal for consideration at the next meeting of the Board of Appeals for which adequate public notice can be given.

(d) The public hearing shall follow the same procedures for advertising and holding a public hearing as for a rezoning or special use as presented in ARTICLE IV of this Chapter, as well as the provisions for withdrawal of an application. Provided, however, that the Zoning Board of Appeals may take action on any application at the same meeting following the required public hearing.

Sec. 2-88 Appeal to court.

A decision of the Zoning Board of Appeals shall be final and may be appealed only by *a certiorari* to a court of competent jurisdiction. Such appeal must be taken within 30 days of the decision of the Board of Appeals.

ARTICLE XVII. TEMPORARY SUSPENSION OF PERMITTING.

(a) Upon submission of a valid application for a rezoning, special use permit or for the granting of an appeal on a property, no permits shall be issued nor shall any actions be undertaken on the property that may be affected by the outcome of such application.

(b) Upon the initiation of a rezoning, special use permit or text amendment, no permits shall be issued nor shall any actions be undertaken on any property that may be affected by the outcome of such rezoning, special use permit or text amendment.

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CHAPTER 3. USE OF LAND AND STRUCTURES

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CHAPTER 3. USE OF LAND AND STRUCTURES

ARTICLE I. PURPOSE AND DEFINITIONS.

Sec. 3-1 Purpose of Article 3.

This Article defines the zoning districts in the County and identifies the specific uses to which land and structures may be put in the various zoning districts, including certain uses or structures for which special approval is required in order to be allowed.

Sec. 3-2 Land use definitions

Academic School: See under "School."

Accessory Farm Structure: Any building or other structure commonly used for agricultural purposes in relation to an active farming operation, such as a barn or stable, poultry house, silo, water tank, farm equipment storage shed, or irrigation system.

Accessory Use or Structure: A use of land or a structure that is permitted on a property in conjunction with a principal use. An accessory use is incidental to, supportive of, and functionally dependent on the principal use and would not normally exist independent of the principal use. Depending on the type of principal use, some examples of accessory uses include a detached garage, tool shed, doghouse, play equipment, a swimming pool, a cabana, a patio, customer parking, drive-in order kiosk, and outdoor storage for vehicles, lumber, materials, or other products produced or for sale on the property.

Alternate Fuel Production: The conversion of organic materials, such as corn, cellulose or food and beverage residuals, into fuel products that supplement or replace gasoline or other petroleum-based fuels.

Amusement Park: A business establishment that groups together a number of leisure time activities such as mechanical rides, amusement devices, refreshment stands and picnic grounds.

Amusement Parlor: A business establishment providing leisure entertainment utilizing video games, pinball machines or other coin-operated amusement devices.

Amusement or Recreational Attraction: A business establishment offering leisure time activities such as a billiard or pool hall, bingo parlor, go-cart track, miniature golf, golf driving range, judo or karate instruction, softball field, batting cage or skating rink.

Assisted Living Community: A personal care home with a minimum of 25 beds that is licensed as an assisted living community by the State of Georgia to provide assisted living care.

Assisted Living Care: Services provided in an assisted living community, including:

(1) Personal services, which includes, but is not limited to, individual assistance with or supervision of self-administered medication and essential activities of daily living such as eating, bathing, grooming, dressing, and toileting;

(2) The administration of medications by a medication aide in accordance with State law; and

(3) The provision of assisted self-preservation, which is the capacity of a resident to be evacuated from an assisted living community, to a designated point of safety and within an established period of time as determined by the Georgia Office of the Safety Fire Commissioner. Assisted self-preservation is a function of all of the following:

a. The condition of the individual;

b. The assistance that is available to be provided to the individual by the staff of the assisted living community; and

c. The construction of the building in which the assisted living community is housed, including whether such building meets the state fire safety requirements applicable to an existing health care occupancy.

Automobile Parking Lot, Commercial: An area or structure dedicated to the temporary storage of automobiles or other vehicles for periods of less than 24 hours for a fee, operated as the principal use of the property or structure. Includes public or private lots.

Automobile Sales and Service: The use of any building or premises for the display and/or sale of new or used automobiles, panel trucks, vans or buses, and which may include any repair service conducted as an accessory use. See also "Boat Dealers," "Motorcycle Sales and Service," and "Recreational Vehicle Dealer."

Automobile Service Station: Definition defined in two places: Garage, public and Garage, repair—definition for Automotive Repair Shops, Buildings and premises where gasoline or diesel fuel is dispensed at retail for automobiles, recreation vehicles and motorcycles, and where in addition at least one of the following services is rendered:

(1) Sale, replacement, or servicing of spark plugs, oil, water hoses, brake fluids, batteries, distributors, tires, carburetors, brakes, fuel pumps, or other automotive parts or accessories; etc.

(2) Uses permissible at an automobile service station shall not include major mechanical and bodywork, straightening of body parts, painting, welding, or storage of automobiles not in operable condition. See "Automotive Service Establishment" where major mechanical activities are allowed.

Automotive Repair Shop: The use of a building or premises for the repair of automobiles or other motorized vehicles, or the installation or repair of equipment or parts on motorized vehicles such as mufflers, brakes, tires, radios, transmissions, glass, and engines or engine parts. Automotive Repair Shops also include:

Automotive Paint or Body Shop: The use of a building or premises for the repair of automotive bodies and/or major mechanical works, straightening of body parts, painting, welding, or storage of automobiles not in operable condition.

Tire Sales or Repair Shop: The use of a building or premises for the selling or repairing of automotive tires.

Automotive Tune-Up Service (excluding Repair): The use of a building or premises for the servicing of motorized vehicles, such as oil and transmission fluid changes, emissions or diagnostic testing, where repairs are not performed nor mechanical parts replaced (except for windshield wipers, air or oil filters, and automotive fluids).

Bank, Savings and Loan or Credit Union: A financial depository institution or related banking facility that accepts money for deposit into accounts from the general public or other financial institutions, and may include personal or business loans, wire transfers and safe deposit boxes as accessory uses.

Bar or Tavern: An establishment primarily engaged in the retail sale of alcoholic drinks, such as beer, ale, wine and liquor, for consumption on the premises, and which may also serve food as a substantial but not a primary portion of its business.

Bed and Breakfast Inn: A business establishment operated within a dwelling by the owner-occupant, offering one to ten units for temporary lodging and one or more meals to the traveling public while away from their normal places of residence. See also "Hotel or Motel."

Beef Cattle Feedlot: An agricultural use in which cattle are located on the property for the primary purpose of fattening for sale or slaughter, in contrast to a cattle ranch or farm.

Beef Cattle Ranch or Farm: An agricultural establishment primarily engaged in raising cattle, including cattle for dairy herd replacements.

Boarder: An individual who lives in a part of a dwelling unit at the behest of the resident family and is provided lodging or lodging and meals for pay or other consideration on a temporary basis.

Boarding House: See "Rooming or Boarding House."

Boat Dealer: The use of any building or premises for the display and sale of new or used motorboats or other watercraft, and which may include the sale of marine supplies or outboard motors and repair service conducted as accessory uses.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

Building Materials Sales: An establishment offering lumber or other construction materials used in buildings for sale to contractors or the general public.

Business or Vocational School: See under "School."

Business, Professional or Trade Association: See under "Membership Organization."

Business Service: The use of a building or premises primarily for rendering a service to other business establishments on a contract or fee basis, such as advertising, credit reporting, computer programming, photocopying, and employment services.

(1) *Miscellaneous Business Service Establishment:* An establishment offering such business services as private security, photo finishing, appraisals, map drafting, paralegal, press clipping, recording studio, repossession, and telephone answering.

Carnival: See "Special Outdoor Event."

Carwash: The use of a building or premises primarily for washing automobiles, recreation vehicles and motorcycles, whether by hand or mechanical means.

Cellular Tower or Antenna: See "Telecommunications Tower."

Cemetery: In relation to the use of land, a facility for the burial of deceased human beings or animals.

Church or Place of Worship: See under "Membership Organization."

Civic, Social or Fraternal Association: See under "Membership Organization."

Clinic: An establishment where medical or dental patients, who are not lodged overnight, are admitted for examination or treatment requiring less than an hour recovery time.

Congregate Personal Care Home: See under "Personal Care Home."

Construction Contractor: An establishment engaged in the construction of buildings, engaged in heavy construction (such as streets, bridges or utilities), or specialized in such construction trades as plumbing, heating and air-conditioning, electrical wiring, masonry, roofing or gutters, well drilling, or house painting.

Convalescent Home: See under "Assisted Living Community."

Convenience Gas Station: A building or premises where gasoline, diesel fuel and oil may be dispensed at retail with no automobile repair facilities. Uses permissible also include the sale of cold drinks, packaged foods, tobacco and similar household convenience goods for station customers.

Custom Service Restaurant: See "Restaurant, Custom Service."

Day Care Facility: The use of a building or premises for the care and supervision of children or elderly adults who do not reside on the property, for periods of less than 24 hours.

Day Care Center: A day care facility that enrolls for pay, supervision and non-medical care, 13 or more children or elderly adults with no overnight stays.

Family Day Care Home: An accessory use within a private residence operated by the occupant of the dwelling that enrolls for pay, supervision and non-medical care, 5 or fewer children or elderly adults with no overnight stays, or no more than 6 children or elderly adults if the structure meets the Building Code requirements for institutional uses.

Group Day Care Home: A day care facility that enrolls for pay, supervision and non-medical care, 7 to 12 children or elderly adults with no overnight stays.

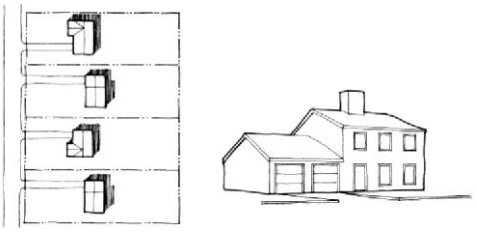
Drive-in Motion Picture Theater: See under "Theater."

Duplex: A two-family dwelling. See under "Dwelling: Two-Family Dwelling."

Dwelling: A building or portion of a building arranged or designed to provide living quarters for one or more families on a permanent or long-term basis. Under no circumstances shall a recreational vehicle be used as or considered a dwelling, whether temporary or otherwise.

(1) Single-Family Detached Dwelling: A residential building designed for or occupied exclusively by one family.

(2) Site-Built Single-Family Detached Dwelling: A single-family detached dwelling either constructed on the building site from basic materials delivered to the site or a one-family industrialized home, and which meets or exceeds the applicable Standards for Single-Family and Two-Family Dwellings under the Restrictions on Particular Uses Article of this Code. A "moved-in home" as defined in this Land Development Code is considered a site-built single-family detached dwelling.



DWELLING, SINGLE-FAMILY DETACHED

a. *Class A Single-Family Detached Dwelling:* A site-built single-family detached dwelling, a one-family double-wide manufactured home or a one-family industrialized home that meets or exceeds the applicable Standards for Single-Family and Two-Family Dwellings under the Restrictions on Particular Uses Article of this Code.

b. *Class B Single-Family Detached Dwelling:* A one-family single-wide manufactured home or a one-family industrialized home that does not meet the applicable Standards for Single-Family and Two-Family Dwellings under the Restrictions on Particular Uses Article of this Code.

(3) *Two-Family Dwelling:* A residential building designed for or occupied exclusively by two families in separate dwelling units living independently of each other.

a. Site-Built Two-Family Dwelling: A two-family dwelling either constructed on the building site from basic materials delivered to the site or a two-family industrialized home, and which meets or exceeds the applicable Standards for Single-Family and Two-Family Dwellings under the Restrictions on Particular Uses Article of this Code.

b. Class A Two-Family Dwelling: A site-built two-family dwelling or a two-family industrialized home that meets or exceeds the applicable Standards for Single-Family and Two-Family Dwellings under the Restrictions on Particular Uses Article of this Code.

c. Class B Two-Family Dwelling: A two-family industrialized home that does not meet the applicable Standards for Single-Family and Two-Family Dwellings under the Restrictions on Particular Uses Article of this Code.

(4) *Multi-Family Dwelling:* A residential building, or series of buildings exclusively designed for or occupied by three or more families in separate dwelling units living independently of each other.

a. Multi-Family Attached: A multi-family dwelling in which the dwelling units may adjoin one another only at the vertical walls and no dwelling unit may be located above another, such as a "townhouse" dwelling.

DWELLING, TOWNHOUSE

b. Multi-Family Apartment Building: A multi-family dwelling in which a dwelling unit may be located above another, such as in a garden apartment building.

DWELLING, GARDEN APARTMENT

Dwelling Unit: One or more rooms connected together and constituting a separate, independent housekeeping establishment for use on a basis involving owner occupancy or rental (lease) on a weekly, monthly, or longer basis with complete provisions for cooking, eating, sleeping, bathing and personal hygiene, and physically set apart from any other dwelling unit in the same structure.

Family: An individual or two or more persons living together as a household.

Event Facility: A property containing a building or other permanent structure that is intended to host temporary events such as but not limited to any of the following: graduation parties or other celebrations, weddings or wedding receptions, trade shows or exhibitions, business receptions or meetings, conferences, luncheons or other meals for gatherings, banquets, dances, or performances. On-site parking and the placement of temporary structures related to a temporary event may also be located on the property.

Farm Equipment Sales and Service: The use of a building or premises primarily for the retail sale of vehicles and equipment used in agriculture, such as tractors, combines, brooders or thrashers, and which may include the sale of seed and feed or any farm equipment repair service conducted as an accessory use.

Fast Food Restaurant: See "Restaurant, Fast Food."

Feedlot: A confined area or structure, pen, or corral, used to fatten livestock prior to final shipment. See also "Beef Cattle Feedlot."

Fitness Center: A business that provides facilities for aerobic exercises, such as running and jogging tracks, exercise equipment, game courts, gymnasium, or swimming facilities.

Freight Agency or Shipping Coordinator: An establishment primarily engaged in the remote arrangement of freight or cargo transportation, and not located where the freight or cargo is handled, stored or transported.

Funeral Home: A building used for the preparation of deceased human beings for burial or cremation and for conducting funeral ceremonies, and where cremations may be conducted as an accessory use.

Furniture or Equipment Rental Establishment: A business establishment that rents or leases items of personal property such as furniture, tools, medical equipment, appliances and construction equipment to the general public, but not including automobiles or trucks.

Garden Apartment Building: See under "Dwelling."

Garment Services: A business establishment engaged primarily in such activities as linen supply, dressmaking, custom tailoring, or fur cleaning and storage.

*General Business Office: S*ee under "Office."

General Merchandise Store: A retail establishment that sells a number of lines of merchandise, such as dry goods, apparel, furniture, small wares, hardware and boutique foods. Such stores are also known as "department stores," "variety stores" and "country general stores."

Golf Course, Commercial: A golf course and its normal accessory uses (such as a country club, snack bar or pro shop) operated as a principal use on a property and not a part of a larger residential or mixed-use development.

Golf Course, Community: A golf course and its normal accessory uses (such as a country club, snack bar or pro shop) operated as an integral part of and accessory to a larger residential or mixed-use development.

Greenhouse: A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants for subsequent sale or for personal enjoyment.

Guest House: An accessory use to a dwelling designed and intended for the temporary housing of visitors to a property at the behest of the property residents for no fee or other consideration, and meeting or exceeding the Standards for Single-Family and Two-Family Dwellings under the Restrictions on Particular Uses Article of this Code.

Hazardous Waste: Solid or liquid waste material resulting from the manufacture or use of pesticides and drugs (other than normal household use); pathological wastes; highly flammable or explosive wastes; toxic wastes; sewage sludge; and other waste material that may be a hazard to the public health, safety or environment.

Health Services Facility: An establishment primarily engaged in outpatient health services and counseling, such as a kidney dialysis center, blood bank, alcohol or drug treatment center, or childbirth preparation center.

Health Spa: See "Spa or Health Spa."

Home Occupation: Any activity carried out for profit by the resident and conducted as an accessory use in the resident's dwelling unit.

(1) Home Office: A home occupation that is limited to an office use and does not involve visits or access by the public, suppliers or customers.

(2) Residential Business: A home occupation that is limited to the office use of a practicing professional, an artist, a commercial representative or a family day care home, and may involve very limited visits or access by clients or customers.

Hospital: The use of a building or premises for the provision of diagnostic health services and medical or surgical care to inpatients and out-patients suffering from illness, disease, injury, deformity and other physical or mental afflictions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

Host Home: A private residence in a residential area under a contract with the State of Georgia or a State designated community provider, in which the occupant owner or lessee provides housing and provides or arranges for the provision of food, one or more personal services, supports, care, or treatment exclusively for one or two persons who are not related to the occupant owner or lessee by blood or marriage.

Hotel or Motel: A business establishment offering temporary lodging to the traveling public while away from their normal places of residence, and often including a restaurant as an accessory use. See also "Bed and Breakfast Inn."

Household: An individual living alone or a group of individuals living together in a single dwelling unit, sharing common use of and access to all living and eating areas, bathrooms, and food preparation areas, who mutually combine their efforts and share responsibilities for domestic chores such as child rearing, cleaning and cooking in a permanent and long-term relationship, as contrasted to one in a transient relationship who pays for lodging such as a boarder.

Industrialized Home: A dwelling manufactured in accordance with the Georgia Industrialized Building Act (O.C.G.A. Title 8, Chapter 2, Article 2, Part 1) and the Rules of the Commissioner of the Georgia Department of Community Affairs issued pursuant thereto. State approved buildings meet the State Building and Construction Codes and bear an insignia of Approval issued by the Commissioner.

Junkyard or Salvage Yard: A building or premises used primarily for the collecting, and either the outdoor storage or the on-site retail or wholesale sale of waste paper, rags, scrap metal or other discarded material; or for the collecting, dismantling, storage, or salvage of machinery or vehicles not in running condition, or for the on-site retail or wholesale sale of parts thereof.

Kennel: A shelter where dogs or cats are bred, raised, trained or boarded as a business.

Livestock: Animals used for the production of food or products, such as cattle, sheep, goats, hogs or poultry.

Major Street or Major Thoroughfare: An arterial or collector street (see "Street Classifications.")

Manufactured Home: A dwelling fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying that it is constructed in compliance with the National

Manufactured Housing Construction and Safety Standards Act (42 U.S.C. 5401-5445), which first became effective on June 15, 1976. The term "manufactured home" includes a structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term includes any structure which meets all the requirements of this definition except the size requirement and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401, *et seq*.

Manufactured Home Park: Any lot or parcel under single ownership on which 2 or more manufactured homes are to be located or intended to be located for purposes of residential occupancy.

Manufactured Home Sales Lot: A premises on which manufactured homes are displayed for sale.

Manufacturing: The creation of finished goods from raw materials or intermediate component parts.

(1) *Heavy Manufacturing:* The extraction of natural resources or the transformation of raw materials through mechanical or chemical means into basic products for subsequent assembly, fabrication or use in the production of finished goods.

(2) *Light Manufacturing:* The finishing, fabrication or assembly of previously manufactured parts into a final product or component products ready for retail sale. Light manufacturing is characterized by no emissions of noxious odors, dust, fumes, gas, noise, or vibration outside of any building.

Massage Parlor: An establishment that offers massage therapy by a licensed massage therapist.

Massage Therapist: A person who licensed by the State of Georgia who administers or teaches massage or massage therapy for compensation, or a person issued a valid provisional permit to practice massage therapy by the State.

Massage Therapy: The application of a system of structured touch, pressure, movement, and holding to the soft tissue of the body in which the primary intent is to enhance or restore health and well-being. The term includes complementary methods, including without limitation cupping therapy, taping techniques, the external application of water, superficial heat, superficial cold, lubricants, salt scrubs, or other topical preparations and the use of commercially available electromechanical devices which do not require the use of transcutaneous electrodes and which mimic or enhance the actions possible by the hands; the term also includes determining whether massage therapy is appropriate or contraindicated, or whether referral to another health care

provider is appropriate. Massage therapy shall not include the use of ultrasound, fluidotherapy, laser, and other methods of deep thermal modalities.

Massage Therapy Business: An entity where the practice of or engagement in massage therapy is performed by a licensed massage therapist. See also “Massage Parlor”.

Medical or Dental Office: See under “Office.”

Membership Dwelling: A dwelling unit occupied by several unrelated persons as their normal place of residence, but in which separate cooking facilities are not provided for such resident persons. The term “group dwelling” includes but is not limited to the terms “fraternity house” or “sorority house.” A retirement home, nursing home, YMCA, YWCA and similar institutional group Transient hotel, motel or tourist shall not be deemed to be a group home as herein defined.

Membership Organization: An organization that operates on a membership basis for the promotion of the members' interests.

(1) *Business, Professional or Trade Association:* A private organization that promotes the interests of business groups, such as the Chamber of Commerce; professions, such as the Bar Association; or members of a trade, such as a labor union.

(2) *Church or Place of Worship:* A religious organization operated for worship, religious training or study, and including convents, monasteries, shrines and temples.

(3) *Civic, Social or Fraternal Association:* An organization dedicated to public activities of a civic and non-profit nature, such as an alumni association, American Legion, Society, Masonic Lodge or Oddfellows.

(4) *Political Organization:* An organization established to promote the interests of a local, State or national political party or candidate.

Mini-Warehouse: A structure containing separate storage spaces of varying sizes leased or rented on an individual basis to the general public.

Miscellaneous Business Service Establishment: See under “Business Service.” *Miscellaneous Personal Service:* See under “Personal Service Establishment.” *Miscellaneous Retail Stores:* See under “Retail Store.”

Mobile Home: A dwelling manufactured prior to June 15, 1976, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

Motion Picture Theater: See under “Theater.”

Motor Freight Truck Terminal: A building or premises where trucks load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation.

Motor Vehicle Dealers, Miscellaneous: A business establishment primarily engaged in the sale of motorized vehicles and related equipment other than automobiles, motorboats, motorcycles or recreation vehicles, such as aircraft, dune buggies, go-carts, snowmobiles and utility trailers, and which may include a repair service conducted as an accessory use.

Motorcycle Sales and Service: The use of any building or premises for the display and sale of new or used motorcycles, scooters or mopeds, and which may include any repair service conducted as an accessory use.

Moved-in Home: A site-built single-family detached dwelling that is relocated to a new site.

Nursery School: See "Day Care Facility."

Nursing Home: A skilled nursing care facility primarily engaged in providing full-time convalescent or rehabilitative care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves and require continuous care under the direction of a physician. See in contrast "Assisted Living Community."

Office: The use of any building or premises primarily for conducting the affairs of a business, profession, service, industry, or government, and generally furnished with desks, tables, files, and communication equipment.

(1) *General Business Office:* An office used primarily for the administrative or legal affairs of a company.

(2) *Medical or Dental Office:* An office occupied and maintained for the provision of services by a person licensed by the State of Georgia to practice in the healing arts for humans, such as a physician, surgeon, dentist, or optometrist.

(3) *Professional Office:* An office occupied by a member of a recognized profession and maintained for the provision of professional services, such as a lawyer, architect, city planner, landscape architect, interior designer, or engineer.

Outdoor Display Area: A portion of a property outside of any building where merchandise, goods or other items are placed in public view for the purpose of direct sale or lease to customers.

Outdoor Storage: The keeping within an unroofed and unenclosed area of any goods, material, merchandise or vehicles in the same place for more than 24 hours.

Outparcel: A lot deeded separately from a larger tract for individual development, but generally sharing access with the larger tract. Outparcels are most generally associated with shopping centers.

Overlay Zone: A geographical area that encompasses one or more underlying zoning districts and that imposes additional requirements above that required by the underlying zone.

Parking Area: Any public or private area at grade or within a structure used for the express purpose of temporarily parking automobiles and other vehicles otherwise in operation for personal or business use.

Parking Garage: An accessory building or portion of a principal building used only for the private storage of motor vehicles as an accessory use. See also "Automobile Parking Lot, Commercial."

Pawn Shop: A type of used merchandise store in which merchandise is offered as collateral for obtaining loans and wherein such merchandise is offered for sale in recompense for default of loan repayment.

Performing Arts Theater: See under "Theater."

Personal Care Home: A dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service and one or more personal care services for two or more adults who are not related to the owner or administrator by blood or marriage. The term does not include a "host home" as defined herein. For the purpose of regulation, this Land Development Code defines three types of personal care home as follows:

(1) *Family Personal Care Home:* A personal care home in a family type residence, noninstitutional in character, that offers care for 2 to 6 adults.

(2) *Group Personal Care Home:* A personal care home in a residence or other type of building that is noninstitutional in character and offers care for 7 to 15 adults.

(3) *Congregate Personal Care Home:* A personal care home that offers care to 16 or more adults.

Personal Care Services: Individual assistance with or supervision of self-administered medication and essential activities of daily living such as eating, bathing, grooming, dressing and toileting.

Personal Enrichment School: See under "School."

Personal Service Establishment: A business primarily engaged in providing a service generally to individuals, such as a laundry, portrait photographic studio, or beauty or barber shop.

(1) *Miscellaneous Personal Service:* An establishment offering such personal services as tax return preparation, clothing or costume rental, dating service, hair removal or replacement, or tanning salon.

Pet: An animal most commonly kept for personal enjoyment or companionship, such as a dog or a cat.

Petroleum Refining: The processing of crude oil into gasoline, diesel fuel or other petroleum end products suitable for consumer use.

Plant Nursery: Land or greenhouses used to raise flowers, shrubs, trees, and other plants for sale to distributors or for subsequent replanting by the owner, a landscape company or others.

Political Organization: See under "Membership Organization."

Premises: An area of land with its appurtenances and buildings which, because of its unity of use, is one unit of real estate.

Principal Building or Structure: The building or structure in which is conducted the principal use of the parcel on which it is located. Parcels with multiple principal uses may have multiple principal buildings or structures, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings or structures.

Principal Use: The specific, primary purpose for which land is used or occupied.

Professional Office: See under "Office."

Prohibited Use: A use that is not permitted in a zoning district by right, as an accessory use, or as a conditional use.

Record and Video Tape Sales: A business establishment primarily engaged in the retail sale (but not rental) of prerecorded music, movies or other audio or video programs. See also "Video Tape Rental Store."

Recreation Facility, Community: A swimming pool, tennis court, or other recreation facility owned by or provided for the use of the residents of a subdivision, apartment project, or other residential development.

Recreation Facility, Private: An accessory use to a dwelling designed and equipped for the conduct of personal leisure time activities such as a swimming pool, tennis court, deck, or patio. See also "Community Recreation Facility."

Recreational Vehicle: See definition in Article 4.

Recreational Vehicle Dealer: The use of any building or premises for the display and sale of new or used recreational vehicles, and which may include any repair service conducted as an accessory use.

Recycling Center: A use operated for the collection and temporary storage of used paper, corrugated packaging, glass, metal, plastic or similar waste materials; and for the separation or reprocessing of such waste materials; which are transported elsewhere for disposal, sale or delivery to wholesale customers.

Recycling Collection Site: See "Solid Waste Transfer Station."

Repair Shop, Miscellaneous: A business establishment primarily engaged in specialized repair services such as bicycle repair, leather goods repair, lock and gun repair, musical instrument repair, septic tank cleaning, furnace cleaning and taxidermists.

Residential Business: See under "Home Occupation."

Restaurant, Custom Service: An establishment where food and drink are prepared to individual order, ordered and served at the table, and consumed primarily within the principal building or in established outdoor dining areas, as contrasted to a fast food restaurant.

(1) *Restaurant, Family:* A Custom Service Restaurant primarily oriented to sit-down service, occasionally with take-out service but no drive-in or drive-through facilities, and having an average turnover rate generally of less than 1 hour. Family restaurants

are usually moderately priced and frequently belong to chains such as Denny's, Pizza Hut and Shoney's.

(2) *Restaurant, Quality:* A Custom Service Restaurant primarily oriented to fine dining and often associated with a particular cuisine. Quality restaurants are characterized by table settings of better silverware, china, glassware and cloth tablecloths, and have average turnover rates generally of 1 hour or more.

Restaurant, Fast Food: Any establishment, building or structure where food or drink are served for consumption, either on or off the premises, by order from or service to persons either over an interior counter, outside the structure or from an outdoor service window or automobile service window, or by delivery. This definition shall not include otherwise permitted restaurants where outdoor table service is provided to customers in established outdoor dining areas or where drive-through or take-out service is provided incidental to a Custom Service Restaurant.

Retail Store: An establishment principally engaged in offering a category of similar goods or products for sale to the general public, such as a grocery store, hardware store, pharmacy, clothing shop, home furnishings store, office supplies store, and the like.

(1) *Miscellaneous Retail Stores:* Retail stores such as florists, tobacco stores or newsstands, optical goods stores, artists' supplies, stamp and coin shops, pet stores, telephone stores, and home swimming pool or hot tub stores.

Retirement Community: See Assisted Living Facility.

Rooming or Boarding House: A dwelling unit within which a resident family or manager offers lodging or lodging and meals to two or more unrelated adults in exchange for monetary compensation or other consideration.

School: A facility used for education or instruction in any branch of knowledge.

(1) *Academic School:* A private educational facility offering instruction following the same curriculum used in a public elementary, secondary, trade or technical, or higher education facility, and accredited to award diplomas as such.

(2) *Business or Vocational School:* A business establishment offering courses of instruction oriented to improving business skills or securing employment in a specific field, such as data processing, secretarial or office services, banking, commercial art, nursing, real estate, truck driving, or other trade or vocation.

(3) *Personal Enrichment School:* A business establishment offering courses in the arts or personal skills, not necessarily related to employment, such as automobile driving, drama, ceramics, cooking, diction, languages, modeling, music, public speaking or reading.

Semi-Public Use: A use owned or operated by a nonprofit, religious, or eleemosynary institution for the purpose of providing educational, cultural, recreational, religious, or social services to the general public.

Shopping Center: A commercial development containing at least three retail sales or services establishments located in one building, the total gross floor area of which is 25,000 square feet or greater.

Single-Family Detached Dwelling: See under "Dwelling."

Solar Energy Facility or Solar Farm: A large-scale photovoltaic system of interconnected solar panels designed for the supply of merchant power into the electricity grid at the utility level, or directly to multiple buildings on separate properties. They are differentiated from building-mounted or ground-mounted solar power applications that supply power only to a single building or property as an accessory use.

Solar Energy System, Building Mounted: One or more solar panels installed to supply power only to the building on which the solar panels are installed. Such a personal system may be connected to the electric grid under an agreement with the power company to supply it with any excess energy produced by the installation.

Solar Energy System, Ground-Mounted: An accessory use to a building or property consisting of one or more solar panels installed on independent mounts to supply power directly to a building or use on the property where the solar panels are installed. Such a personal system may be connected to the electric grid under an agreement with the power company to supply it with any excess energy produced by the installation.

Solid Waste Transfer Station: A facility where refuse and garbage (but no hazardous waste) is delivered for compaction, separation or aggregation and loaded on trucks for shipment to a remote recycling center, landfill or other disposal facility.

Spa or Health Spa: An establishment that provides, as one of its primary purposes, services or facilities which are purported to assist patrons to improve their physical condition or appearance through change in weight, weight control, treatment, dieting, or exercise. The term includes an establishment designated as a "reducing salon," "health spa," "spa," "exercise gym," "health studio," "health club," or by other terms of similar import. A health spa shall not include any of the following:

(1) Any nonprofit organization;

(2) Any facility wholly owned and operated by a licensed physician or physicians at which such physician or physicians are engaged in the actual practice of medicine; or

(3) Any such establishment operated by a health care facility, hospital, intermediate care facility, or skilled nursing care facility.

Special Outdoor Event: A festival, carnival or exhibition produced for a limited time by or on behalf of a non-profit organization or in conjunction with special promotional activities of a business. In contrast, see "Temporary Event" and "Event Facility."

Sports Facility, Commercial: The use of any building, structure or premises for the conduct of a professional or semi-professional sport, such as a boxing pavilion, racetrack, stadium or sports field where admission is charged in order to pay the players or fund a prize purse.

Storage: The placement, keeping, or retention of vehicles, equipment, materials, goods, or products on a temporary basis for intermittent use or subsequent distribution or transfer.

Structure: Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground and may or may not have a permanent roof. Among other things, structures include but are not limited to buildings driveways, at-grade parking lots, walls, fences, signs, swimming pools, patios and other paved or gravel surfaces. See also "Building".

Temporary event. An activity, other than a special event as defined under this Code, having a specific duration or the end of which is related to a specific action, usually lasting for only a few days or months at a time. Temporary events, as contrasted to special events, include such activities as:

(1) An election, political campaign, referendum or ballot proposition put to the voters as part of county, state or federal governance.

(2) A special business promotion, such as a "grand opening," "close-out sale," or seasonal sale event.

(3) A yard sale.

(4) The construction of a building or development project, or the rehabilitation, remodeling or renovation of a building.

Temporary Use: A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Theater: A building or premises devoted to showing motion pictures, or for live dramatic or musical performances.

(1) *Drive-In Motion Picture Theater:* An open lot with its appurtenant facilities devoted primarily to the showing of motion pictures or other prerecorded productions to patrons seated in automobiles.

(2) *Motion Picture Theater:* A building primarily used for the exhibition of movies or other prerecorded productions to the general public in an indoor setting.

(3) *Performing Arts Theater:* A building primarily used for the presentation of live performances of plays or music.

Tire Sales or Repair Shop: See under "Automotive Repair Shop."

Townhouse: See under "Dwelling."

Travel Trailer: See under "Recreational Vehicle."

Truck Loading Docks: A portion of a building designed for the loading and unloading of trucks.

Truck Terminal: See "Motor Freight Truck Terminal."

Two-Family Dwelling: See under "Dwelling."

Use: The purpose for which land or a building or other structure is designed or arranged, or for which it is occupied. See also "Principal Use" and "Accessory Use or Structure."

Use, Nonresidential: A principal use that is a business engaged in the sale of goods or the provision of personal, professional, business, entertainment or other services; an institutional or nonprofit organization; a business engaged in the fabrication, manufacture or production of durable or non-durable goods; an activity for the administration or support of a business or organization; or a place of lodging for the travelling public, such as a hotel, motel or bed and breakfast.

Use, Residential: A principal use that is intended for occupancy by an owner or lessee as their permanent place of abode.

Used Merchandise Store: The use of a building or premises primarily for the retail sale of used merchandise or secondhand goods, such as used clothes, antiques, secondhand books or rare manuscripts, or items of architectural salvage, but not including used cars or other motorized vehicles. A pawn shop is a type of used merchandise store.

Utility Company: A private business providing electricity, natural gas, telephone, wireless communications or other services under the regulation of the Georgia Public Services Commission or license of the federal government.

Utility Company Substation: A facility used for the transmission or distribution of services provided by a utility company, such as an electrical transformer station, telephone junction box, cable television box or natural gas regulator station.

Veterinarian: A hospital or clinic providing medical care and treatment for livestock or pets.

Video Tape Rental Store: An establishment primarily engaged in renting movies or other entertainment programs prerecorded on tape, disks or other media, to the general public for personal or household use.

Warehouse or Indoor Storage Facility: A building used primarily for the storage of goods and materials. See also "Mini-Warehouse."

Waste Recovery Center: See "Recycling Center."

Wholesale Trade Establishment: A place of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

ARTICLE II. ZONING MAP.

Sec. 3-3 Official zoning map.

(a) The boundaries of the various zoning districts are shown on a map entitled "Zoning Districts Map, Crisp County, Georgia" as most recently adopted by the Board of Commissioners, and as amended thereafter from time to time.

(b) The "Zoning Districts Map, Crisp County, Georgia" is adopted as the Official Zoning Map and is hereby made a part of this Code, and all notations, references and other information shown on it shall be a part of this Code. Said Zoning Districts Map is identified as that map or series of maps, adopted by the Crisp County Board of Commissioners, that generally shows the boundaries of the zoning districts in the county and that are signed and certified by the Chairman in office at the time of the adoption as the Zoning Districts Map, as follows:

(c) The Official Zoning Map, as adopted by the governing body and subsequently amended from time to time by its action, shall be maintained by the Planning Director and shall be kept permanently in the office of the Planning Director.

This is to certify that this is the Zoning Districts Map referred to in the Land Development Code of Crisp County, said map having been adopted by the Crisp County Board of Commissioners on the date entered below.

Chairman _____
Crisp County Board of Commissioners

Date: _____

Sec. 3-4 Changes to the official zoning map.

No changes of any nature shall be made to the Official Zoning Map except in conformity with amendments to the map approved by the County Commission.

Sec. 3-5 Interpretation of boundaries.

(a) The boundaries of the districts as shown on the Official Zoning Map shall be determined on the basis of the legal descriptions associated with approved zoning petitions, or, lacking such legal descriptions, on the basis of the location of the boundary as depicted on the Official Zoning Map along with any dimensions shown.

(a) Where uncertainty exists with respect to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

(1) Unless otherwise indicated, the district boundary lines are center lines of streets or blocks or such lines extended, property lines or such lines extended, a line lying in the center of a stream or drainage way, or the county limits of Crisp.

(2) Where a district boundary line parallels a street right-of-way or discernible cultural or topographic feature but no dimension is given, the distance shall be scaled from the Official Zoning Map.

(3) Where a district boundary line divides a lot that is of single ownership at the time of the effective date of this Code, the zoning classification of the larger portion may be

interpreted to extend into the smaller portion, except that such extension shall not include any part of a lot that lies more than 50 feet beyond the district boundary line.

(4) In the event the exact location of a boundary cannot be determined by the foregoing methods, the Board of Appeals shall, upon application, determine the location of the boundary.

(5) Where a public road, street, alley or other right-of-way is officially vacated or abandoned, the regulations applicable to the property to which it is reverted shall apply to such vacated or abandoned road, street, alley or right-of-way.

Sec. 3-6 Zoning districts; established.

The following zoning districts are established:

RR	Rural Residential
RS1	Single-Family Residential
RS2	Single-Family Residential
PRD	Planned Residential Development
RD	Two-Family (Duplex) Residential
RM	Multi-Family Residential
PUD	Planned Unit Development
OI	Office Institutional
NC	Neighborhood Commercial
GC	General Commercial
HC	Heavy Commercial
I	Industrial
PCID	Planned Commercial-Industrial Development

ARTICLE III. ZONING DISTRICTS; PURPOSES.

Sec. 3-7 RR Rural Residential.

The RR Rural Residential District is established primarily to protect and conserve valuable farmlands for the agricultural production of crops and livestock and for active forestry operations. Nonresidential uses are intended to support the agricultural activities or rural character of the area. Residential development is intended to be low density, with a variety of housing types available, including manufactured homes and, where appropriate, duplexes. The RR District is intended to conserve rural character, limit the demand for urban services, limit the impact of non-agricultural development on rural roads and limit service delivery costs for local government.

Sec. 3-8 RS1 Single-Family Residential.

The RS1 Single-Family Residential District is established primarily to provide appropriate areas for low-density site-built single-family residential development and limited agricultural uses. Such uses as manufactured homes, day care facilities, personal care homes and residential businesses in the home could be appropriate uses in the district if properly scaled and located to avoid negative impacts on surrounding and nearby uses.

Sec. 3-9 RS2 Single-Family Residential

The RS2 Single-Family Residential District is established primarily to provide appropriate areas for low-density site-built single-family residential development. Other uses are highly restricted in order to encourage a high level of development quality that will benefit from and provide conservation for the environment created by important natural features.

Sec. 3-10 PRD Planned Residential Development.

The PRD Planned Residential Development District is established primarily to provide appropriate areas for low-density site-built single-family residential development in private subdivisions. Other uses are highly restricted in order to encourage a high level of development quality that will benefit from and provide conservation for the environment created by important natural features.

Sec. 3-11 RD Two-Family (Duplex) Residential

The RD Two-Family (Duplex) Residential District is established to provide appropriate areas for medium-density single-family and two-family residential units. Such uses as manufactured homes, low-density multi-family residential development, day care facilities, personal care homes and residential businesses in the home could be appropriate uses in the district if properly scaled and located to avoid negative impacts on surrounding and nearby uses.

Sec. 3-12 RM Multi-Family Residential

The RM Multi-Family Residential District is established primarily to provide appropriate areas for medium-density multi-family developments such as garden apartments and condominiums, townhouses, retirement communities and personal care homes. Such uses as duplexes, rooming houses, day care centers, health clubs and mini-warehouses could be appropriate uses in the district if properly scaled and located to avoid negative impacts on surrounding and nearby uses.

Sec. 3-13 PUD Planned Unit Development

The PUD Planned Unit Development District is established to allow for more flexible placement, mixture, arrangement and orientation of residential development and mixed-use developments that are primarily residential in character but may include appropriate combinations of office, institutional, commercial or industrial uses. Appropriate uses, their arrangement and development standards are to be determined on a case-by-case basis, while

maintaining land use compatibility with the character of neighboring properties and the surrounding area.

Sec. 3-14 OI Office Institutional

The OI Office Institutional District is established primarily to provide appropriate areas for administrative and professional offices, and for institutional uses such as churches and private schools. Commercial facilities that support the office or institutional uses such as drug stores, restaurants, funeral homes and car rental agencies, and such uses as high-density multi-family development, motels and hospitals could be appropriate uses in the district if properly scaled and located to avoid negative impacts on surrounding and nearby uses.

Sec. 3-15 NC Neighborhood Commercial

The NC Neighborhood Commercial District is established primarily to provide appropriate areas for small-scale retail commercial uses that primarily serve the needs of the immediate community, and will be compatible with surrounding residential areas.

Sec. 3-16 GC General Commercial

The General Commercial District is established primarily to provide appropriate areas for a full range of offices and commercial sales and services uses that are normally associated with traditional stores and shopping centers, but not involving extensive outdoor storage areas or major repair activities. Such uses as automotive sales, service or repairs could be appropriate uses in the district if properly scaled and located to avoid negative impacts on surrounding and nearby uses.

Sec. 3-17 HC Heavy Commercial

It is the primary intent of the HC Heavy Commercial District to provide appropriate locations for a full-range of commercial uses that are automobile oriented, or that often involve extensive outdoor storage, or that are somewhat light industrial in nature. These are uses such as major car repair or service, auto painting and body shops; construction contractors; automobile, manufactured home, boat or heavy equipment sales; mini-warehouses and wholesale establishments. Most other uses allowed in the Neighborhood Commercial and General Commercial districts are allowed in this district.

Sec. 3-18 I Industrial

The I Industrial District is intended primarily to provide appropriate areas for industrial and manufacturing uses, other than uses that are prohibited under this Code. Commercial uses that support other businesses in the I Industrial District or provide conveniences to employees in the district are also allowed, along with most of the heavy commercial uses.

Sec. 3-19 PCID Planned Commercial-Industrial Development

The PCID Planned Commercial-Industrial Development District is established to allow for more flexible placement, mixture, arrangement and orientation of mixed-use nonresidential developments and may include appropriate combinations of residential, office, institutional, commercial and industrial uses. Appropriate uses, their arrangement and development standards are to be determined on a case-by-case basis, while maintaining land use compatibility with the character of neighboring properties and the surrounding area.

ARTICLE IV. ALLOWED LAND USES.

Sec. 3-20 Uses allowed in each zoning district.

(a) Principal and accessory uses that are permitted by right and permitted as special uses in each zoning district are shown on the following tables.

(1) A *Principal Use* is the specific, primary purpose for which land or a building is used. Principal uses are shown on Table 3.1.

(2) An *Accessory Use* is a use that is permitted on a property in conjunction with a principal use. An accessory use is incidental to the principal use and would not exist independent of the principal use. Accessory uses are shown on Table 3.2.

(b) Requirements that apply to specific uses are listed in the Restrictions on Particular Uses Article of this Code. For convenience, those uses are cross-referenced on the following tables.

(c) In a PUD Planned Unit Development District, uses that are permitted are specified as part of the conditions of zoning approval for each development. (Refer also to the special provisions for PUDs in the Restrictions on Particular Uses Article of this Code.)

(d) In a PCID Planned Commercial-Industrial Development District, uses that are permitted are specified as part of the conditions of zoning approval for each development. Such a development may include by conditional approval any use otherwise allowed by right or special use approval under the OI, NC, GC, HC or I zoning districts, but must include at least two uses that are not allowed in any one such district.

(e) Any use not shown as permitted by right or allowed by approval as a special use in a zoning district is specifically prohibited. Uses that are specifically prohibited in all zoning districts are listed in the Restrictions on Particular Uses Article of this Code.

Sec. 3-21 Interpretation of uses.

Some degree of interpretation will occasionally be required. It is not possible to list each and every variation or name of a given land use.

(a) In addition to other generally accepted references and resources, the *North American Industrial Classification System* (NAICS), published by the U.S. Department of Commerce (2002 edition), may be referred to in order to interpret the definition of uses listed on Table 3.1 and Table 3.2 and to identify similar uses that may be allowed along with each

listed use. The NAICS classification number is shown on the tables for each applicable use for reference and interpretation only; the NAICS is not adopted as part of this Code.

(a) The NAICS assigns classification numbers to businesses and industries based on the primary business activity in which the company is engaged. While business activity usually corresponds to land use type, and therefore can be easily assigned to appropriate zoning districts, there are exceptions. Some businesses may be primarily engaged in a certain industry—such as telecommunications, for instance, like AT&T—but individual locations host notably different activities. For a company like AT&T, for instance, different facilities may include retail stores for telephones, offices for administrative functions, satellite and exchange switching stations, and repair and installation staging lots where heavy equipment vehicles, telephone poles, wire spools and materials are stored. As a result, interpretation is occasionally needed for an individual use, regardless of the business activity in which the parent company is engaged.

(1) If no NAICS classification number is shown on the table, there is no corresponding category to the land use listed. The use may be residential in nature (there are no NAICS categories for residences) or may be a land use activity not generally recognized as a business activity or industry type.

(2) In all cases of uncertainty, the determination of whether or not a particular use is allowed in a particular zoning district shall reflect the purpose of the zoning district as stated in this Article, both the common and dictionary definitions of the use, and the array of other listed uses that are allowed in the district as to their character and intensity.

The following tables of allowed uses are organized under the following land use categories:

Table 3.1 organizes the various principal uses under the following headings:

Agriculture and Related Businesses

Residential and Lodging Uses

Offices

Neighborhood Commercial Uses

General Commercial Uses

Heavy Commercial Uses

Industrial—Transportation, Storage and Utilities

Industrial—Manufacturing

Semi-Public Uses

Table 3.2 presents the various accessory uses allowed in each zoning district.

Table 3.1: Principal Uses

A	Use is allowed by right in the zoning district indicated.
SU	Use is allowed in the district if approved as a Special Use.
	Use is not allowed.

Naics Code	PRINCIPAL USES	RR	RS1	RS2 & PRD	RD	RM	OI	NC	GC	HC	I	Also See Section	For Parking Sec. 7-4
	Agriculture and Related Businesses												
111	Agricultural Production—Crops (except Greenhouses)	A	A										- -
1114	Agricultural Production--Greenhouses	A	A						A	A	A		- -
- -	AG Tower less than 200 feet tall (if taller, see Tele-communications Tower more than 200 feet tall below)	A	A									4-40 & 2-84(12)	- -
112111	Beef Cattle Ranch or Farm	A									SU	4-17	- -
112112	Feedlot (including Beef Cattle Feedlots)	SU									SU	4-19	- -
11531	Crop Dusting, Airport, Operation	A											- -
1151	Crop Services, except crop dusting	A							SU	SU	A		b.1.
11212	Dairy Farms	A										4-17	- -
1151	Farm Labor and Management Service	A							A	A	A		b.1.
114	Fishing, Hunting & Trapping	A											- -
1113	Forestry	A	A	A	A		A	A	A	A	A		- -
112	General Livestock Not Otherwise Listed	A										4-17	- -
1122	Hog Farm Operations	SU										4-17	- -
1152	Livestock Services (except Veterinary)	A							A	A	A		- -
56173	Ornamental Shrub or Tree Service	A							A	A	A		b.18.
1123	Poultry and Eggs (such as chicken and stack houses)	SU										4-19	- -
1124	Sheep or Goat herd farming	A										4-17	- -
1151	Soil Preparation Services	A									A		b.1.
	Residential and Lodging Uses												
	Single-Family Detached Dwelling, Site Built	A	A	A	A		SU					4-1	a.1.
	Single-Family Detached Dwelling, Class A (double-wide)	A	A		A							4-2	a.1.
	Single-Family Detached Dwelling, Class B (single-wide)	A	SU		A							4-3	a.1.
	Two-Family Dwelling, Site Built	SU			A	SU						4-1	a.1.
	Multi-Family Dwelling				SU	A	SU						a.3.
	Manufactured Home Park	SU										4-24	a.1.
	Membership Dwelling (Fraternity, etc.)	SU						SU	SU				a.5.
623311	Retirement Community					A	SU						a.4.
6239	Family Personal Care Home	A	A		A							4-30	a.5.

A	Use is allowed by right in the zoning district indicated.
SU	Use is allowed in the district if approved as a Special Use.
	Use is not allowed.

Naics Code	PRINCIPAL USES	RR	RS1	RS2 & PRD	RD	RM	OI	NC	GC	HC	I	Also See Section	For Parking Sec. 7-4
6239	Group Personal Care Home	SU	SU		SU	A						4-30	a.5.
6239	Congregate Personal Care Home					A	A					4-30	a.5.
623312	Convalescent Home					A	A	SU					a.5.
623312	Assisted Living Community					A	A	SU					a.5.
6231	Nursing Home					A	A	SU					a.5.
721191	Bed and Breakfast Inn (Tourist home)	SU	SU		SU	SU	SU	SU	A	A	SU		a.6.
7211	Hotel or Motel, Resort Hotel						SU		A	A	SU		a.7.
7213	Rooming and Boarding House	SU				SU			A	A			a.6.
7212	Recreational Vehicle Park or Campground	SU	SU							A		4-33	- -
	Offices												
5412	Accounting, Auditing or Bookkeeping Office						A	A	A	A			b.1.
5418	Advertising Agency						A		A	A			b.1.
523	Brokerage for Securities or Commodities						A		A	A			b.1.
6114-15	Business or Vocational School						A		A	A			d.4.
8139	Business, Professional or Trade Membership Organization Office						A		A	A			b.1.
5152	Cable Television Operation						A		A	A	SU		b.1.
54143	Commercial Art or Graphic Design Service						A		A	A			b.1.
233	Contractor or Construction Firm Office (no machinery, equipment or storage)	SU					A		A	A	A		b.1.
5222	Credit Agency or Loan Establishment						A	A	A	A			b.1.
56144-45	Credit Reporting or Collection Agency						A		A	A			b.1.
5613	Employment or Personnel Agency						A		A	A			b.1.
5413	Engineering, Architectural or Other Professional Office						A	A	A	A			b.1.
- -	General Business Office						A	SU	A	A	SU		b.1.
6214	Health Services Facility	SU					A	SU	A	A			b.3.
6216	Home Health Care Company						A	A	A	A			b.1.
5242	Insurance Agent, Broker & Service						A	A	A	A			b.1.
5241	Insurance Company or Carrier						A		A	A			b.1.
523	Investment Company or Trust						A		A	A			b.1.
54132	Landscape Architecture and Counseling w/equipment	SU					A	A	A	A			b.1.
5411	Legal Services Office						A	A	A	A			b.1.
5416	Management and Public Relations Service						A		A	A			b.1.
621	Medical or Dental Offices or Clinics (not veterinary)						A	A	A	A			b.3.
6116	Personal Enrichment School or Tutoring						A		A	A			b.4.
81394	Political Organization Office						A	A	A	A	A		b.1.

A	Use is allowed by right in the zoning district indicated.
SU	Use is allowed in the district if approved as a Special Use.
	Use is not allowed.

Naics Code	PRINCIPAL USES	RR	RS1	RS2 & PRD	RD	RM	OI	NC	GC	HC	I	Also See Section	For Parking Sec. 7-4
531	Real Estate Office						A	A	A	A			b.1.
561492	Secretarial or Court Reporting Service						A		A	A			b.1.
- -	Temporary Sales Office for a Subdivision	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	4-43	b.1.
7111	Theatrical Production Agencies						A		A	A	A		b.1.
5615	Travel Agency, Tour Operator or Airline Ticket Office						A		A	A			b.1.
	Neighborhood Commercial Uses												
71399	Amusement or Recreational Attraction—Indoor								A	A	SU		b.12.
448	Apparel and Accessory Stores							A	A	A			b.18.
45111	Bait and Tackle Shop	SU						A	A	A			b.18.
311811	Bakery, Retail							A	A	A			b.18.
5221	Bank, Savings and Loan or Credit Union						A	A	A	A	A		b.2.
812111	Barber Shop	SU						A	A	A	A		b.18.
812112	Beauty Shop	SU						A	A	A	A		b.18.
451212	Book Store							A	A	A			b.18.
44313	Camera and Photographic Supply Stores							A	A	A			b.18.
72232	Catering Service							A	A	A	A		b.18.
518	Computer Programming, Repair or Data Processing Service							A	A	A	A		b.18.
61161	Dance Studios or Schools							A	A	A	SU		b.18.
6244	Day Care Center	SU	SU		SU	SU	A	A	A	A	SU		b.5.
44611	Drug Store						SU	A	A	A	A		b.18.
81232	Dry Cleaning, Pick-up, retail (excludes plants)						A	A	A	A	A		b.18.
8112	Electrical Repair Shops							A	A	A	A		b.18.
71394	Fitness Center	SU				SU	A	A	A	A	SU		b.13.
45322	Gift, Novelty and Souvenir Shops						SU	A	A	A			b.18.
445	Grocery or Specialty Food Store, except Bakery and Roadside Stands	SU						A	A	A			b.15.
6244	Group Day Care Home	SU	SU		SU	A	A	SU	SU	SU			b.5.
44413	Hardware Store							A	A	A	A		b.18.
	Hobby, Toy and Game Shops							A	A	A			b.18.
44831	Jewelry Store							A	A	A			b.18.
81231	Laundry, pick-up or self-service or Garment Services						A	A	A	A	A		b.18.
44832	Luggage and Leather Goods Stores							A	A	A			b.18.
44412	Paint, Glass or Wallpaper Store							A	A	A	A		b.18.

A	Use is allowed by right in the zoning district indicated.
SU	Use is allowed in the district if approved as a Special Use.
	Use is not allowed.

Naics Code	PRINCIPAL USES	RR	RS1	RS2 & PRD	RD	RM	OI	NC	GC	HC	I	Also See Section	For Parking Sec. 7-4
8129	Personal Services, Miscellaneous							A	A	A	A		b.18.
561439	Photocopying and Duplicating Services						A	A	A	A	A		b.18.
541921	Photographic Studio, Portrait						A	A	A	A	A		b.18.
541922	Photography Service, Commercial							A	A	A	A		b.18.
44422	Plant Nursery, Lawn and Garden Supplies, Florist	SU					SU	A	A	A	A		b.18.
8114	Repair Shops, Miscellaneous							A	A	A	A		b.18.
45113	Sewing, Needlework and Fabric Stores							A	A	A	A		b.18.
81143	Shoe Repair Shop							A	A	A	A		b.18.
45111	Sporting Goods Store or Bicycle Shop, except bait shops							A	A	A	A		b.18.
45321	Stationery Store						SU	A	A	A			b.18.
54194	Veterinarian	SU						A	A	A	A		b.3.
53223	Video Tape or DVD Rental Store							A	A	A	A		b.18.
81149	Watch, Clock or Jewelry Repair Shop							A	A	A	A		b.18.
	General Commercial Uses												
71311	Amusement Park								A	A			b.12.
71312	Amusement Parlor								A	A	SU		b.12.
81293	Automobile Parking Lot, Commercial						SU		A	A	A		- -
4471	Automobile Service Station								A	A	A		b.7.
4413	Automotive Parts and Supply Store								A	A	A		b.18.
7224	Bar, Tavern or Cocktail Lounge							SU	SU	A	SU		b.10.
71393	Boat Docks, Marina and Waterfront Recreation	SU	SU	SU	SU	SU			A	A			- -
71395	Bowling Center							SU	A	A	A		b.12.
5614	Business Service Establishment, Miscellaneous						A		A	A	A		b.18.
811192	Carwash								A	A	A		- -
45411	Catalog Sales or Direct Selling Office								A	A	A		b.18.
81222	Cemetery, Commercial	SU							A	A			- -
44711	Convenience Store with or without Gas Pumps	SU							A	A	A		b.7.
71391	Country Clubs	SU					SU		A	A			- -
311611	Deer Processing	SU							A	A	A		b.18.
339116	Dental Laboratory								A	A	A		b.18.
54186	Direct Mail Advertising Service								A	A	A		b.18.
	Event Facility	SU										4-20	d.2
532	Furniture or Equipment Rental Establishment								A	A	A		b.16.
81221	Funeral Home and Crematories	SU					SU		A	A			b.3.

A	Use is allowed by right in the zoning district indicated.
SU	Use is allowed in the district if approved as a Special Use.
	Use is not allowed.

Naics Code	PRINCIPAL USES	RR	RS1	RS2 & PRD	RD	RM	OI	NC	GC	HC	I	Also See Section	For Parking Sec. 7-4
452	General Merchandise Store								A	A			b.18.
71391	Golf Course, Commercial	SU	SU	SU	SU	SU			A	A			- -
442	Home Furniture or Furnishings Store, except Floor Coverings								A	A	A		b.16.
6221	Hospital	SU					SU		A	SU			d.1.
443111	Household Appliance Store								A	A			b.18.
81291	Kennel, Pet Grooming or Training	SU							A	A	A		b.18.
56173	Lawn and Garden Services	SU							A	A	SU		b.18.
4453	Liquor Store							SU	A	A	SU		b.18.
812199	Massage Parlor								SU	SU		4-26	b.13.
621511	Medical Laboratory								A	A	A		b.18.
51211	Motion Picture or Video Tape Production								A	A	A		b.18.
512131	Motion Picture Theater (except Drive-in)								A	A	A		b.6.
7111	Performing Arts Theater						SU		A	A	A		d.2.
5131	Radio or TV Broadcast Station-Studio	SU					SU		A	A	A		- -
443112	Radio, Television, Consumer Electronics & Music Store								A	A			b.18.
7221	Restaurant, Custom Service (not fast food)						SU	SU	A	A	A		b.9
722211	Restaurant, Fast Food, Drive-in						SU	SU	A	A	A		b.10.
45399	Retail Stores, Miscellaneous							SU	A	A	SU		b.18.
81142	Reupholstery or Furniture Repair Shop								A	A	A		b.18.
- -	Sexually-Oriented Business									A	A	4-36	b.18.
- -	Shopping Center							SU	A	A			b.14.
713940	Spa or Health Spa								A	SU			b.13.
- -	Special Outdoor Event (Festival, Carnival, Exhibition)	SU					SU	SU	A	A	SU	4-38	b.12.
71399	Sports and Recreation Clubs (Members Only)	SU				SU	SU	SU	A	A			b.13.
5133	Telecommunications Switching Station	SU					SU	SU	A	A	A		- -
51331	Telegraph Office						SU		A	A	A		b.1.
517919	Telecommunications Satellite Station	SU										4-39	- -
- -	Telecommunications Tower less than 200 feet tall	SU					SU	A	A	A	A	**4-41**	- -
- -	Telecommunications Tower more than 200 feet tall	SU					SU	SU	SU	SU	SU	4-41	- -
45331	Used Merchandise Store								A	A			b.18.
42	Wholesale Trade—Administrative or Sales Office Only								A	A	SU		c.1.

A	Use is allowed by right in the zoning district indicated.
SU	Use is allowed in the district if approved as a Special Use.
	Use is not allowed.

Naics Code	PRINCIPAL USES	RR	RS1	RS2 & PRD	RD	RM	OI	NC	GC	HC	I	Also See Section	For Parking Sec. 7-4
	Heavy Commercial Uses												
	Amusement or Recreational Attraction—Outdoor,	SU							SU	A	A		
81131	Armature Rewinding Shops									A	A		c.5.
44111	Automobile Sales and Service, new or used								SU	A	A		b.8.
44112	Automobile Sales, Used Only, no service								SU	A	A		b.8.
5321	Automotive Rental Agency						SU		SU	A	A		b.18.
8111	Automotive Repair Shop								SU	A	A		b.8.
811191	Automotive Tune-Up Service								SU	A	A		b.7.
441222	Boat Dealers	SU								A	A		b.8.
5617	Building Maintenance or Pest Control Service	SU								A	A		b.1.
--	Cesspool Builder, including sales and service	SU								A	A		c.5.
235	Construction Special Trade, except cesspool	SU							SU	A	A		b.1.
- -	Farm Equipment Sales and Service	SU								A	A		b.8.
5417	Research, Development or Testing Service								SU	A	A		b.1.
4452	Roadside Stands, Fruit & Vegetable Markets	A							SU	A			b.18.
721214	Sporting or Recreational Camp	SU								A			- -
7112	Sports Facility, Commercial, except racetracks	SU						SU	SU	A	SU		d.2
81131	Welding Repair Shop									A	A		c.5.
42	Wholesale Trade—Sales Operation including Storage and Transfer, except Junk and Salvage Yards									A	A		c.4
	Industrial--Transportation, Storage & Utilities												
- -	Air or Ground Courier Drop-Off Station	SU				SU	A	SU	A	A	A		- -
4812	Air Transportation, Nonscheduled										A		- -
--	Airline or Air Courier Company—Storage, Transfer or Maintenance Facility										A		c.3.
4811	Airport	SU									SU		- -
485	Bus or Taxi Service or Terminal								SU	A	A		- -
234	Construction Contractor—with Machinery, Equipment and Storage	SU							SU	A	A		b.1.
81232	Dry Cleaning--Plant										A		c.5
22	Electric, Gas & Sanitary Services, except Utility Company Substations	SU							SU	A	A		b.1.
4885	Freight Agency or Shipping Coordinator						SU		A	A	A		b.1.
212321	Gravel Pit, Topsoil Stripping or Borrow Pit	SU									SU		- -
42314	Junkyard or Salvage Yard										SU		- -
81232	Laundry, Plant--except dry cleaning									SU	A		c.5.

A	Use is allowed by right in the zoning district indicated.
SU	Use is allowed in the district if approved as a Special Use.
	Use is not allowed.

Naics Code	PRINCIPAL USES	RR	RS1	RS2 & PRD	RD	RM	OI	NC	GC	HC	I	Also See Section	For Parking Sec. 7-4
21	Mining, Quarry, Except Gravel and Topsoil	SU									A		- -
53113	Mini-Warehouses and Self Storage Facilities					SU			SU	A	A	4-35	- -
48412	Motor Freight Truck Terminal										A		c.3.
- -	Outdoor Storage Yard, Equipment										A		- -
42271	Petroleum Bulk Stations & Terminals										A		- -
4812	Private Use Heliport	SU									SU		- -
4882	Railroad Car Storage										A		- -
482	Railroad Lines, Yards and Stations										A		- -
	Recycling Center										A		- -
321113	Sawmill & Plaining Mills										A		- -
	Self Storage Facility: See Mini-Warehouses												
488991	Services Incidental to Transportation, Misc.						SU		SU	SU	A		- -
221114	Solar Energy Facility or Solar Farm	SU					SU	SU	SU	A	A	4-37(c) & 2-84(11)	
562212	Solid Waste & Liquid Landfill										SU		- -
562112	Solid Waste Transfer Station										SU		- -
484	Trucking and Courier Services (except air)								SU	A	A		b.1.
22112	Utility Company Substation	A	SU	SU	SU	SU	SU	SU	SU	A	A		- -
49311	Warehousing or Indoor Storage Facility (not including Mini-Warehouses)									SU	A		c.3.
	Industrial--Manufacturing												
325193	Alternate Fuel Production										A		c.5.
315	Apparel and Other Fabric Products										A		c.5.
3118	Bakery, Industrial										A		c.5.
3121	Beverages										A		c.5.
3114	Canned, Frozen & Preserved Fruit, Veg. & Food Specialties										A		c.5.
325	Chemicals and Allied Products										A		c.5.

A	Use is allowed by right in the zoning district indicated.
SU	Use is allowed in the district if approved as a Special Use.
	Use is not allowed.

Naics Code	PRINCIPAL USES	RR	RS1	RS2 & PRD	RD	RM	OI	NC	GC	HC	I	Also See Section	For Parking Sec. 7-4
3115	Dairy Products	SU									A		c.5.
335	Electronic Equipment and Components (except Computer Equipment)										A		c.5.
332	Fabricated Metal Products (except Machinery and Transportation Equipment)										A		c.5.
311225	Fats & Oils											4-45	
337	Furniture and Fixtures										A		c.5.
3112	Grain Mill Products	SU									A		c.5.
333	Industrial and Commercial Machinery and Computer Equipment								SU	SU	A		c.5.
316	Leather Products (not including Tanning & Finishing)										A		c.5.
1133	Logging	SU									A		c.5.
321	Lumber & Wood Products (except Furniture)	SU									A		c.5.
3116	Meat Products, except deer processing										A		c.5.
32191	Millwork, Carpentry Shop	SU							SU	A	A		c.5.
322	Paper and Allied Products										A		c.5.
324	Petroleum-Related Industries										A		c.5.
334	Precision Instruments									A	A		c.5.
331	Primary Metals Industries										A		c.5.
323	Printing and Publishing						SU		SU	A	A		c.5.
3261-3262	Rubber and Plastics Products										A		c.5.
327	Stone, Clay, Glass and Concrete Products										A		c.5.
3113	Sugar & Confection Products										A		c.5.
313-314	Textile Mill Products										A		c.5.
312	Tobacco Products										A		c.5.
336	Transportation Equipment										A		c.5.
32199	Wood Buildings & Manufactured Homes										A		c.5.
32192	Wood Containers										A		c.5.
	Semi-Public Uses												
71213	Botanical or Zoological Gardens, non-profit	SU							A	A			d.8.
	Cemetery, non-profit	SU							A	A			- -
8131	Church or Place of Worship	SU	SU	SU	SU	SU	A	A	A	A			d.2.
81341	Civic, Social or Fraternal Association	SU					SU	SU	A	A			d.8.
	Community Recreation Facility	SU	SU	SU	SU	SU							- -
81311	Convent, Religious Organization	SU				A	A						d.2.

A	Use is allowed by right in the zoning district indicated.
SU	Use is allowed in the district if approved as a Special Use.
	Use is not allowed.

Naics Code	PRINCIPAL USES	RR	RS1	RS2 & PRD	RD	RM	OI	NC	GC	HC	I	Also See Section	For Parking Sec. 7-4
62431	Job Training & Vocational Rehabilitation Services						A	SU	A	A			b.1.
71211	Museum or Art Gallery, non-profit						A	A	A	A			d.8.
	Park, Playground, Private	A	A	A	A	A	A	A	A	A	A		- -
6113	School, College	SU					A		A	A			d.4.
6111	School, Kindergarten, Elementary and Secondary (Private)	SU					A	SU	A	A			d.7.
6241	Social Services, Individual & Family	SU					SU	SU	A	A			b.1.
839	Social Services, Other	SU					SU	SU	A	A			b.1.
6115	Vocational Schools, Non-profit						A	SU	A	A			d.5.

Table 3.2: Accessory Uses

A	Use is allowed by right in the zoning district indicated.
SU	Use is allowed in the district if approved as a Special Use.
	Use is not allowed.

Naics Code	ACCESSORY USES	RR	RS1	RS2 & PRD	RD	RM	OI	NC	GC	HC	I	Also See Section	For Parking Sec. 7-4
	Accessory Uses Normally Incidental to Principal Use	A	A	A	A	A	A	A	A	A	A	4-18 & 2-84(12)	- -
	Accessory Farm Structure	A	A										- -
	Accessory Personal Farm Animals	A										4-18	
	Community Golf Course	A	A	A	A	A							- -
6244	Day Care Center	SU				SU	A	A	A	A	A		- -
	Domestic-Based Business	A	A	A	A	A						4-23	- -
	Family Care Dwelling	SU										4-22	- -
6244	Family Day Care Home	A	A		SU							4-30	- -
6244	Group Day Care Home	SU	SU		SU	SU						4-30	- -
	Guest House	A	SU	SU	SU	SU						4-21	- -
	Home Office	A	A	A	A	A						4-23	- -
	Residential Business	SU	SU									4-23	- -
	Manufacturing or Fabrication Uses						A		A	A	A	4-25	- -
	Night Watchman Residence								A	A	A	4-27	- -
	Outdoor Display Area							A	A	A	A	4-28	- -
	Outdoor Storage Area								SU	A	A	4-29	- -
	Personal Horse Stable	A	A	A								4-31	- -
	Private Recreation Facility, including pools	A	A	A	A	A						4-18	- -
4812	Private Use Heliport	SU					SU		SU	SU	SU	4-32	- -
	Relative Residence	A	A	A	A							4-34	- -
	Solar Energy System, Building Mounted	SU	SU	SU	SU	SU	SU	SU	SU	A	A	4-37(a)	
	Solar Energy System, Ground Mounted	SU	SU	SU	SU	SU	SU	SU	SU	A	A	4-37(b)	
	Temporary Event	A	A	A	A	A	A	A	A	A	A	4-42	- -
	Yard Sale	A	A	A	A	A						4-44	- -

ARTICLE V. NONCONFORMING USES.

See Chapter 11, Grandfathered Development.

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CHAPTER 4. RESTRICTIONS ON PARTICULAR USES

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CHAPTER 4. RESTRICTIONS ON PARTICULAR USES

ARTICLE I. PURPOSE OF CHAPTER 4.

The following specific requirements apply to each of the following principal and accessory uses in all zoning districts where each principal or accessory use is otherwise permitted by right or as a Special Use.

ARTICLE II. STANDARDS FOR SINGLE-FAMILY AND TWO-FAMILY DWELLINGS.

Sec. 4-1 Site built single-family and two-family dwellings.

(a) Foundation.

(1) The structure shall be attached to a permanent continuous footing constructed in accordance with the International Residential Construction Code (as adopted with amendments by Georgia) or installed in accordance with Georgia Regulations, as applicable.

(2) For site-built and industrialized homes: A foundation wall or skirting constructed of masonry (stone or brick); poured in place concrete; concrete block painted or finished with stucco; wood lap or fiber cement siding; painted wood louvers; weatherproofed wood or vinyl 1-inch x 1-inch lattice; or any combination of these materials is required.

(b) Exterior siding.

Exterior siding materials shall consist of any combination of wood, brick, stone, stucco, or similar materials, or lap siding of hardboard, vinyl, vinyl-covered or painted metal, or similar materials.

(c) Roofs.

(1) All roof surfaces shall have a minimum pitch of 3:12 (3 inches of rise for every 12 inches of run), except that mansard and gambrel roofs must meet this requirement only for those surfaces that rise from the eaves.

(2) All roof surfaces exposed to view shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, standing seam (noncorrugated) tin, clay tiles, slate, or similar materials.

(3) Minimum roof overhang shall be 12 inches, including gutters.

(d) Minimum width.

The minimum width of the dwelling shall be greater than 16 feet. Structure width shall be measured between all parallel exterior walls, with the exception of extensions from the main structure for dormers, bay windows, entrance foyers and similar appurtenances, and extensions of no more than 5 feet for other architectural elements of the structure's design.

Sec. 4-2 Class A single-family dwellings.

All Class A single-family detached dwellings (also referred to as "double-wide" manufactured homes) shall meet or exceed the following requirements:

(a) Foundation.

The structure shall be installed in accordance with manufacturer's specifications and State regulations, as applicable.

(1) Upon placement, all means of transportation, such as towing devices, wheels, axles and hitches, shall have been removed. The structure shall also have a minimum 6x6 front porch and code complying rear steps.

(2) Skirting shall consist of the following materials per the zoning district as shown on Table 4.1.

Table 4.1: Manufactured Home Skirting

	RR	RS1	RD	RM
Non-supporting masonry (stone or brick); poured in place concrete; concrete block finished with stucco or painted; wood lap or fiber cement siding; or any combination of these materials.	A	A	A	A
Skirting material of polypropylene, polyurethane or thermoplastic resin that simulates rock, brick, stone or concrete.	A	A	A	A
Continuous aluminum or fiberglass skirting; weatherproofed wood or vinyl 1-inch x 1-inch lattice; stucco-finished weatherproof board.	A		A	A
No skirting required.	A			
A = Allowed				

(b) Roofs.

(1) All roof surfaces shall have a minimum pitch of 3:12 (3 inches of rise for every 12 inches of run).

(2) Minimum roof overhang shall be 12 inches, including gutters.

(c) Minimum width.

The minimum width of the dwelling shall be greater than 16 feet. Structure width shall be measured between all parallel exterior walls, with the exception of extensions from the main structure for dormers, bay windows, entrance foyers and similar appurtenances, and

extensions of no more than 5 feet for other architectural elements of the structure's design.

Sec. 4-3 Class B single-family dwellings.

All Class B single-family detached dwellings (also referred to as "single-wide" manufactured homes) shall meet or exceed the following requirements:

(a) The structure shall be installed in accordance with manufacturer's specifications and State regulations, as applicable.

(b) Upon placement, all means of transportation, such as towing devices, wheels, axles and hitches, shall have been removed.

(c) Skirting shall consist of the materials shown on Table 4.1 per the zoning of the property.

Sec. 4-4 Deviations and compliance.

(a) Deviations from standards; where allowed.

The Planning Director may approve deviations from the standards for single-family and two-family dwellings contained in this Section on the basis of a finding that the materials to be utilized or the architectural style proposed for the dwelling unit will be compatible with and harmonious or superior to existing structures in the vicinity, and that such deviation shall be consistent with the intent of these regulations.

(b) Compliance with codes.

The dwelling shall be constructed in accordance with all applicable requirements of the Building Code as adopted by the County, or in accordance with standards established by the National Manufactured Housing Construction and Safety Standards Act for manufactured homes, or in accordance with State law and regulations for industrialized buildings, whichever apply.

ARTICLE III. STANDARDS FOR PRE-OWNED MANUFACTURED HOMES.

These standards are applicable to any pre-owned manufactured home that is proposed to be moved into or relocated within the county. Mobile homes, which are defined as manufactured homes built prior to 1976 and that do not conform to the Federal Manufactured Housing Construction and Safety Standards Act (the HUD Code), are not allowed to be moved into or relocated within the county.

Sec. 4-5 Pre-owned manufactured home; defined.

A pre-owned manufactured home is a manufactured home, as defined in this Code, which has been placed, used, or occupied as a residence subsequent to its original purchase as a new unit from a manufacturer or dealer, or has been relocated to its current location from a previous site.

Sec. 4-6 Required certification.

All pre-owned manufactured homes moved into or relocated within Crisp County must bear an approval seal (label) of either HUD or the Georgia Department of Community Affairs.

Sec. 4-7 Request to move a pre-owned manufactured home.

(a) A request for a pre-owned manufactured home proposed to be moved into or relocated within the County must be approved prior to issuance of a permit by Crisp County to be placed at its new location.

(b) Such request shall be made to the Planning Director and must include:

(1) The manufactured home's present location and the proposed location at which the pre-owned manufactured home will be placed.

(2) A legible photograph of the manufactured home's HUD approval seal clearly showing the date of its manufacture.

(3) Photographs of the pre-owned manufactured home, including:

a. Photographs of the interior of every room, bathroom and other enclosures (such as closets and storage areas), including ceilings, floors, and each window and exterior door.

b. Exterior photographs must show all portions of each exterior wall, each window and exterior door, the roof, and details of the eaves or other connections between the roof and the exterior wall.

(c) All repairs identified by the Planning Director must be made and either documented with new photographs or inspected and approved, as determined by the Planning Director, prior to issuance of a permit by Crisp County to be moved to and placed at its new location.

Sec. 4-8 Additional requirements for older homes.

In addition to the requirements of Sec. 4-7 , any pre-owned manufactured home that is over 15 years old being moved into or relocated within the county must meet the following requirements.

(a) The photographs required under Sec. 4-7 (b)(3) shall demonstrate the following:

(1) Exterior condition.

a. Every habitable room shall have at least one window that can be opened facing directly to the outdoors.

b. The exterior of the manufactured home shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or to the occupied spaces.

c. The exterior siding shall be free of rot and rust and must be uniform in appearance.

d. Roofs shall be structurally sound and have no obvious defects that might admit rain or cause moisture to collect on the interior portion of the manufactured home.

(2) Interior condition.

a. Every floor, interior wall, and ceiling shall be in sound condition.

b. Doors and windows shall be operable, watertight, and in good working condition.

c. The floor system shall be in sound condition and free of warping, holes, water damage, or deterioration.

(b) Inspections of older manufactured homes.

(1) For such an older manufactured home to be moved into or relocated within the county, an inspection may be conducted by the Building Inspector prior to moving the home from the original site.

(2) For the convenience of the Building Inspector, the Planning Director may approve the inspection to be conducted by a qualified inspector, documented by a report identifying any repairs to be made, prior to moving the home from its current site.

(3) All needed repairs identified in the inspection must be made and documented prior to moving the home from its current site.

(4) A final inspection following relocation and installation at the new home site, confirming that all needed repairs have been properly completed and no further repairs are required, shall be conducted prior to connecting the manufactured home to a water supply, to a sanitary waste disposal system, and to permanent electrical power.

ARTICLE IV. SPECIAL PROVISIONS FOR PLANNED UNIT DEVELOPMENT PROJECTS.

In furtherance of the purposes for which the PUD district is established, the following shall apply:

Sec. 4-9 Character of land use.

A PUD must provide at least 60% of its gross land area in residential, public or semi-public land uses or open space (along with attendant streets and utilities), and no more than 40% of its gross land area in nonresidential uses such as offices, commercial or industrial development (along with attendant streets and utilities).

(a) Sketch plan required.

(b) Development of the PUD shall be guided by a sketch plan that delineates and describes the land uses and development standards of the PUD as a whole or for each of its constituent parts, the general location of open space and undeveloped areas, and the general location of major streets and public amenities to be located within the PUD.

(1) Individual areas of a PUD that differ by land use or development standards are to be delineated on the sketch plan and keyed to a written description for each area. Each area description must include the following, at a minimum, as relevant to the character of development.

(2) Allowed principal and accessory uses.

(3) Gross acreage, and net developable acreage (excluding buffers and public or common open space).

(4) Intensity of development:

a. Density controls (units/acre) or minimum lot size, minimum lot area per dwelling unit and minimum lot width (for residential uses).

b. Floor area per acre or total floor area and total dwelling units (for mixed-use and nonresidential uses).

(5) Principal building setbacks or build-to lines along all streets and property lines.

(6) Maximum percent of lot coverage.

(7) Maximum building heights.

(8) Buffer and open space standards.

(9) An indication whether the internal streets will be public or private.

(c) As development of the PUD proceeds, the sketch plan shall be updated to show each final subdivision plat as it is approved for recording, and each site plan for a multi-family or nonresidential project upon its approval for a development permit. No Certificates of Occupancy will be issued within those areas until the Planning Department has received the updated sketch plan.

Sec. 4-10 Allowed uses and development standards.

The land uses allowed within the PUD and the development standards applicable to each, by location, shall be established as a condition of approval at the time that the property is rezoned to PUD or subsequently as a change in conditions of approval for the PUD.

Sec. 4-11 Open space required.

(a) Within the PUD, 20% of the gross land area must be set aside as common open space, half of which must be usable for active or passive recreation.

(b) The open space areas and facilities shall be held in common by a legally constituted association of property owners with the financial capability to maintain the open space.

(c) For the purposes of calculation, common open space does not include any streets or public rights-of-way, or yard areas or landscape areas located on private property. Common open space does include land and water areas that are available to all occupants of the PUD on a continuing and permanent basis, such as walking trails, community centers or clubhouses, golf courses and other recreation areas, protected flood plains or wetlands.

(d) Lands dedicated to public use, such as a school or fire station, shall be credited as part of the 20% common open space requirement.

Sec. 4-12 Compatibility.

Land uses developed at the perimeter of the site shall be developed in a manner that is compatible with adjacent off-site land uses or zoning, or a 100-foot wide buffer shall be provided between the uses in the PUD and the perimeter of the site. Compatibility shall be judged on the basis of similar land uses, average lot sizes, setbacks, and other development standards.

ARTICLE V. NOTIFICATION OF AGRICULTURAL AREA.

Sec. 4-13 Conformance with State law.

In accordance with O.C.G.A 44-1-17, prior to any purchase, lease, or other acquisition of real property or any interest in real property, it is the buyer's or grantee's responsibility to determine whether the subject property is within, partially within, or adjacent to any property zoned RR Rural Residential, which district allows agricultural uses by right, or is otherwise adjacent to an existing agricultural use or operation. If the property is so located, the owner or agent for the owner shall deliver to the prospective purchaser, lessee, or grantee a notice which states the following:

> It is the policy of this state and this community to conserve, protect, and encourage the development and improvement of farm and forest land for the production of food, fiber, and other products, and also for its natural and environmental value. This notice is to inform prospective property owners or other persons or entities leasing or acquiring an interest in real property that the property in which they are about to acquire an interest lies within, partially within, or adjacent to an area zoned, used, or identified for farm and forest activities and that farm and forest activities occur in the area. Such farm and forest activities may include intensive operations that cause discomfort and inconveniences that involve, but are not limited to, noises, odors, fumes, dust, smoke, insects, operations of machinery during any 24 hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides, and pesticides. One or more of these inconveniences may occur as the result of farm or forest activities which are in conformance with existing laws and regulations and accepted customs and standards.

Sec. 4-14 Subdivision plat requirement.

For any subdivision that is within, partially within, or adjacent to any property zoned RR, or is otherwise adjacent to an existing agricultural use or operation, the final subdivision plat shall include a note that the lots or properties shown on the subdivision plat are subject to the requirements of State law and this Development Code regarding notification to purchasers of the proximity of agricultural zoning or uses.

Sec. 4-15 Building permit requirement.

(a) For any property that is within, partially within, or adjacent to any property zoned RR, or is otherwise adjacent to an existing agricultural use or operation, a copy of the notice required in Sec. 4-13 shall be submitted to the Planning Director prior to and as a prerequisite for issuance of a building permit.

(b) In lieu of such previously received notice, the owner must attach a signed statement to the building permit application acknowledging that the property is within, partially within, or adjacent to any property zoned RR, or is otherwise adjacent to an existing agricultural use or operation (as applicable), and including a notice worded as required by Sec. 4-13 .

Sec. 4-16 Exemptions from agricultural area notification.

(a) Noncompliance with any provision of this Section shall not affect title to real property nor prevent the recording of any deed.

(b) The requirements of this Article shall not apply to any transaction involving title passing by foreclosure, deed in lieu of foreclosure, tax deed, deed to secure debt, or from an executor or administrator.

(c) The requirements of this Article shall not create a cause of action for damages or equitable relief.

ARTICLE VI. RESTRICTIONS ON ALLOWED USES.

Sec. 4-17 Agricultural waste products.

(a) Any land area, retention pond or structure where organic wastes from livestock or other agricultural production activities are temporarily held for disposal off-site or stored on-site shall be located as follows:

(1) Such waste facility or disposal area shall be no closer to any property line than 1,000 feet, measured as the least straight-line distance between the waste facility or disposal area and the nearest point on any property line.

(2) Such waste facility or disposal area shall be no closer to any river, flowing or intermittent stream or water impoundment than 500 feet, measured to the top of the bank of the river, stream or impoundment.

(3) Such waste facility or disposal area shall be located outside of the 100-year flood plain.

(4) If located within a protected groundwater recharge area, such waste facility or disposal area shall comply with applicable requirements for environmental protection in the Landscaping, Buffers and Tree Conservation Chapter of this Code.

(b) The provisions of this Sec. 4-17 shall not apply to fertilization of crops or areas intended to be farmed for crops.

Sec. 4-18 Customary accessory uses and structures.

The following provisions apply to accessory uses or structures in all zoning districts where each use is otherwise allowed.

(a) Relationship to principal use.

(1) No accessory use or structure shall be allowed on any lot except in relation to an existing principal use on the lot, unless approved as a special exception variance under the provisions of the Procedures and Permits Chapter of this Development Code. Otherwise, no accessory use or structure shall be located on a separate lot from the principal use or structure to which it is related unless such use or structure is allowed on the separate lot as a principal use.

(2) Manufactured homes or mobile homes shall not be used for storage in any district nor allowed as another accessory use unless otherwise specified in this Code.

(3) An accessory farming operation structure that is related to an agricultural use that is otherwise allowed in the RR zoning district must be located on either the same property where the farming operation is active, on a property zoned RR adjacent to or near by the active farming operation under common ownership, or on a property zoned RR where the owner of the active farming operation resides.

(b) Fences and free-standing walls.

All fences and freestanding walls shall present a finished and attractive surface to the exterior of the lot.

(c) Customary accessory uses to a dwelling.

(1) Each of the following uses is considered to be a customary accessory use to a dwelling and must be situated on the same lot with the principal use to which it serves as an accessory unless approved as a special exception variance under the Appeals Article of Chapter 2:

a. Private garage or carport.

b. Outdoor parking area for motor vehicles.

c. Shed, tool room, or other structure for the storage of equipment used in grounds or building maintenance or otherwise owned by the owner of the property.

d. Television, FM radio, or satellite dish antenna.

e. Ham radio or citizen's band radio antenna.

f. Children's playhouse and play equipment.

g. Quarters for the keeping of household pets owned by the occupants of the dwelling for non-commercial or hunting purposes.

h. Private recreational facility, such as a swimming pool and bathhouse or cabana, "man cave" or "she shed", tennis court, deck or patio.

i. Laundry facilities located within the dwelling structure for the exclusive use of the occupants of the dwelling.

j. Structures designed and used for purposes of shelter in the event of manmade or natural catastrophes.

k. Noncommercial greenhouse.

l. Personal horse stable (where allowed by zoning).

(2) Limitations on customary accessory uses to a dwelling.

The following limitations apply to customary accessory uses to a dwelling in all zoning districts except RR:

a. Private garage or carport.

1. Each parking space in a private garage or carport must provide a clear area of no less than 12 feet by 24 feet.

2. A private stand-alone garage or carport separate from the principal residential structure shall not exceed the following storage capacities; one or two-family dwelling, 4 automobiles not to exceed 1,352 square feet; multi-family dwelling, 2 automobiles per dwelling unit not to exceed 676 square feet per dwelling unit; membership dwelling, 2 automobiles per sleeping room not to exceed 576 square feet per sleeping room.

3. The parking spaces in a private stand-alone garage or carport may be in addition to any parking spaces provided within the dwelling structure itself.

b. An outdoor parking area for motor vehicles shall not exceed the maximum respective storage capacities listed in Sec. 4-18 (c)(2)a above; and provided that such space shall not be used for more than 1 commercial vehicle per family residing on the premises. See the Restrictions on Vehicle Parking Section of the Off-Street Parking Chapter of this Development Code regarding the parking of commercial vehicles in residential zoning districts.

c. All enclosed sheds, tool rooms or other storage structures shall not exceed, collectively, 1,200 square feet of floor area unless approved by a special exception variance. Any area outside of a storage structure but covered by an extension of the roof of the storage structure (beyond the normal eave width from the storage structure walls) shall be counted as part of the floor area of the storage structure, regardless of the intended use of the outdoor covered area. The total such under-roof area inside and outside of the enclosed storage structure shall not exceed 1,500 square feet.

d. A private recreational building such as a bathhouse or cabana, “man cave” or “she shed”, shall not be larger than 180 square feet in total floor area unless a larger floor area is approved as a Special Use.

1. Any such structure that will contain separate electrical service or a bathroom or other plumbing shall be issued the appropriate building permits prior to construction or the installation of such fixtures. Written Health Department approval shall be required for any proposed plumbing facilities prior to issuance of any permits for construction of the structure.

2. Any such structure must meet or exceed the standards of all applicable Buildings Codes and shall not be used as a "Guest House" (see Sec. 4-21).

e. A television, radio, or satellite dish antenna shall be no larger than 1 meter in diameter or diagonally and no more than 13 feet high (measured from its base mount, whether on the ground or a roof).

f. Personal horse stable. See Sec. 4-31 .

(3) Limitations on special exception variances.

If there is no principal dwelling located on the property, a special exception variance is required to authorize a customary accessory use or uses to a dwelling on the property.

a. Each use or structure must be otherwise allowed as a customary accessory use to a dwelling under Sec. 4-18 (c)(1).

b. All of the accessory structures on the property shall be limited to no more than 1,200 square feet of total under-roof area collectively, including preexisting accessory structures whether grandfathered or previously allowed by a special exception variance.

c. Upon a finding of hardship or special circumstances as determined by the Zoning Board of Appeals, the total under-roof area of all accessory structures on the property may be increased to no more than 1,500 square feet of total floor area collectively.

(d) The keeping of farm animals for personal use.

Certain farm animals may be kept on a residential property in the RR zoning district, as follows:

(1) Personal farm animals, limited to any one of the following types: chickens, ducks, geese, goats, or sheep, or such other non-domestic animals as approved as a Special Use, are allowed on a property where the owner of the animals resides.

(2) Only one type of personal farm animal is allowed on a property unless a Special Use is approved to allow more than one type.

(3) The maximum number of personal farm animals allowed on a property shall be calculated as follows:

a. No more than 4 hens may be allowed per acre of property, plus 1 rooster total.

b. No more than 2 ducks or geese may be allowed per acre of property.

c. No more than 1 goat or sheep may be allowed per acre of property.

d. A greater number of animals per acre or the number of other types of animals must be approved as a Special Use, which number shall be established as a condition of the Special Use approval.

(4) The minimum lot size for the keeping of personal farm animals shall be 2 acres, which may be reduced only with Special Use approval.

(5) No fence, pen, or structure for the keeping and housing of the personal use farm animals may encroach into any minimum required yard setback on the property, nor within 50 feet of any residence on an adjoining property.

(6) The pen or structure for the keeping and housing of the personal use farm animals shall be located in the rear yard of the property or otherwise to the rear of the residence on the property.

(7) No personal farm animals may be allowed on a property on which a personal horse stable is also located (see Sec. 4-31) unless the property contains 5 acres or more.

(e) Customary accessory uses to a church or other place of worship.

Each of the following uses is considered to be a customary accessory use to a church or other place of worship and may be situated on the same lot with the principal use to which it serves as an accessory:

(1) Religious education buildings.

(2) Parish house, meeting or gathering facilities for members.

(3) Parsonage, along with the customary accessory uses to a dwelling.

(4) Cemetery.

Sec. 4-19 Chicken houses and feed lots.

Feed lots and poultry facility's animal husbandry structures (aka “chicken houses” and “stack houses”) shall not be located closer than 1,000 feet from a property line or right-of-way line and 1,500 feet from any habitable residential dwelling on neighboring or adjacent property (excluding any residential dwelling on the same or neighboring property owned by the livestock/poultry landowner).

(a) No feed lot, poultry facility's animal husbandry structures or stack houses shall be located within 300 feet of any areas designated as a 100-year flood zone.

(b) Feed lot and poultry facility's animal husbandry structures shall not be located closer than 2,000 feet from any existing property which is zoned as RS-1, RS-2, PRD, PUD, RD, or RM.

(c) Maximum size of buildings which house animals or fowl shall be 60 feet by 600 feet.

(d) There shall be no more than 8 poultry facility's animal husbandry structures on the property.

Sec. 4-20 Event facilities.

(a) Use Restrictions

(1) Event Facilities shall not be used for motorized vehicle events, other than car shows. No Event Facility shall be used for racing events or timed sport competitions. Event Facilities shall not be used as permanent worship facilities or as athletic fields.

(2) Restrictions may be imposed by the Crisp County Board of Commissioners. Not all sites within zoning classification may be appropriate for an Event Facility, or for all events proposed. When considering a Special Use Permit for an Event Facility, particular emphasis will be given to the size of the facility, the character of the property involved, and its proximity to residential areas. Potential adverse impacts on adjacent or nearby residential areas will be considered.

(3) Exceptions: Church events or events hosted by non-profit organizations held in exchange for a donation are not included.

(b) Site Requirements

(1) The minimum lot size for Event Facilities shall be (5) acres and shall only be considered as a special use permit in an RR zone district. All structures, whether permanent or temporary (e.g. grandstands or tents) must meet the setbacks required by the zoning classification where the facility is located. When located adjacent to a single-family residence, the minimum setback shall be the required setback or twenty-five (25) feet, whichever is greater.

(2) Certificates of Occupancy must be issued for all permanent structures. All other structures erected as part of an event must be removed within 48 hours after the end of an event. Set-up for any event shall not begin more than 48 hours prior to an event without approval from the Director of Planning and Zoning. Set-up and tear-down activities must occur between the hours of 7 a.m. and 9 p.m.

(c) General Requirements

(1) All Event Facilities must have a valid Occupational Tax Certificate.

(2) No Single event shall last longer than three (3) consecutive days, unless pre-approved by the Director of Planning and Zoning.

(3) Adequate toilet facilities must be provided. Toilet facilities may include flush-type toilet facilities or non-severed toilet facilities. Non-severed toilets that are treated with chemicals must conform to the provisions of the International Plumbing Code, and all applicable regulations that apply to the disposal of sewerage per the rules and regulations of the Crisp County Health Department.

(4) Ample trash cans must be provided.

(5) All lighting shall be directed away and shielded from adjacent residential areas. Any event that takes place after dark or plans to allow persons who attend the event to

remain on the premises after dark, shall provide electrical illumination to insure that those areas which are occupied are lighted at all times. See Chapter 7.

(6) The Event Facility owner or manager must coordinate all parking. Parking spaces must be provided for the maximum number of people to be assembled at a rate of at least one parking space for every four persons. Provisions must be provided for overflow parking.

(7) The Noise Control Ordinance of the Crisp County Code of Ordinances will be enforced.

(d) Safety and Security

(1) The Crisp County Sheriff's Office must be notified of pending events a minimum of 14 days prior to the event, and must be provided with the date, length of time and expected number of people. Information will be shared with other emergency services. The manager or owner of the Event Facility may be contacted if the Sheriff's Office or other EMS office has questions regarding the event.

(2) Fire Extinguisher devices must be provided, sufficient to meet all state and local standards and sufficient (knowledgeable) personnel must be present to operate such devices.

(3) All equipment, regardless of power source, must comply with all Federal, State and local safety codes.

(4) All vending areas and tents are subject to inspection by the Crisp County Building Inspector and the Crisp County Health Department.

(e) Food and Alcohol

(1) The Event Facility owner or manager is solely responsible for ensuring that all food concessionaires are properly licensed, if applicable.

(2) Events selling alcoholic beverages must comply with Section 6 of the Crisp County Code of Ordinances.

(3) Nothing contained in this section is intended to prohibit anyone from hosting private functions within the county where the host provides alcohol to guests free of charge.

(f) Signs.

Permanent business signs must comply with this Land Development Code. Temporary signs must comply with the following regulations for the purpose of advertising a pending event.

(1) Two temporary signs of no more than four square feet each may be displayed on the property where the event facility is located (no sign permit required).

(2) Two temporary signs of not more than two square feet each for the purpose of giving directions to the location of the event (no sign permit required).

(3) Up to 3 temporary banner signs may be displayed up to 14 days prior to an event and shall be no larger that 24 square feet (4x6).

(4) Placement of temporary signs: The signs advertising the event as authorized by this Chapter shall:

a. Not be erected on public property or on public facilities;

b. Have permission to erect such signs from the owners of the property upon which such signs are to be placed;

(5) Erection of temporary signs: No sign or other form of advertisement shall be exhibited for more than three days prior to the date of an event, unless a sign permit is obtained or is approved by the Director of Planning and Zoning.

(6) Removal of temporary signs: Signs advertising or giving directions to an event must be removed within 24 hours of the end of the event.

(g) County Not Liable

(1) The Event Facility must sign an agreement to save and keep Crisp County free and harmless from any and all loss or damages, or claims for damages, including attorney's fees and litigation costs, arising from or out of any event.

(2) Prior to the issuance of an Occupational Tax Certificate each year, an affidavit must be signed by the owner or manager of the Event Facility acknowledging responsibility for all security needs and adherence to all Federal, State and local safety codes via self-inspections.

(3) Prior to the issuance of an Occupational Tax Certificate each year, the Event Facility shall provide to the Crisp County Board of Commissioners Proof of Liability Insurance.

Sec. 4-21 Guest house.

Where otherwise permitted by right or by approval as a special use, a guest house must comply with the following:

(1) Guest house; accessory use only.

The guest house must be an accessory use to a detached single-family site-built or industrialized dwelling already existing on the lot and must be designed and intended for the temporary housing of visitors to a property at the behest of the property residents for no fee or other consideration.

(2) Guest house; minimum standards.

a. The guest house must be of permanent construction and meet or exceed the Standards for Site-Built Single-Family and Two-Family Dwellings under this Chapter.

b. A guest house shall be permitted only on a lot having at least one acre in area.

c. The water supply and sanitary sewage disposal system for the lot must be certified by the Health Department as adequate to support the guest house in combination with the main house.

(3) Guest house; restrictions.

a. The guest house must be placed to the rear of the main house at least 20 feet away unless otherwise approved as to placement by special use approval.

b. No more than one guest house may be located on any lot.

c. The building floor area of the guest house may not exceed 50% of the floor area of the main house.

Sec. 4-22 Family care dwelling.

Where otherwise permitted by approval as a Special Use, a family care dwelling must comply with the following:

(1) Need for family care.

A family care dwelling may be approved only for the purpose of providing continuous care or assistance to a related family member, as defined in this Section, below, for permanent medical care or permanent physical disability deemed valid by the Board of Commissioners involving the support of said family member.

(2) Family care dwelling; accessory use only.

The family care dwelling must be an accessory use to a single-family detached dwelling already existing on the lot.

(3) Family care dwelling; minimum standards.

The family care dwelling may only be a Class B single-family detached dwelling, as defined in this Code.

a. The family care dwelling must meet or exceed the Standards for a Class B Single-Family Dwelling under this Chapter, except that a permanent continuous footing shall not be constructed. The dwelling shall be installed in accordance with the manufacturer's specifications and State regulations such that the removal of the dwelling will not be impeded.

b. A family care dwelling shall be permitted only on a lot having at least 1½ acres in area, and zoned RR Rural Residential.

c. The water supply and sanitary sewage disposal system for the lot must be certified by the Health Department as adequate to support the family care dwelling in combination with the main house.

(4) Family care dwelling; restrictions.

The family care dwelling must be placed to the rear of the main house at least 20 feet away.

a. No more than one family care dwelling may be located on any lot.

b. The building floor area of the family care dwelling may not exceed the floor area of the main house.

(5) Residency requirements.

a. Owner must occupy the property.

The owner of the residential lot on which the main house and the accessory family care dwelling are located must occupy either the main house or the accessory family care dwelling as their principal place of residence.

b. Relationship between the family care occupants and the owner.

At least one person in each family occupying the family care dwelling and the main house must be the owner/occupant and a relative of the owner/occupant of the residential lot. For the purposes of this Section, a "relative" is defined as a person related by blood, marriage or adoption, but extending in lineage no more than two generations (grandparent, parent, child or grandchild) or laterally no farther than brother, sister, niece or nephew.

(6) Removal of a family care home.

a. The family care home must be removed from the property within 60 days after the need for the home no longer exists; or by administrative exception.

b. No use of a family care home is allowed other than for the medical care or physical disability assistance of the relative.

(7) Standards for approval.

In addition to the standards for Special Use approval in the Procedures and Permits Chapter of this Development Code, the following standards shall guide the Board of Commissioners in considering a request for approval of an accessory dwelling for family care:

a. Whether or not a valid need for the family care dwelling has been demonstrated by the applicant based on a recommendation by a medical doctor, psychologist or physical therapist, as applicable.

b. Whether or not the owner of the lot resides on the lot as their principal place of residence;

c. Whether or not one member of each family occupying the lot is related, as defined under this Section, above.

d. Whether or not placement of the family care dwelling will be suitable in view of the zoning and development of adjacent and nearby property;

e. Whether or not placement of the family care dwelling will adversely affect the existing use or usability of adjacent or nearby property; and

f. Whether or not the family care dwelling does or will comply with all locational and other requirements of this Development Code.

(8) Occupancy by non-related families prohibited.

Occupancy on the lot by a family having no member related to the owner/occupant of the lot, as defined under this Section, above, shall be prohibited.

Sec. 4-23 Home occupations.

(a) Home office.

(1) Permitted activities.

A home office shall be limited to the personal conduct of a business within one's place of residence. There shall be no exterior indication that the business activity is taking place.

(2) Limitations on size and location.

a. Not more than 25 percent of the gross floor area of the dwelling unit shall be used for all of the activities devoted to the home office.

b. There shall be no activity or display associated with the home office outside of the residence.

(3) Activity controls.

a. Sales.

There shall be no exchange of merchandise of any kind on the premises.

b. Transfer of goods.

Goods, products or commodities received on the premises shall be intended for personal off-site delivery to customers.

c. Personal services.

There shall be no activities on the premises that are associated with personal service occupations such as a barber shop, beauty shop, hairdresser or similar activities.

d. Employees.

There shall be no associates or employees on the premises other than other members of the family who reside on the premises.

e. Outsiders and nonresidents on the premises.

There shall be no nonresident persons on the premises in conjunction with the home office.

f. Parking.

There shall be no parking spaces provided or designated specifically for the home office.

g. Signs.

Signage on the property indicating the home office or its activities on the premises, shall be limited to one wall sign no larger than one square foot in area.

h. Lights.

There shall be no exterior lighting of the building or property that is not in character with a residential neighborhood.

(b) Domestic-based business.

(1) Domestic activities that are normally carried on in a residence, such as baking, sewing, woodworking, cabinetry, appliance repair, craft-making, and musical instruction, may support the operation of a personal business in a residence without approval as a special use, provided that the business-related activities are limited as follows:

a. Limitation on use of the residence.

1. Not more than 25 percent of the gross floor area of the dwelling unit shall be used for all of the activities devoted to the domestic-based business.

2. There shall be no outside activity or display associated with the domestic-based business that is not normally associated with a residential environment.

3. Accessory buildings shall not be utilized for any aspect related to the operation of the domestic-based business.

b. Limitation on activities.

1. There shall be no activities on the premises that are associated with personal service occupations, such as a barber shop, beauty shop, hair-dresser, or similar activities.

2. There shall be no associates or employees on the premises other than other members of the family who are permanent residents of the dwelling.

3. There shall be no clients or other nonresident persons on the premises in conjunction with the business. All products of the business must be delivered to clients off site.

4. There shall be no parking spaces provided or designated specifically for the business.

5. There shall be no signs located on the premises indicating the business.

6. There shall be no outdoor storage of materials or supplies, no outdoor display of products, and no exterior lighting of the building or property, that is not in character with a residential neighborhood.

(2) A domestic based business allowed under Sec. 4-23 (b)(1) may be allowed to be operated in an accessory structure on the property only upon approval as a special use. Such accessory structure must be located on the same property as the residence of the business owner and must meet all applicable requirements of the Building Codes.

(3) Licensing.

The domestic based business must obtain and keep current a business license, and (where required) a Georgia professional license and Health Department approval.

(c) Residential business.

(1) Special use approval required.

If approved as a special use, any of the following activities may be engaged in by persons who reside on the premises of the residential business and who are appropriately qualified and licensed, including business licenses, and (where required) Georgia professional licenses and Health Department approval:

a. Medical or professional.

This shall include activities normally practiced by members of the medical and legal professions, designers and consultants in a variety of fields such as architecture, engineering and accounting.

b. Artistic.

This group shall include activities such as teaching, creation and production by professional artists, sculptors, craftspeople (craftmakers), musicians, writers and others who produce work on the premises for individual purchases, as differentiated from mass production or manufacturing.

c. Business.

This includes commercial trade activities such as those conducted by a manufacturer's representative or telephone salesperson, and may involve on-site delivery or on-site retail sale of goods directly to customers on the premises if specifically allowed by the special use approval. "On-site retail sales" involve the display of goods for immediate selection, sale and delivery to a customer transacted on the premises, in contrast to catalogue sales and sales transacted electronically with customers at remote locations.

(2) Limitations on size and location.

a. Not more than 25 percent of the gross floor area of the dwelling unit shall be used for all of the activities devoted to the residential business.

b. An accessory building constructed in accordance with all Building Code requirements may be used for the residential business, but in no case shall the accessory building devoted to such use be larger than 50% of the gross floor area of the dwelling unit.

c. If parts of the dwelling unit and an accessory building are devoted to a residential business, the combined gross floor area devoted to the residential business must not exceed 50% of the gross floor area of the dwelling unit, including no more than 25 percent of the gross floor area of the dwelling unit itself.

d. There shall be no activity or display associated with the residential business outside of any building or structure that is not normally associated with a residential environment.

(3) Activity controls.

a. Personal services.

There shall be no activities on the premises that are associated with personal service occupations such as a barber shop, beauty shop, hairdresser, masseuse, or similar activities unless specifically permitted as part of the Special Use approval.

b. Employees.

There shall be no associates or employees on the premises other than other members of the family who reside on the premises.

c. Outsiders and nonresidents on the premises.

There shall not be more than two (2) nonresident persons on the premises at the same time in conjunction with the residential business whether they are students, clients, patients or customers.

d. Parking.

There shall be no parking spaces provided or designated specifically for the residential business.

e. Signs.

No more than one sign may be located on the premises indicating the residential business, which shall be limited to a wall sign not larger than one square foot in area.

f. Lights.

There shall be no exterior lighting of the building or property that is not in character with a residential neighborhood.

g. Hours of Operation.

The Residential Business shall not be operated between the hours of 10:00 PM and 7:00 AM each day except Sunday. On Sunday, the Residential Business shall not be open before 11:00 AM or after 10:00 PM.

(d) Exclusions.

The following activities are not considered home occupations under this Section, and are regulated separately.

(1) Automobile tune-up service.

(2) Bed and breakfast inn.

(3) Rooming or boarding house.

(4) Family or group day care home.

(5) Family or group personal care home.

Sec. 4-24 Manufactured home park.

(a) Area, density and other park standards.

(1) The minimum land area of any manufactured home park shall be five acres.

(2) A manufactured home park must have at least 100 feet of frontage along a major thoroughfare.

(3) The overall density of a manufactured home park shall not exceed 8 dwelling units per acre.

(4) All manufactured home park grounds shall be maintained with grass, trees and/or shrubs to enhance the appearance of the park and to prevent soil erosion or the creation of dust during dry weather.

(5) No individual lot in any manufactured home park may be sold unless that lot meets the minimum lot size and setback requirements and subdivision procedural requirements of this Code.

(b) Minimum setbacks and building separation.

(1) No manufactured home or other building within the park shall be located closer than 40 feet to adjoining property lines, and the front setback for each manufactured home or other building from an interior street shall be at least 25 feet from the front lot line.

(2) Manufactured homes shall be separated from each other and from other buildings and structures by at least 30 feet.

(c) Service buildings.

Accessory structures and community service facilities may include but are not limited to the following uses:

(1) Park management offices, repair shops and storage.

(2) Community sanitary facilities.

(3) Community laundry facilities.

(4) Community postal delivery facilities.

(5) Indoor community recreation areas.

(6) Commercial uses supplying essential goods or services for the use of park residents, not exceeding 5,000 square feet of gross floor area.

(d) Water supply and sewage disposal.

(1) All manufactured home parks shall be served by a public water system. Individual mobile homes are to be served off the master meter for the park.

(2) Every manufactured home park must have a public, community or private sewer system, which shall be approved by the health department. Sewer approval shall be obtained prior to submission of a site plan to the Planning Department.

(e) Project design standards.

See "Manufactured Home Park Design Standards" under Chapter 9 of this Code for additional requirements and restrictions.

Sec. 4-25 Manufacturing and fabrication as accessory use.

If undertaken as an accessory use to an office or commercial use permitted by right, the manufacturing or fabrication activity may occupy no more than 50% of the gross floor area occupied by the office or commercial use, or 1,000 square feet, whichever is less. All products manufactured or fabricated on the premises must be sold on the premises, either as a retail activity or by customer order.

Sec. 4-26 Massage parlor.

(a) No person may practice massage therapy in Crisp County who is not a currently licensed massage therapist or the holder of a valid provisional permit issued by the State of Georgia.

(b) No business, or the employees, agents, or representatives of such business, shall render or offer massage therapy services for compensation unless such massage therapy is provided by a massage therapist currently licensed by the State of Georgia.

(c) Unlawful acts.

(1) It is a violation of this Development Code and State law for any person to advertise massage therapy services unless such services are provided by a person who holds a valid license issued by the State of Georgia.

(2) It is a violation of this Development Code and State law for any person to advertise:

a. As a massage therapist unless the person holds a valid license issued by the State of Georgia in the classification so advertised; or

b. Massage therapy services combined with escort or dating services or adult entertainment.

(3) It is a violation of this Development Code and State law for any person, business, or board recognized massage therapy educational program to advertise:

a. Massage therapy services or to advertise the offering of massage therapy services unless such services are provided by a person who holds a valid license issued by the State of Georgia; or

b. Massage therapy services through any form of media or representation through the use of pictorial representations unless the persons depicted in such representations are attired and posed in a manner so as to avoid appealing to the prurient interest.

(4) It is a violation of this Development Code and State law for any business to:

a. Advertise the offering of massage therapy services combined with escort or dating services, adult entertainment, or illegal acts relating to sex related crimes; or

b. Employ unlicensed massage therapists to perform massage therapy.

(5) It shall be unlawful for a person or business entity or its employees, agents, or representatives to practice massage therapy or to use in connection with its name or business activity the terms “massage,” “massage therapy,” “massage therapist,” “massage practitioner,” or the letters “M.T.,” “L.M.T.,” or any other words, letters, abbreviations, or insignia indicating or implying directly or indirectly that massage therapy is provided or supplied unless such massage therapy is provided by a massage therapist licensed and practicing in accordance with State law.

Sec. 4-27 Night watchman residence.

A residence for a night watchman, otherwise allowed as an accessory use to a business or industrial operation, may be either of the following:

(a) A Class A or Class B single-family detached dwelling; or,

(b) Located within a commercial or industrial structure.

Sec. 4-28 Outdoor display areas.

(a) Outdoor display of merchandise or goods.

(1) The following merchandise or goods may be located in outdoor display areas on a permanent basis (where the use is otherwise permitted):

a. Motorized vehicles that are in good running condition free from exterior damage or substantial wear.

b. Power boats and sailboats.

c. Manufactured homes and utility buildings.

d. Plant nursery items.

e. Light building materials such as lumber, patio pavers and decorative stone; yard furniture such as benches, swings and bird baths; and yard maintenance materials such as fertilizer, mulch, straw and seed.

(2) All other outdoor display of merchandise or goods shall be conducted on a temporary basis associated with special sales promotions. Such display shall be for a period not to exceed 2 weeks, and shall not occur more often than 3 times per year.

(b) Outdoor display area exemption from restrictions with screening.

Any area outside of a building where merchandise or goods are displayed for customer selection or direct sale but which is permanently screened by a fence or free-standing wall at least 6 feet in height shall not be considered an outdoor display area.

Sec. 4-29 Outdoor storage.

Outdoor storage, where the use is otherwise permitted, is limited as follows:

(a) Outdoor storage in the GC zoning district.

In the GC General Commercial zoning district, outside storage of materials is only permitted as a Special Use, and must be located in the rear yard. In addition, the outdoor storage area must be screened from view by an opaque fence or freestanding wall no less than 6 feet in height.

(b) Outdoor storage in the HC and I zoning districts.

In the HC Heavy Commercial and the I Industrial zoning districts, any outdoor junkyard or salvage yard operated as a principal use on a property shall be contained entirely within a building or shall be screened from view by an opaque fence or free-standing wall no less than 6 feet in height. The opaque fence may consist of a chain link fence with opaque vinyl strips or other opaque materials interwoven through all of the links such that the view of the contents of the junkyard or salvage yard is fully obscured.

Sec. 4-30 Personal care homes.

(a) A personal care home of any type (family, group or congregate) in a residential zoning district shall be at least 500 feet from any other personal care home (of any type) in the same or any other zoning district.

(b) Personal care services provided in a personal care home shall not include medical, nursing, or health services unless the State of Georgia has granted a waiver for such services.

Sec. 4-31 Personal horse stable.

A personal horse stable that is permitted as an accessory use to a residence must have at least one acre of lot area for each horse stabled on the property in addition to the minimum lot area required for the residence by zoning or Health Department requirements (whichever is greater).

Sec. 4-32 Private use heliport.

If approved as a Special Use, a private use heliport shall meet the following minimum standards:

(a) Compliance with FAA guidelines.

The development of a private use heliport shall be in accordance with the guidelines specified in the Federal Aviation Administration.

(b) Takeoff and landing area.

(1) Private use heliports shall, as a minimum, have a takeoff and landing area $1^1/_2$ times the overall length of the largest helicopter expected to use the facility. The surface of the area shall be grassed, paved or treated as may be required to minimize dust or blowing debris.

(2) The owner of a private use heliport shall erect a safety barrier around the peripheral area surrounding the takeoff and landing area. The safety barrier shall be a fence, wall or hedge no less than three feet in height and fully enclosed with a self-locking gate.

Sec. 4-33 Recreational vehicle parks and campgrounds.

(a) In general.

(1) All RV parks and campgrounds, as defined in Sec. 4-33 (b), whether the camp spaces or lots are offered for ownership or rental, are subject to the requirements of this Section.

(2) Permanent occupancy prohibited.

a. No recreational vehicle or tent shall be used as a permanent place of abode, dwelling or business. Continuous occupancy for 4 months or more during any calendar year of a recreational vehicle or tent, or of a camp space by the same recreational vehicle or tent, shall constitute permanent.

b. Removing the wheels of a recreational vehicle except for temporary purposes of repair or to attach the recreational vehicle to the ground for permanent stabilizing purposes is prohibited.

(3) Development of an RV park or campground shall be based on a site plan meeting all requirements of this Section and other relevant requirements of this Development Code, and shall be issued a development permit in accordance with the provisions and requirements for such permits found in the Procedures and Permits Chapter of this Development Code.

(4) Predevelopment review and approval by the Health department must be obtained prior to site plan approval and the issuance of a development permit.

(5) Internal roadways and camp spaces within an RV park or campground shall be located outside of any flood hazard area (i.e., the 100-year flood plain).

(b) Definitions related to recreational parks and campgrounds.

Campground: See “RV Park or Campground.”

Camp Space: A specific and designated portion of the land in an RV park or campground intended for the placement of a single recreational vehicle or tent for the exclusive use of its occupants.

Motor Vehicle: Every vehicle which is self-propelled by a motor or engine and is authorized to operate on public streets and highways.

Recreational Vehicle: A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use which either has its own motive power or is mounted on or towed by another vehicle. Any of the following and similar vehicles are "recreational vehicles":

Travel Trailer: A vehicular, self-propelled or portable structure built on a chassis, so designed or constructed as to permit occupancy for dwelling or sleeping purposes.

(1) *Dependent Trailer:* A travel trailer that is dependent upon a service building housing toilet facilities.

(2) *Independent Trailer:* A travel trailer that has its own holding tank for waste and/or can be connected directly to a sewer connection.

House Trailer: A trailer or semitrailer that is designed, constructed and equipped as a temporary dwelling and is equipped to be towed as a conveyance on streets and highways.

Motor Home: Every motor vehicle designed, used or maintained primarily for temporary or transient occupancy for travel, recreation and vacation.

*Truck Camper: A*ny structure designed, used or maintained primarily to be loaded on or affixed to a motor vehicle for temporary or transient occupancy for travel, recreation and vacation.

Camping Trailer: A canvas or folding structure mounted on wheels and designed for travel, recreation and vacation.

RV: Recreational vehicle.

RV Park or Campground: Any privately owned parcel of land that is accessible by motor vehicles and designed, maintained, intended or used for the purpose of supplying temporary accommodations to transients for overnight use by recreational vehicles and/or tents, and permanently designated as a developed camp area set aside for temporary camping purposes for two or more recreational vehicles or tents.

Tent: A portable shelter of canvas or strong cloth stretched and sustained by poles or ropes.

Trailer, dependent: See under "Recreation Vehicle."

Trailer, independent: See under "Recreation Vehicle."

Transient: A temporary occupant of living quarters (such as a motel room, recreational vehicle or tent) while away from their permanent place of residence.

(c) Area, density and other park standards.

(1) The minimum land area of any RV park or campground shall be 5 contiguous acres. The maximum land area that can be devoted to an RV park or campground is 20 contiguous acres.

(2) An RV park or campground must have at least 100 feet of frontage along a major thoroughfare designated as an arterial or collector road. See the Street Classifications Section of the Project Design Standards Chapter of this Development Code for roads designated as arterials and collectors.

(3) The overall density of an RV park or campground shall not exceed 8 camp spaces per acre. Camp spaces may be clustered within the RV park or campground in order to create open space, natural areas or buffers.

(4) Grounds. The unpaved areas of an RV park or campground shall be maintained with grass, trees and/or shrubs to enhance the appearance of the park and to prevent soil erosion or the creation of dust during dry weather.

(5) No individual camp space in any RV park or campground may be sold as an individual lot unless that lot meets the minimum size and setback requirements and subdivision procedural requirements of this Code, or is transferred in accordance with the Georgia Condominium Act.

(6) Lighting. All park roadways, pedestrian walkways and areas around park service buildings shall be illuminated to at least 0.3 foot candles.

a. The park street system shall be adequately maintained and lighted by the owner. The lighting units shall be so spaced and equipped to provide for the safe movement of pedestrians and vehicle traffic at night.

b. Lighting shall be located, aimed and shielded so that it is focused away from adjoining properties and public rights-of-way. Lighting should be focused downward in order to avoid light trespass, glare and light pollution. Levels of illumination must be appropriate for the security of the area without having an adverse impact on adjacent properties.

c. No flashing, moving, neon or animated lights shall be allowed.

d. Lighting requirements shall apply to all individual camp spaces as well as to the common areas, parking lots, park service buildings and recreation areas.

e. Some or all of the lights may be extinguished after the RV park or campground is closed at night.

(7) Park boundary treatment.

a. An RV park or campground shall be bounded with buffer strip along all of the exterior lot lines of the park. The buffer strip shall meet the buffer standards of the Landscaping, Buffers and Tree Conservation Chapter of this Development Code

b. The buffer strip along the exterior side and rear lot lines shall be no less than 10 feet wide.

c. A buffer of at least 25 feet in width, across which there shall be no right of access other than the approved entrance/exit roadway, shall be provided along the frontage of the RV park or campground.

(8) Recreation areas.

a. At least 100 square feet of common open space per camp space shall be provided. Each recreation area provided shall contain at least 2,500 square feet and be improved with such recreation facilities as children's play equipment, outdoor cooking facilities, picnic tables or picnic shelters, as appropriate to the nature or operation of the RV park or campground.

b. Recreation areas shall be so located as to be free of traffic hazards and shall be equally accessible by all occupants of the park.

(d) Minimum setbacks and separations.

The size of individual camp spaces shall be adequate to meet all setback and separation requirements of this subsection. The minimum size of a camp space may vary depending on the type and size of the vehicle or tent occupying or intended to occupy such space.

(1) All camp spaces and all principal or accessory buildings within the park shall be located no closer than 40 feet to adjoining property lines.

(2) Recreational vehicles and other vehicles shall be parked so that the vehicle is at least 10 feet from the edge of any internal roadway giving access to the camp space.

(3) Camp spaces shall be so arranged that RVs and tents shall be separated from each other and from other buildings and structures by at least 15 feet, provided further that:

a. Any accessory structures or extensions (such as awnings, carports and individual storage facilities) and any separate vehicles (such as automobiles, trucks, motorcycles or towing vehicles) shall be considered part of the recreational vehicle or tent for the purpose of measuring separation from other RVs or tents; and

b. Separation between RVs and tents and an individual storage structure located on the camp space for use by the occupant of the RV or tent need only be at least 8 feet.

(e) Access and circulation.

(1) Entrances and exits. The entrances and exits to the RV park or campground shall be only from the major thoroughfare on which it fronts. Internal roadways connecting to the major thoroughfare must be designed and constructed to public street standards within the thoroughfare's right-of-way, but shall be maintained as private roadways.

(2) Internal streets.

a. Access to all camp spaces and all park service buildings shall be from internal roadways within the park and in no case directly from any public road, street or highway.

b. All internal roadways shall be private drives and shall be of adequate width to accommodate anticipated traffic. Internal roadways shall meet the following minimum requirements: One-way drive—minimum 11 feet in width; two-way drive—minimum 20 feet in width.

(3) Surfacing. All roadways and parking areas within the RV park or campground shall be surfaced with concrete or asphalt, or an equivalent all-weather surfacing approved by the Public Works Director.

(4) Off-street parking. Every RV park and campground shall provide sufficient parking and maneuvering space so that the parking, loading or maneuvering of recreational vehicles shall not necessitate the use of any public street or right-of-way.

(5) All road signs and lot identification numbers must be sufficient for and meet the requirements of the County's E-911 system.

(f) Park service buildings.

Accessory structures and community service facilities may include the following uses:

(1) Park manager's permanent residence.

(2) Park management office and storage.

(3) Community sanitary and laundry facilities.

(4) Indoor community recreation center, not exceeding 1,800 square feet of gross floor area.

(5) Commercial uses supplying essential goods or services for the use of park occupants, not exceeding 800 square feet of gross floor area.

(6) An individual storage structure located on a camp space for use by the occupant of the camp space, not exceeding 320 square feet of gross floor area. Such storage structures shall not be used for temporary or permanent habitation.

(7) Such other structures or facilities directly related to and necessary for the proper management, operation or maintenance of the RV park or campground.

(g) Health department requirements.

Any RV park or campground must comply with all currently adopted rules and regulations of the Georgia Department of Human Resources regarding "tourist accommodations" and sewage disposal requirements of the Department of Human Resources or Department of Natural Resources (as applicable). Such rules and regulations, which may be amended from time to time, may include but are not limited to the following:

(1) Water supply.

a. The water supply shall comply with all Federal, State and local laws and/or ordinances related to safe drinking water.

b. Hose used for filling travel trailer water tanks shall be stored under sanitary conditions, used for no other purposes and be so handled that back siphonage cannot occur and that contaminants will not be introduced into the travel trailer's water tank.

(2) Toilet facilities.

a. Where dependent trailers are located, central toilet facilities shall be provided for each ten camp spaces or fraction thereof, with not less than one commode, one lavatory and one tub or shower head for each sex. In addition, at least one urinal shall be provided in each central toilet designated for men. It is not required for independent trailer sites to have access to central toilet facilities.

b. Central toilets shall be plainly marked, separate for each sex, lighted at night and located within 200 feet of the camp spaces served.

c. Anti-slip tubs, slip strips, appliqués or slip-proof mats shall be provided in each bathing facility and shall be kept clean and in good repair.

(3) Sanitary sewage and disposal facilities.

a. Connection shall be made to a public sewer whenever possible and feasible as determined by the Health Department.

b. Each independent trailer camp space shall be provided with a sewer connection not less than three inches in diameter. Suitable fittings shall be provided at each sewer connection to permit a watertight junction to be made with the travel trailer outlet. Each sewer connection shall be so constructed that it can be closed and when not in use shall be capped to prevent escape of odors.

c. Where public sewers are not available, sewage disposal shall be provided to effectively dispose of all water carried wastes in a sanitary manner. No sewage, waste water, or other liquid effluent shall be discharged in such manner as to enter surface or subsurface water except following a treatment process approved prior to construction in conformity with existing State and local laws. Such sewage disposal systems shall be constructed and maintained in a manner to prevent the creation of unsanitary conditions. Existing private sewage disposal systems giving satisfactory service as determined by the Health Department may be approved by said department.

(4) Garbage and refuse disposal.

a. All outside refuse or garbage storage containers shall be constructed of durable metal or other approved types of materials, which do not leak and do not absorb liquids and shall be provided with tight-fitting lids or covers and shall, unless kept in a special vermin proof room or enclosure, be kept covered when stored. Each container shall be located within 100 feet of the camp spaces it

serves or in a location approved by the Health Department and shall be cleaned at such frequency as to prevent a nuisance or odor.

b. Adequate cleaning facilities shall be provided and each garbage and/or recycling storage room, enclosure or container shall be thoroughly cleaned after the emptying or removal of refuse or garbage. Areas surrounding these rooms, enclosures and containers shall be kept clean and orderly. Liquid waste resulting from the cleaning of containers shall be disposed of as sewage.

c. The RV park or campground shall dispose of the refuse in compliance with all Federal, State and local laws and/or ordinances.

(5) Insect and rodent control.

Effective measures, approved by the Health Department, intended to eliminate the presence of rodents and flies, roaches and other insects on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harborage or feeding of insects or rodents.

(6) Laundry rooms.

Where laundry facilities are provided, they shall be separate from other facilities, of sound construction and shall be kept clean and in good repair. Laundry rooms for guest use shall be vented to the exterior and shall be well lighted, ventilated and provided with hot and cold water under pressure. Dryers shall be vented to the outside.

(h) Electrical service requirements.

(1) All utilities, including electrical, shall be underground. Where on-site or off-site conditions require electrical supply lines to be above ground, there shall be no less than 18 feet of vertical clearance and 3 feet of horizontal clearance in all areas subject to recreational vehicle movement.

(2) Any RV park or campground must comply with all requirements of the National Electrical Code regarding recreational vehicle parks which include but are not limited to the following:

a. Every recreational vehicle site with electrical supply shall be equipped with at least one 20-ampere, 125-volt receptacle. A minimum of 5 percent of all recreational vehicle sites, with electrical supply, shall each be equipped with a 50-ampere, 125/250-volt receptacle. A minimum of 70 percent of all recreational vehicle sites with electrical supply shall each be equipped with a 30-ampere, 125-volt receptacle. Dedicated tent sites with a 15- or 20-ampere electrical supply shall be permitted to be excluded when determining the percentage of recreational vehicle sites with 30- or 50-ampere receptacles.

b. Additional receptacles shall be permitted for the connection of electrical equipment outside the recreational vehicle within the recreational vehicle park.

c. All 125-volt, single-phase, 15- and 20-ampere receptacles shall have listed ground-fault circuit-interrupter protection for personnel.

d. Location.

1. Where provided on back-in sites, the recreational vehicle site electrical supply equipment shall be located on the left (road) side of the parked vehicle, on a line that is 5 ft to 7 ft from the left edge (driver's side of the parked RV) of the stand and shall be located at any point on this line from the rear of the stand to 15 ft forward of the rear of the stand.

2. For pull-through sites, the electrical supply equipment shall be permitted to be located at any point along the line that is 5 ft to 7 ft from the left edge (driver's side of the parked RV) from 16 ft forward of the rear of the stand to the center point between the two roads that gives access to and egress from the pull-through sites.

3. The left edge (driver's side of the parked RV) of the stand shall be marked.

Sec. 4-34 Relative residence.

A second cooking facility may be constructed and used within a single-family residence for the exclusive use of a relative of the property owner subject to the following restrictions:

(1) The property owner must live in the single-family residence.

(2) The relative residing on the property must be a person related by blood, marriage or adoption to the property owner, but extending in lineage no more than two generations (grandparent, parent, child or grandchild) or laterally no farther than brother, sister, niece or nephew.

(3) The area of the second cooking facility shall not exceed the area of the main cooking facility.

(4) Access to the relatives' living area shall be required from the interior of the residence, although secondary access to the exterior of the dwelling is not prohibited.

Sec. 4-35 Self service storage, mini-warehouses.

Minimum standards for the use, site development, construction and placement of self-service storage facilities and mini-warehouses shall be as follows:

(a) General regulations.

(1) No wholesale or retail sales shall be permitted within a storage bay.

(2) A self-storage facility shall not occupy a site larger than 10 acres.

(3) The only commercial activities permitted exclusively on the site of the self-service storage facility shall be rental of storage bays, pick-up and delivery of goods or property in dead storage, and the sale or rental of items related to moving and storage such as moving boxes, packing supplies and hand trucks.

(4) Storage bays shall not be used to manufacture, fabricate or process goods; service or repair vehicles, boats, small engines or electrical equipment, or to conduct similar repair activities; conduct garage sales or retail sales of any kind; rehearsing or practicing utilizing band instruments; conversion to an apartment or dwelling unit; or to conduct any other commercial or industrial activities on site.

(5) Residential quarters for security purposes may be established on the site (see the Night Watchman Residence Section of this Chapter).

(6) A minimum 6-foot fence or wall shall enclose the self-storage facility. Said fence or wall shall be constructed of brick, stone, masonry units, wood, chain link or other similar materials. Said fence or wall shall be set back a minimum of 20 feet from the side and rear property lines. Fences and walls shall adhere to the required front yard setback for principal buildings. This requirement will be inapplicable should the facility comply with landscape requirements of self-storage.

(7) Individual storage bays within a self-service storage facility shall not be considered a "premises" for the purpose of assigning a legal address in order to obtain an occupational license or any other governmental permit or licenses to do business.

(8) Except as provided, all property stored on site shall be entirely within enclosed buildings. Storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals are prohibited.

(b) Access.

A self-service storage facility shall be located on a lot that gains access from a local commercial or industrial street, a minor or major collector, or an arterial street.

(c) Outside storage.

Open storage of recreational vehicles and dry storage of pleasure boats of the type customarily maintained by private individuals for their personal use, truck trailers, antique cars and other vehicles shall be permitted within a self-service storage facility provided the following conditions are met.

(1) Such storage shall take place only within a designated area. The area so designated shall be clearly delineated on the site plan submitted for approval by the County.

(2) The storage area shall not exceed 25 percent of the total area of the site.

(3) The outdoor storage area shall be entirely screened from view from adjacent residential properties and public streets by a building, or by the installation of a 6-foot high opaque wall or fence located interior to and in addition to any required buffer.

(4) Vehicles shall not be stored within the minimum principal building setbacks.

(5) No vehicle maintenance, washing or repair shall be permitted on site. Pleasure boats stored on site shall be stored upon wheeled trailers. No dry stacking of boats shall be permitted on site.

(d) Development regulations.

(1) Separation between storage buildings.

a. If separate buildings are constructed, there shall be a minimum of 20 feet separating the individual buildings.

b. Buildings shall be situated or screened so that overhead access doors do not face public roads or residentially zoned property.

(2) Maximum bay size.

The maximum size of a storage bay shall be 450 square feet.

(3) Maximum building height.

a. With the exception of the structure used for security quarters, the maximum height of a self-service storage facility shall not exceed 1 story or 12 feet unless the Board of Commissioners approves additional stories.

b. All self-service storage facilities shall utilize gable roofs with not less than a 2:12 slope.

(4) Maximum lot coverage.

Maximum lot coverage shall not exceed the maximum lot coverage allowed for the zoning district in which the use is located.

(5) Parking requirements.

a. Designated customer parking is not required; however, a minimum of 5 parking spaces shall be provided adjacent to the facility's leasing office, if a leasing office is located on site.

b. Interior parking. Interior parking shall be provided in the form of aisle-ways adjacent to the storage bays. These aisleways may be used for both circulation of traffic and user parking while using the storage bays. The minimum width of these aisleways shall be as follows.

1. If aisleways permit two-way traffic, minimum width shall be 24 feet.

2. If aisleways permit only one-way traffic, minimum width shall be 20 feet.

c. Prior to issuance of a certificate of occupancy, the traffic flow patterns in the aisleways shall be clearly marked. Marking shall consist at a minimum of the use of standard directional signage and painted lane markings with arrows. In order to assure appropriate access and circulation by emergency vehicles and equipment, the Fire Department shall approve the turning radii of the aisleways.

(e) Dumpsters and trash receptacles.

Dumpsters and trash receptacles shall be located where they are not visible from adjacent residentially zoned properties and shall be adequately screened from view from all other adjacent properties and streets.

Sec. 4-36 Sexually-oriented businesses.

(a) Sexually-oriented businesses; where allowed.

(1) A sexually-oriented adult use is allowed only in the HC Heavy Commercial and I Industrial zoning districts, and only in accordance with the Crisp County Adult Entertainment Ordinance.

(2) It shall be unlawful to establish, operate, or cause to be operated a sexually oriented business in Crisp County, unless said sexually oriented business is at least:

a. 1,000 feet from any parcel occupied by another sexually oriented business or by a business licensed by the State of Georgia to sell alcohol at the premises; and

b. 500 feet from any parcel occupied by a church or other place of worship, licensed day-care center, public or private elementary or secondary school, public park, or any residence or residentially zoned district.

(3) For the purpose of this section, measurements shall be made in a straight line in all directions without regard to intervening structures or objects, from the closest part of any structure, including signs and roof overhangs, used in conjunction with the sexually oriented business to the closest point on a property boundary or right-of-way associated with any of the land use(s) identified in subsections Sec. 4-36 (a)(2)a and b above. These distances shall be verified by plat showing distances furnished by the applicant, prepared by a registered land surveyor. This plat shall accompany and be made part of the application for a development permit, building permit or license approval.

(b) Definitions.

The following definitions are applicable to this section:

Adult Arcade: Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are characterized by their emphasis upon matter exhibiting “specified sexual activities” or “specified anatomical areas.”

Adult Bookstore or Adult Video Store: A commercial establishment which, as one of its principal purposes, offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of “specified sexual activities” or “specified anatomical areas.”

A “principal purpose” means that the commercial establishment:

(1) has a substantial portion of its displayed merchandise which consists of said items, or

(2) has a substantial portion of the wholesale value of its displayed merchandise which consists of said items, or

(3) has a substantial portion of the retail value of its displayed merchandise which consists of said items, or

(4) derives a substantial portion of its revenues from the sale or rental, for any form of consideration of said items, or

(5) maintains a substantial section of its interior business space or floor area for the sale or rental of said items.

Adult Cabaret: a nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features persons who appear semi-nude.

Adult Motel: A motel, hotel, or similar commercial establishment which:

(1) offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, other photographic reproductions, or live performances which are characterized by the display of “specified sexual activities” or “specified anatomical areas”; and which advertises the availability of such material by means of a sign visible from the public right-of-way, or by means of any on or off-premises advertising, including but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; or

(2) offers a sleeping room for rent for a period of time that is less than 10 hours; or

(3) allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than 10 hours.

Adult Motion Picture Theater: A commercial establishment where films, motion pictures, videocassettes, slides, or similar photographic reproductions which are characterized by their emphasis upon the display of “specified sexual activities” or “specified anatomical areas” are regularly shown to more than five persons for any form of consideration.

*Characterized by: D*escribing the essential character or quality of an item. As applied in this ordinance, no business shall be classified as a sexually oriented business by virtue of showing, selling, or renting materials rated NC-17 or R by the Motion Picture Association of America.

Licensed Day-Care Center: A facility licensed by the State of Georgia, whether situated within the County or not, that provides care, training, education, custody, treatment or supervision for more than 12 children under 14 years of age, where such children are not related by blood, marriage or adoption to the owner or operator of the facility, for less than

24 hours a day, regardless of whether or not the facility is operated for a profit or charges for the services it offers.

Nudity or a State of Nudity: The showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any part of the nipple and areola.

Person: An individual, proprietorship, partnership, corporation, association, or other legal entity.

Premises of a Sexually Oriented Business: The real property upon which the sexually oriented business is located, and all appurtenances thereto and buildings thereon, including, but not limited to, the sexually oriented business, the grounds, private walkways, and parking lots and/or parking garages adjacent thereto, under the ownership, control, or supervision of the license holder.

Regularly: Refers to the consistent and repeated doing of the act so described.

Semi-Nude or State of Semi-Nudity: The showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at that point, or the showing of the male or female buttocks. This definition shall include the lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breasts exhibited by a dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part.

Semi-Nude Model Studio: A place where persons regularly appear in a state of semi-nudity for money or any form of consideration in order to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons.

This definition does not apply to any place where persons appearing in a state of semi-nudity did so in a modeling class operated:

(1) By a college, junior college, or university supported entirely or partly by taxation;

(2) By a private college or university which maintains and operates educational programs in which credited are transferable to college, junior college, or university supported entirely or partly by taxation; or:

(3) In a structure:

   a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and

   b. Where, in order to participate in a class a student must enroll at least three days in advance of the class.

Sexual Device: Designed or marketed as useful primarily for the stimulation of human genital organs. This definition shall include devices commonly known as dildos, vibrators, penis pumps, and physical representations of the human genital organs. Nothing in this

definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy.

Sexual Device Shop: A commercial establishment that regularly features sexual devices. Nothing in this definition shall be construed to include any pharmacy, drug store, medical clinic, or any establishment primarily dedicated to providing medical or healthcare products or services, nor shall this definition be construed to include commercial establishments which do not restrict access to any portion of their premises by reason of age.

Sexual Encounter Center: A business or commercial enterprise that, as one of its principal business purposes, purports to offer for any form of consideration, physical contact in the form of wrestling or tumbling between persons of the opposite sex when one or more of the persons is semi-nude.

Sexually Oriented Business: An "adult arcade," an "adult bookstore or adult video store," an "adult cabaret," an "adult motel," an "adult motion picture theater," a "semi-nude model studio," a "sexual device shop," or a "sexual encounter center."

Specified Anatomical Areas means and includes:

(1) Less than completely and opaquely covered: human genitals, pubic region; buttock; and female breast below a point immediately above the top of the areola; and

(2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activity means any of the following:

(1) intercourse, oral copulation, masturbation or sodomy; or

(2) excretory functions as a part of or in connection with any of the activities described in (a) above.

Substantial: With regard to a sexually oriented business, at least ten percent (10%) of the item(s) so modified.

(c) Purpose, Rationale and Findings.

The purpose, rationale and findings of the regulation of sexually-oriented adult uses are found in the Appendix C to this Unified Land Development Code.

Sec. 4-37 Solar energy systems.

(a) Solar energy system, building mounted.

A building-mounted solar energy system as an accessory use shall be subject to the following regulations:

(1) Placement.

a. No solar energy system shall be mounted or affixed to any freestanding wall or fence.

b. Panels and building mounts shall be installed per manufacturer's specifications.

c. Design Review and Certification.

Systems located on the roof shall provide, as part of their permit applications, evidence of design review and structural certification if the slope of the panel differs from the roof pitch. All panels on commercial roofs shall provide this information regardless of slopes, as well as any residential roof greater than 50 percent overage.

d. In residential zoning districts, a solar energy system for aesthetic reasons shall not be located on the front slope of a pitched roof of a principal residential structure unless no other location for the solar energy equipment is feasible. The county may require sun and shadow diagrams specific to the installation to ensure compliance with this provision.

e. Height.

Building-mounted solar panels or systems shall not exceed four feet above the height of any principal building on the site.

f. Permits and Code Compliance.

A building permit shall be required for installation of all building-mounted solar energy systems, except for flush-mounted panels.

(b) Solar energy system, ground mounted.

In zoning districts when permitted as an accessory use, a “solar energy system, ground-mounted,” as defined in this Development Code shall be subject to the following regulations:

(1) Placement.

a. A ground-mounted solar energy system shall not be located within the required front yard of a lot.

b. A ground-mounted system shall not be located over a septic system, leach field area or identified reserve area unless approved by the Health Department.

c. If located in a floodplain or an area of known localized flooding, all panels, electrical wiring, automatic transfer switches, inverters, etc. shall be located above the base flood elevation.

d. Panels and ground-mounts shall be installed per manufacturer's specifications.

(2) Maximum area coverage.

For residential properties, a ground-mounted solar energy system shall not exceed 25% of the footprint of the principal building served. For non-residential properties, a solar energy system shall not exceed 50% of the footprint of the principal building served, unless a Special Exception Variance has been approved.

(3) Height.

The maximum height of a ground-mounted solar energy system shall not exceed the maximum building height for accessory buildings in the zoning district in which it is located, or 20 feet, whichever is less.

(4) Permitting.

A building permit is required for any ground-mounted solar energy system and for the installation of any thermal solar energy system.

(c) Solar energy facility or solar farm.

In districts where permitted as a principal use, a “solar energy facility” or “solar farm,” as defined in this Development Code, shall be subject to the following regulations:

(1) Mounting.

a. Solar panels or solar arrays shall be mounted onto a pole, rack or suitable foundations, in accordance with manufacture's specifications, in order to ensure the safe operation and stability of the system. The mounting structure (fixed or tracking capable) shall be comprised of materials approved by the manufacturer, which are able to fully support the system components, in accordance with applicable building permit requirements. Electrical components of the facility shall meet applicable electrical code requirements.

b. Multiple mounting structures shall be spaced apart at a distance to ensure safety and maximum efficiency.

(2) Setbacks.

A solar energy facility and its appurtenant components and structures shall be set back a minimum of 100 feet from all property lines of adjacent property owners; 500 feet from habitable residential use dwelling or neighboring/adjacent properties zoned RS2 and PRD. Setback requirements may be reduced if agreed to in writing by the adjacent property owner.

(3) Placement.

a. When located in agricultural zoning districts, the solar energy facility shall be located as much as possible to minimize impacts on prime agricultural soils, as mapped in the Crisp County comprehensive plan.

b. If located in the 100 year floodplain, all panels, electrical wiring, automatic transfer switches, inverters, etc. shall be located above the base flood elevation.

c. Components of the facility shall not be located over a septic system, leach field area or identified reserve area unless approved by the Health Department.

(4) Screening

The facility may be screened from adjoining properties, except for those adjoining properties that are also a party to the Solar Farm. All adjacent roads

shall be screened using the natural topography or by installation of a vegetative buffer capable of reaching a height of 6 feet within five years of planting.

(5) Height

a. Freestanding solar panels or solar arrays shall not exceed 25 feet in height as measured from the grade at the base of the structure to the highest point.

b. Mounted solar panels or solar arrays shall not exceed eight feet above the apex of the structure on which it is mounted or the maximum height for buildings in the zoning district in which it is located.

(6) Security.

a. Unless 24-hour security guards or video surveillance is provided at the installation, the solar energy facility shall be enclosed by a security fence no less than 6 feet nor greater than 8 feet in height.

b. Access gates and equipment cabinets must be locked when not in use.

(7) Noise.

Inverter noise shall not exceed 40dBA, measured at the property line.

(8) Glare and Lighting

a. The solar energy system components shall be designed with an antireflective coating or at least shall not produce glare that would constitute a nuisance to occupants of neighboring properties, aircraft, or persons traveling on adjacent or nearby roads.

b. If lighting is required, it shall be activated by motion sensors, fully shielded and downcast type where the light does not spill onto any adjacent property or into the night sky.

(9) Maintenance and upkeep.

Systems shall be maintained in accordance with manufacturer's specifications. The operator of the facility shall maintain the facility, including all buffer screening, in compliance with the approved plans and shall keep the facility free from weeds, dust trash and debris.

(10) Site plan review and development permit.

A site plan reviewed and approved by the Planning Division shall be required prior to issuance of a permit. In addition to requirements for site plans generally, the site plan submission shall include the following information: The proposed location and dimensions of all solar panels, battery storage systems, inverters, existing and proposed structures, screening, fencing, property lines, parking, access driveways and turnout locations, ancillary equipment, transmission lines, vegetation, the location of any residences on site and within 500 feet of the perimeter of the facility, the location of any proposed solar access easements, and standard drawings of solar energy system components.

(11) Additional submission requirements.

In addition to requirements for information to be provided during the site plan review and development permitting process, the facility shall not be approved for operation until the following are submitted.

a. Copy of all recorded agreements in relation to the Solar Farm.

b. Where interconnection to an electric utility grid is proposed, the applicant shall submit evidence that the electrical utility provider has been informed of the customer's intent to install an interconnection with the local electric utility grid. A copy of the approval from the local utility must also be provided before operation of an interconnected facility will be authorized.

c. A decommissioning plan for the anticipated service life of the facility or in the event that the facility is abandoned or has reached its life expectancy.

d. The county may require other studies, reports, certifications, and/or approvals be submitted by the applicant to ensure compliance with this section.

e. A building permit shall be required for installation of all solar energy systems facility or solar farm.

(12) Removal of obsolete or unused systems.

a. Any solar collection device or combination of devices that is not operated for a continuous period of 12 months and for which there are no applications pending for permitted use of the structure at the end of such 12-month period, shall be considered abandoned, whether or not the owner or operator intends to make use of the devices(s). The owner of an abandoned solar collection device and the owner of the property where the abandoned solar collection device is located shall be under a duty to remove such device. If such device is not removed within a reasonable time, not to exceed twelve (12) months, after receipt of notice from the governing authority notifying the owner(s) of such abandonment, the governing authority may remove such devices(s) and place a lien upon the property for the costs of removal. The governing authority may pursue all legal remedies available to it to ensure that abandoned device(s) are removed. Delay by the governing authority in taking action shall not in any way waive the governing authority's right to take action.

(13) Within 90 days of the Commercial Operation Date, the owner shall provide the Board of Commissioners with a bond, issued by a surety acceptable to the Board, or a letter of credit from an FDIC-insured bank, or a guaranty from a company with assets of at least Twenty Million Dollars (the “Restoration Security”), which acceptance shall not be unreasonably withheld. The amount of the Restoration Security shall equal the estimated costs of decommissioning the Solar Farm and restoring the Property in compliance with Section 12, less the estimated salvage value of the Solar Farm. If the Parties are unable to agree upon the appropriate amount of the Restoration Security within sixty (60) days of the Parties’ first discussion, they shall, at owners expense,

hire a mutually acceptable independent engineer, to provide an estimate of the appropriate amount of the Restoration Security, and such estimate shall be deemed the required amount of the RestorationSecurity. Owner shall keep such Restoration Security as long as the Solar Farm is in operation.

(14) Solar panels shall not be placed in the vicinity of any airport in a manner that would interfere with airport flight patterns. Acknowledgement from the Federal Aviation Administration may be necessary.

Sec. 4-38 Special outdoor events.

Special outdoor events (such as a festival, carnival or exhibition) shall comply with the following:

(a) Special outdoor events; frequency and duration.

(1) A special outdoor event shall not last longer than 15 days, and may not occur more often than four times in any calendar year on the same property.

(2) Any two special outdoor events on the same property must be separated by at least 30 consecutive days.

(b) Special outdoor events; requirements.

(1) Adequate parking and traffic maneuvering space must be located on the same property as the special event.

(2) Evidence of liability insurance in an amount acceptable to the County Attorney shall be submitted as part of the application for Special Use approval.

(3) Signage proposed for the special event must be specified and approved as a part of the Special Use approval.

(4) Alcohol sales must be approved and licensed by the Crisp County Finance Department.

Sec. 4-39 Telecommunications satellite station.

(a) Definitions.

Telecommunications Satellite Station: An installation of equipment and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellites.

Telecommunications Satellite Station Lease Area: A portion of a larger parcel of land that is leased to a telecommunications company for the installation and maintenance of a telecommunications satellite station.

(b) General guidelines and requirements.

(1) Principal or accessory use.

A telecommunications satellite station may be considered either a principal or an accessory use. A different existing use or an existing structure on the same parcel of land shall not preclude the installation of a satellite station on such parcel.

a. For the purposes of determining whether the installation of a satellite station complies with zoning district regulations, including, but not limited to, setback requirements, lot coverage requirements and other such requirements, the dimensions of the entire parcel shall control, even though the satellite station may be located on leased property within such parcel.

b. A satellite station that is installed in accordance with the provisions of this Section shall not be deemed to constitute the expansion of a nonconforming use or structure.

(2) Security fencing.

The satellite station shall be enclosed by security fencing not less than six feet in height and an access gate of equal height that can be securely locked.

(3) Landscaping.

The following requirements shall govern the required landscaping surrounding the satellite station.

a. The satellite station shall be landscaped with a buffer of plant materials that effectively screens the view of the satellite station installation. The buffer shall consist of a landscaped strip at least 5 feet wide around the perimeter of the fenced in area;

b. Buffer reductions may be allowed when existing mature tree growth and vegetation on the surrounding parcel are preserved and effectively block the view of the satellite station installation from any adjacent road or property. In certain instances where the satellite station is located on large wooded lots, natural growth around the property perimeter may be a sufficient buffer; and

c. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible.

(4) Maximum height.

The height of all equipment installed as part of the satellite station (other than any attendant power pole) shall not exceed 8 feet from finished grade.

(c) Applications for approval.

(1) Information required.

Each applicant requesting a special use approval under this Section shall submit a scaled site plan, elevation view, and other supporting drawings, calculations, and documentation, signed and sealed by appropriate licensed professionals, showing the following:

a. The dimensions and minimum yard setbacks of the parcel within which the satellite station lease area will be located;

b. The location and dimensions of the satellite station lease area and the proposed equipment therein;

c. All temporary or permanent easements associated with access to or construction of the installation that will be disturbed;

d. Proposed landscaping of the site and disturbed areas, and

e. Information that will be required to obtain a soil and erosion control permit.

(2) Additionally, information may be required by the Board of Commissioners concerning topography, setbacks, drives, parking, fencing, landscaping, adjacent uses, and any other information deemed by the Board to be necessary to assess compliance with this Section.

(3) Factors considered in granting approval.

The following factors shall be considered by the Board of Commissioners in determining whether to approve the special use. Provided, however, the Board of Commissioners may vary any of such factors if the Board concludes that the goals of this Development Code are better served thereby. The following factors shall be in addition to the standards for special use consideration contained in the Procedures and Permits Chapter of this Development Code.

a. Maximum height of the proposed equipment;

b. Proximity of the installation to other structures and zoning district boundaries;

c. Nature of uses on adjacent and nearby properties;

d. Surrounding topography;

e. Surrounding tree coverage and foliage;

f. Design of the satellite station, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;

g. Such other and additional standards of review as the Board of Commissioners may consider relevant to the special use request.

Sec. 4-40 AG telecommunications tower.

(a) AG telecommunications tower defined: A specialized telecommunications tower erected, intended and used solely in support of agricultural activities, which are:

(1) The establishment of a global positioning system for the purpose of coordinating and controlling precision agricultural services, such as row guidance for tractors and other agricultural cultivation or harvesting machinery, autosteer positioning control and field preparation.; and

(2) Weather monitoring for the transmission of weather information to farmers in order to best schedule spraying, spreading and irrigation activities.

(b) AG telecommunications towers are allowed by right in the RR and RS1 zoning districts, or by special exception variance when associated with an active agricultural operation in any other zoning district in accordance with the provisions of Chapter 2.

(c) Exceptions for AG telecommunications towers.

(1) The requirements of Sec. 4-41 shall not apply to AG telecommunications towers that are 200 feet or lower in height, except the following shall continue to apply:

a. Sec. 4-41 (e)(5), federal requirements, as applicable.

b. Sec. 4-41 (e)(6), building code requirements.

(2) AG towers that are taller than 200 feet must comply with all requirements of Sec. 4-41 as apply to all such telecommunications towers and antennas.

(d) Removal of abandoned antennas, towers or structures. Bond Required.

(1) Any AG tower that is not operated for a continuous period of 12 months shall be considered abandoned, and such tower shall be removed upon receipt of notice from the Planning Department notifying the owner of such abandonment. If such AG tower is not removed within 30 days, the County may remove such tower at the owner's expense.

(2) Prior to the issuance of a permit for placement of an AG tower, the owner shall provide the Board of Commissioners with a bond, issued by a surety acceptable to the Board, which acceptance shall not be unreasonably withheld, insuring the proper removal of the antenna, tower or structure.

Sec. 4-41 Telecommunication towers and antennas.

This Section of the Development Code is enacted for the purpose of safeguarding the public health, safety and welfare by establishing general guidelines for the location and placement of antennas and towers pursuant to the Federal Telecommunications Act.

(a) The goals of this Section are to:

(1) Encourage the location of towers in nonresidential areas and minimize the total number of towers throughout the county;

(2) Encourage strongly the joint use of new and existing tower locations;

(3) Encourage users of antennas and towers to locate them, to the extent possible, in areas where the adverse impact on the citizens of the county is minimal;

(4) Encourage users of antennas and towers to configure them in a way that minimizes the adverse visual impact of the antennas and towers; and

(b) Enhance the ability of the providers of telecommunication services to render such services to the community quickly, effectively and efficiently.

(c) Definitions related to telecommunications towers and antennas.

Alternative Tower Structure: Man-made trees, clock towers, bell steeples, light poles, and similar alternative-design mounting structures.

Antenna: Any exterior apparatus designed for telephonic, radio, or television communications through the sending and/or receiving of electromagnetic waves.

Microcell: A telecommunication facility composed of no more than four antennas and no more than two equipment boxes. Microcell antennas may be either of a panel design having dimensions of approximately one foot in width and five feet in length, or of an omni (whip) design having dimensions of approximately four inches in diameter and six feet in length. Dimensions of such antennas may vary from operator to operator and as industry standards and designs are modified or revised.

Telecommunications Tower: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas including self-supporting lattice, guy towers or mono-pole towers. The term shall include, but not be limited to, the following: radio and television transmission towers, microwave towers, comm-carrier towers and cellular towers. See also, in contrast, "AG Tower" and "Telecommunications Satellite Station".

(d) Applicability.

(1) District limitations.

The requirements set forth in this Section shall govern the location of telecommunication towers that exceed, and antennas that are installed at a height in excess of, the minimum regulated height specified for each zoning district on the following Table. The height limitation applicable to such structures shall be 200 feet, unless a greater height is allowed by special use approval.

Table 4.2: Approval Process for Telecommunications Facilities

Zoning District	Attachment to an Existing Alternative Tower	Co-location on a Pre-existing Tower	New Tower		
			Minimum Regulated Height	But not over 200 feet	Over 200 feet high
RR	E	E	50	SU	SU
RS1	*	Not Allowed	35	Not Allowed	Not Allowed
RS2	*	Not Allowed	35	Not Allowed	Not Allowed
PRD	*	Not Allowed	35	Not Allowed	Not Allowed
RD	*	Not Allowed	35	Not Allowed	Not Allowed
RM	*	Not Allowed	50	Not Allowed	Not Allowed
PUD	E	E	**	SU	SU
OI	E	E	50	SU	SU

NC	E	E	35	TP	SU
GC	E	E	35	TP	SU
HC	E	E	50	TP	SU
I	E	E	35	TP	SU
PCID	E	E	**	TP	SU

E = Exempt (see Sec. 4-41 (g)).

TP = Telecommunications Permit (only) required (see Sec. 4-41 (f)).

SU = Special use approval and Telecommunications Permit required (see Chapter 2 and Sec. 4-41 (g)).

* Not Allowed except on nonresidential properties only, such as churches, schools, etc

** Minimum regulated height = maximum allowed height established as part of the zoning approval for the PUD or PCID.

(2) County property.

Antennas or towers located on property owned, leased, or otherwise controlled by the county shall be exempt from the requirements of this Section, provided a license or lease authorizing such antenna or tower has been approved by the Board of Commissioners.

(3) Exceptions for amateur radio and receive-only antennas.

a. This Section shall not govern towers or antennas not exceeding 35 feet in height that are owned and operated by federally licensed amateur radio station operators and do not exceed the minimum regulated height for the zoning district shown on Table 4.2. For such a tower or antenna to exceed the minimum regulated height, a Special Exception Variance must first be granted in accordance with the Appeals Section of the Procedures and Permits Chapter of this Development Code.

b. This Section shall not govern satellite dishes or other receive-only antennas used exclusively for radio or television reception purposes.

(4) Pre-existing antennas and towers.

Any tower or antenna, for which a building permit has been properly issued prior to the effective date of this Chapter, shall not be required to meet requirements of this Section except for the requirements of Sec. 4-41 (e)(5)and Sec. 4-41 (e)(6). Any such antenna or tower shall be referred to in this Section as a “pre-existing antenna” or “pre-existing tower.”

(5) Temporary towers and antennas.

Antennas or towers to be temporary located on property for a period not exceeding 60 days shall not require a telecommunications permit, but may require a building permit for electrical service or as otherwise required by the Building Codes. Provided,

however, these temporary antennas or towers shall meet all other requirements of this Section, in addition to the following, conditions:

a. Prior to the erection or construction of any temporary antenna or tower, an application for a temporary permit shall be filed with the Planning Department. The department shall make recommendations to the Board of Commissioners for approval or denial.

b. All temporary permits shall be approved by the Board if:

1. The maximum height for any temporary antenna or tower shall be 70 feet;

2. The maximum number of temporary antenna or tower permits to be issued for a single location shall be one per year; and

3. Provisions that shall govern the application and consideration for issuing a temporary antenna or tower permit shall be the same as those considerations set forth in Sec. 4-41 (f). Provided, however, the Board may vary any of the provisions contained therein if it concludes that the goals of this Section are better served thereby.

(e) General guidelines and requirements.

(1) Principal or accessory use.

Antennas and towers may be considered either a principal or an accessory use. A different existing use or an existing structure on the same parcel of land shall not preclude the installation of an antenna or tower on such parcel. For the purposes of determining whether the installation of a tower or antenna complies with zoning district regulations, including, but not limited to, setback requirements, lot coverage requirements and other such requirements, the dimensions of the entire parcel shall control, even though the antennas or towers may be located on leased property within such parcel. Antennas that are installed and towers that are constructed in accordance with the provisions of this Section shall not be deemed to constitute the expansion of a nonconforming use or structure.

(2) Inventory of existing sites.

Each applicant for a building permit to install or construct an antenna and/or tower shall provide to the Planning Department an inventory of its existing antennas and towers that are either within the jurisdiction of the county or within one-quarter mile of the border thereof, including specific information about the location, height and design of each antenna and tower. The department may share such information with other applicants applying for telecommunications permits under this Section, or other organizations seeking to locate antennas and/or towers within the jurisdiction of the county.

(3) Co-location design requirements.

In addition to all applicable building and safety codes, all towers, except amateur radio towers, shall be designed to accommodate the co-location of telecommunication antennas according to the following:

a. For towers up to 100 feet in height, the structure and fenced compound shall be designed to accommodate at least two providers;

b. For towers greater than 100 and up to 200 feet in height, the structure and fenced compound shall be designed to accommodate at least three providers; and

c. For structures greater than 200 feet in height, the structure and fenced compound shall be designed to accommodate at least five providers.

(4) Aesthetics; lighting.

The guidelines set forth in this subsection shall control the installation of all antennas and the location of all towers governed by this Section, provided, however, that the Board may waive or vary the terms of these requirements if it determines that the goals of this Section are better served thereby.

a. Towers shall be constructed and maintained with either a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness;

b. At a tower site, the design of the building and related structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend the tower facilities to the natural setting and built environment;

c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment shall be a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible; and

d. Antennas and towers shall not be artificially lighted, unless required by the FAA or other applicable governmental authority. If lighting is required, the Permitting Authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.

(5) Federal Requirements.

All antennas and towers shall meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the federal government with the authority to regulate antennas and towers. If such standards and regulations are changed, the owners of the antennas and towers governed by this Section shall bring such antennas and towers into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations. Provided, however, if a more stringent compliance schedule is mandated by the controlling federal agency, the owners of the antennas and towers shall be required to comply

with the more stringent compliance schedule. Failure to bring antennas and towers into compliance with such revised standards and regulations shall constitute grounds for the removal of the antennas or towers by the Planning Department at the owner's expense. Any such removal caused by the department shall be in the manner provided in O.C.G.A. §41-2-8 to 41-2-17.

(6) Building codes; safety standards.

To ensure the structural integrity of all antennas and towers, all owners of pre-existing antennas and towers, and owners of antennas and towers governed by this Section, shall ensure that they are maintained in compliance with standards contained in applicable county building codes and the applicable standards for antennas and towers that are published by the electronic industries association, as amended from time to time. If, upon inspection, the Planning Department concluded that any antenna and/or tower fails to comply with such codes and standards, or constitutes a danger to persons or property, then, upon notice being provided to the owner of the antenna or tower, the owner shall have 30 days to bring such antenna or tower into compliance with such codes and standards. If the owner fails to bring such antenna or tower into compliance within said 30 days, the department may cause the removal of such antenna or tower at the owner's expense. Any such removal by the department shall be in the manner provided in O.C.G.A §41-2-8 to 41-2-17.

(f) Telecommunications permits.

(1) General.

The following provisions shall govern the application and consideration for granting telecommunications permits, whether the use is allowed by right or special use approval in a zoning district for the installation of telecommunications antennas and the erection and location of transmission towers within the county:

a. Telecommunications permits that require special use approval shall be applied for and considered in accordance with Procedures and Permits Chapter of this Development Code.

b. Telecommunications permit requests shall be filed with the Planning Director, and shall be considered by the Board of Commissioners at its first regular meeting following 15 days after receipt of the request (or after due notice of a public hearing if special use approval is required).

c. In considering a telecommunications permit, the Board of Commissioners may impose conditions to the extent that it concludes such conditions are necessary to minimize any adverse effect the proposed antenna or tower may have on adjoining properties.

d. Any information of an engineering nature that the applicant submits, whether civil, mechanical or electrical, shall be certified by a licensed professional engineer.

(2) Information required.

Each applicant requesting a telecommunications permit under this Section shall submit a scaled site plan, elevation view and other supporting drawings, calculations and documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements and a soil and erosion control permit. Additionally, information may be required by the Board of Commissioners concerning topography, radio frequency coverage, tower height requirements, setbacks, drives, parking, fencing, landscaping, adjacent uses and any other information deemed by the Board to be necessary to assess compliance with this Section.

(3) Factors considered in granting permits.

The following factors shall be considered by the Board of Commissioners in determining whether to issue a permit. Provided, however, the Board of Commissioners may vary any of such factors if the Board concludes that the goals of this Chapter are better served thereby. If special use approval is required, the following factors shall be in addition to the standards for special use consideration contained in the Procedures and Permits Chapter of this Development Code.

a. Height of the proposed antenna or tower;

b. Proximity of the antenna or tower to other structures and zoning district boundaries;

c. Nature of uses on adjacent and nearby properties;

d. Surrounding topography;

e. Surrounding tree coverage and foliage;

f. Design of the antenna or tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;

g. Availability of suitable existing antennas or towers and other structures;

h. Proximity of the antenna or tower to other antennas or towers; and

i. Such other and additional standards of review as the Board of Commissioners may consider relevant to the permit request.

(4) Availability of suitable existing antennas, towers or other structures.

No new antennas or towers shall be permitted, unless the applicant demonstrates to the reasonable satisfaction of the Board of Commissioners that no existing antenna, tower or structure can accommodate the applicant's proposed antenna or tower. Evidence submitted to demonstrate that no existing antenna, tower or structure can accommodate the applicant's proposed antenna, tower or structure may consist of any of the following:

a. No existing antennas, towers or structures are located within the geographic area required to meet applicant's engineering requirements;

b. Existing antennas, towers or structures are not designed to meet applicant's engineering requirements;

c. Existing antennas, towers or structures do not have sufficient structural strength to support applicant’s proposed antenna and related equipment;

d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna;

e. The fees, costs or contractual provisions required by the owner in order to share an existing tower or structure, or to adapt an existing tower or structure for sharing, are unreasonable. Costs exceeding new tower development are presumed for purposes of this paragraph to be unreasonable; or

f. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

(5) Setback and separation.

The following setback and separation requirements shall apply to all antennas and towers. Provided, however, the Board of Commissioners may, in its sole discretion, grant a variance to reduce the standard setback and separation requirements if the goals of this Section would be better served thereby.

a. Antennas and towers must be set back a distance equal to the height of the prospective antenna or tower from the boundary line of property upon which the tower is located (effectively creating a buffer equal to the height of the antenna or tower); and

b. Guy wires and accessory facilities to a telecommunications tower must satisfy the minimum zoning district setback requirements for a principal building.

(6) Security fencing.

Antennas and towers shall be enclosed by security fencing not less than six feet in height and shall also be equipped with an appropriate anti-climbing device. Provided, however, that the Board of Commissioners may vary such requirements, as it deems appropriate.

(7) Buffer's and landscaping.

The following requirements shall govern the buffers and landscaping surrounding antennas and towers. Provided, however, that the Board of Commissioners may vary such requirements if the goals of this Section would be better served thereby or if the imposition of the requirements were to be unreasonable.

a. Antenna and tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the antenna or tower compound from adjacent residential property. The standard buffer shall consist of a landscaped strip at least 25 feet wide outside the perimeter of the compound;

b. Buffer reductions may be allowed when existing mature tree growth and natural land forms on site are preserved to the maximum extent possible. In certain instances where such antennas or towers are located on large wooded lots, natural growth around the property perimeter may be a sufficient buffer; and

c. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible.

(g) Telecommunications permits not required.

The following uses are specifically allowed without a telecommunications permit within any zoning district where a telecommunications tower or antenna is allowed by right or special use approval:[1]

(1) Installing an antenna (excluding a microcell) on an existing alternative tower structure, or structure other than a tower (such as a building, sign, light pole, water tower or similar freestanding nonresidential structure), that is 50 feet in height or greater, so long as the additional antenna adds no more than 20 feet to the height of the existing structure;

(2) Installing a microcell on an existing alternative tower structure, or nonresidential structure other than a tower (such as a building, sign, light pole, water tower or similar freestanding structure), so long as the microcell adds no more than six feet to the height of the existing structure; and

(3) Installing an antenna on any existing tower of any height, so long as the addition of the antenna adds no more than 20 feet to the height of the existing tower. Such specific permitted use shall also include the placement of any additional building or other supporting equipment used in connection with the antenna. Provided, however, the additional building shall be consistent in type of exterior material and quality of design and construction with any other building constructed upon the premises. The criteria relative to consistency with an existing building and to which existing building, if more than one building previously exists, shall be within the sole discretion of the department.

(h) Removal of abandoned antennas, towers or structures. Bond Required.

(1) Any antenna, tower or structure that is not operated for a continuous period of 12 months shall be considered abandoned, and such antenna, tower or structure shall be removed within 90 days of receipt of notice from the Planning Department notifying the owner of such abandonment. If such antenna, tower or structure is not

[1] Such uses are subject to the County's Building Codes and must obtain building permits as applicable.

removed within 90 days, the Planning Department may, in the manner provided in O.C.G.A. § 41-2-8 to §41-2-17, remove such antenna or tower at the owner's expense.

(2) Prior to the issuance of a permit under this Section, the owner shall provide the Board of Commissioners with a bond, issued by a surety acceptable to the Board, which acceptance shall not be unreasonably withheld, insuring the proper removal of the antenna, tower or structure.

Sec. 4-42 Temporary events.

(a) Temporary events; frequency and duration.

(1) A temporary event that normally has an identifiable time of initiation and termination, such as an election or construction of a building, is permitted for the normal duration of the event.

(2) A temporary event that normally does not have an identifiable time of initiation and termination, such as a temporary business promotion or sale, is permitted for no more than 30 consecutive days per event. A longer period may be approved by the Planning Director if the temporary event normally and traditionally lasts more than 30 days.

(3) The same type of temporary event may occur no more often than 4 times in a calendar year on the same property. Any two temporary events of the same type on the same property must be separated by at least 14 consecutive days.

(b) Temporary events; signage.

For provisions regarding all signage associated with a temporary event, see the provisions for “temporary event signs” under the Sign Regulations Chapter of this Code.

(c) Temporary events; yard sales.

See “yard sales” in this Chapter, below, for special provisions regarding such activities.

Sec. 4-43 Temporary sales office for a subdivision.

A temporary sales office, where otherwise allowed, shall meet the following criteria:

(a) Temporary sales office; location.

(1) The temporary sales office shall be located on a lot or two contiguous lots within an area that has received Final Plat approval and has been recorded with the Clerk of the Superior Court.

(2) If the temporary sales operation occupies two contiguous lots in the subdivision, the two lots will be considered a single property for the purpose of allowing principal and accessory uses, and a single nonresidential use for the purpose of determining signage allowed on the property.

(b) Temporary sales office; restrictions.

(1) Sales shall be limited to the lots and buildings within the subdivision where the temporary sales office is located, as defined by the recorded Final Plat.

(2) The temporary sales office may be a manufactured home or industrialized building, or may be located in a model home.

(c) Temporary sales office; removal.

The temporary sales office shall be removed within 30 days after Certificates of Occupancy or connections to permanent power have been approved on 90 percent of the lots in the subdivision.

Sec. 4-44 Yard sales.

(a) Yard sales; defined.

A yard sale is a Temporary Event involving the sale of used household belongings by an individual at his principal residence or by a group of residents combining such items for a group yard sale at one of their principal residences.

(b) Yard sales; frequency and duration.

A yard sale may be held no more often than 4 times in a calendar year on the same property, with each individual sale lasting no more than 3 consecutive days.

(c) Yard sales; restrictions.

(1) All merchandise must be the property of those holding the sale and not be purchased for the purpose of resale.

(2) See also the Sign Regulations Chapter of this Code for restrictions on signs related to Temporary Events.

ARTICLE VII. PROHIBITED USES.

Sec. 4-45 Uses not allowed.

(a) Pre-1976 mobile home: A mobile home as defined in this Code (i.e., manufactured prior to June 15, 1976) is not allowed in any zoning district, in accordance with State law.

(b) A manufactured home otherwise allowed under this Development Code may not be used primarily for storage as a principal or accessory use.

(c) A shipping container placed on a property for any purpose, whether placed upon or affixed to the ground or other surface, or placed on a foundation, is not allowed. Provided that a shipping container may be temporarily located on a property zoned GC General Commercial, HC Heavy Commercial, or I Industrial for the sole purpose of being loaded or unloaded in the process of trans-shipment to or from the property. Provided further that a shipping container may be temporarily located on a property in any zoning district for the sole purpose of relocating the possessions and furniture of the occupant to or from another property.

(1) Shipping container defined: A reusable container designed for and normally used for the transport of freight, articles, goods, or merchandise by truck, rail, or ship, having no independent means of locomotion or wheels. Such containers are generally constructed of metal and are accessible through a door. Such containers include dry van shipping containers, high cube shipping containers, refrigerated shipping containers, and portable shipping containers. Also known as a "cargo container" or a "transport container".

(2) Examples of shipping containers include:

(d) A recreational vehicle as defined in this Development Code may not be occupied as a temporary or permanent place of abode, dwelling, or business unless located in a recreational vehicle park or campground in compliance with the provisions of Sec. 4-33 .

Sec. 4-46 Noxious manufacturing or industrial activities not allowed.

(a) Prohibited noxious or hazardous products.

A manufacturing or industrial activity that produces any of the following as products or by-products of the manufacturing process is prohibited:

(1) Caustic or corrosive acids.

(2) Chlorine or other noxious gasses.

(3) Explosives, except alternative fuel production and storage.

(4) Fertilizer or glue.

(5) Products involving hair or fur.

(b) Prohibited noxious or hazardous processes.

A manufacturing or industrial use that involves any of the following processes is prohibited:

(1) Tanning or finishing of leather or other hides, except taxidermy.

(2) The disposal of hazardous waste.

(3) Petroleum refining.

(4) Processing of sauerkraut or vinegar.

(5) Rendering or refining of fats and oils.

CHAPTER 5. LOT AND BUILDING STANDARDS

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CHAPTER 5. LOT AND BUILDING STANDARDS

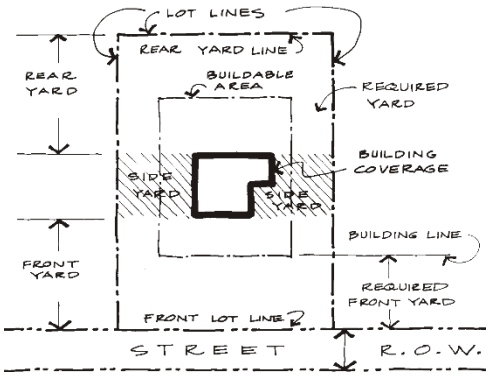
ARTICLE I. PURPOSE AND DEFINITIONS.

Sec. 5-1 Purpose of Article 5.

This Article sets out the standards that control the size of lots, the placement of buildings and structures on a lot, and the bulk and intensity of development on a lot

Sec. 5-2 Lot and building definitions.

Access: A way or means of approach to provide physical entrance to a property.



Accessory Structure Setback Line: A line delineating the minimum allowable distance between an accessory structure or other structure or building (other than a principal building or principal structure) and a property line or the right-of-way line of an abutting street. See also "Principal Building Setback Line."

Buildable Area of Lot: That portion of a lot bounded by and interior to the required rear, side, and front building setback lines.

Building Floor Area: The total floor area of all heated spaces within a building as measured within the outside of the exterior walls, exclusive of uncovered porches, terraces, and unheated stairwells, storage areas, garages, and loading docks.

Building Height: The vertical distance measured to the highest point of a building from the average finished grade across those sides of a building that face a street. See also "Tower Height" and "Structure Height."

Common Open Space: See "Open Space."

Fence: An artificially constructed barrier of wood, wire, wire mesh, or decorative metal erected to enclose, screen, or separate portions of a lot.

Floor Area, Building: See "Building Floor Area."

Floor Area, Gross: See "Gross Floor Area."

Frontage or Street Frontage: The width in linear feet of a lot where it abuts the right-of-way of any street from which access may be directly gained.

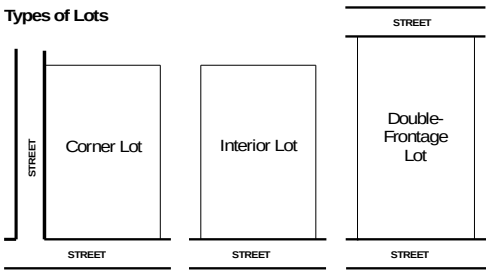
Gross Floor Area: The total area of all floors of a building, measured from the outside planes of the exterior walls.

Lot: A parcel or tract of land held in single ownership.

(1) *Corner Lot:* Any lot bounded by 2 streets at their intersection.

(2) *Double-Frontage Lot:* A lot bounding on 2 or more streets, but not at their intersection, so that it is not a corner lot unless said corner lot has frontage on 3 or more sides.

(3) *Interior Lot:* A lot having frontage on only one street.



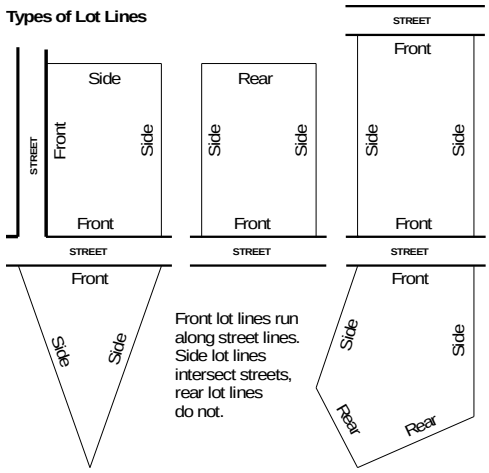
Lot Area: The total horizontal area included within lot lines.

Lot Line: The boundary dividing a given lot from the street or adjacent lots; the boundary defining the limit of ownership of a property.

(1) *Front Lot Line:* Any boundary line of a lot that abuts a public street right-of-way line. A lot adjacent to more than one street will have more than one front lot line.

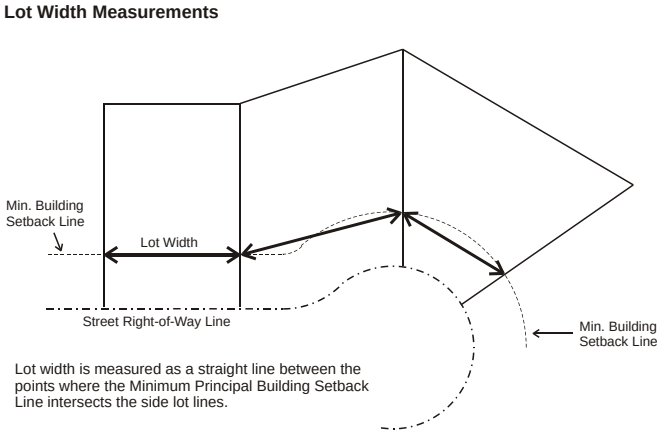
(2) *Rear Lot Line:* Any boundary line of a lot that does not intersect with a public street right-of-way line and is not a front lot line.

(3) *Side Lot Line:* Any boundary line of a lot that intersects with a public street right-of-way line and is not a front lot line.



Lot of Record: A lot which is part of a subdivision recorded in the office of the Clerk to Superior Court, or a lot described by metes and bounds, the description of which has been so recorded.

Lot Width: The distance measured along the front principal building setback line between intersecting lot lines. The lot width shall be measured along a straight line between such points of intersection



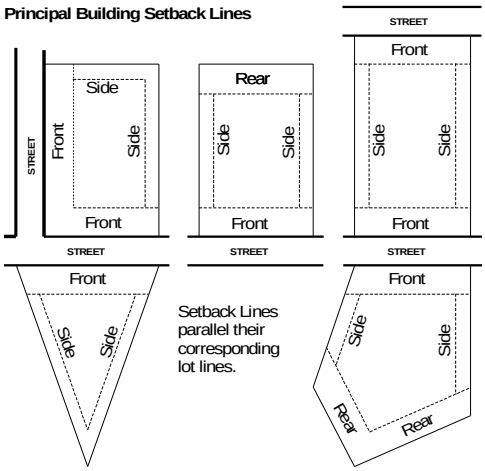
Open Space: An area of land or water that is permanently set aside through dedication, designation, or reservation to remain in a natural and unimproved state or that may be improved only for active or passive recreation or enjoyment.

(1) *Common Open Space:* Land or water areas within a development project that are available to or benefit all occupants of the development on a continuing and permanent basis, such as walking trails, community centers or clubhouses, golf courses, and other recreation areas, protected flood plains or wetlands, and fishing

or boating lakes. Common open space does not include any streets or public rights-of-way, or yard areas or landscape areas located on private property.

(2) *Public Open Space:* Land reserved for preservation, leisure, or recreational use but dedicated in fee simple to a governing body or agency to be responsible for operation and maintenance. Public open space may not be reserved for or dedicated to the exclusive use of the residents of a particular development.

Principal Building Setback Line: A line delineating the minimum allowable distance between a property line or the right-of-way line of an abutting street and a principal building or principal structure on a lot.



(1) *Front Building Setback:* The minimum allowable distance between the right-of-way line of any abutting street and any part of a principal building or principal structure on a lot. The front setback distance is applied along the full length of the right-of-way line and is parallel to it.

(2) *Rear Building Setback:* The minimum allowable distance between a rear lot line and any part of a principal building or principal structure on a lot. The rear building setback extends along and parallel to the full length of the rear lot line.

(3) *Side Building Setback:* The minimum allowable distance between a side lot line and any part of a principal building or principal structure on a lot. The side building setback extends along and parallel to the side lot line between the front building setback and a rear building setback (if any).

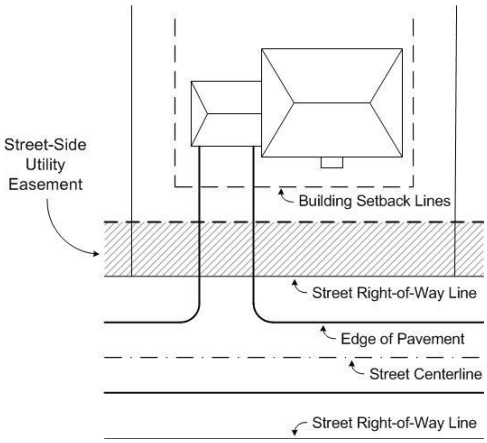
Property or Parcel of Land: See "Lot."

Public Open Space: See under "Open Space."

Setback: The shortest straight-line distance between a street right-of-way or lot line and the nearest point of a structure, a building, or projection therefrom (excluding roof overhangs of 18 inches or less).

Setback, Minimum: The shortest distance allowed between a street right-of-way line or any other lot line and any building or structure on a lot. Minimum setback requirements for buildings and structures are associated with the type of lot line from which the setback is taken (for instance, a "side yard setback" is measured from a side lot line) and the type of structure (such as a principal building or structure, an accessory building or structure, or other building or structure).

Street-Side Utility Easement: An easement granted to Crisp County along the right-of-way of a public street or along a private street wherein public and private utilities (such as water lines and meters, underground power and telephone lines, and cable TV) are to be located.



Structure Height: For all structures other than buildings, the vertical distance to the highest point of a structure, as measured from the average grade at the base of the structure or directly below a projecting structure. See also "Building Height" and "Tower Height."

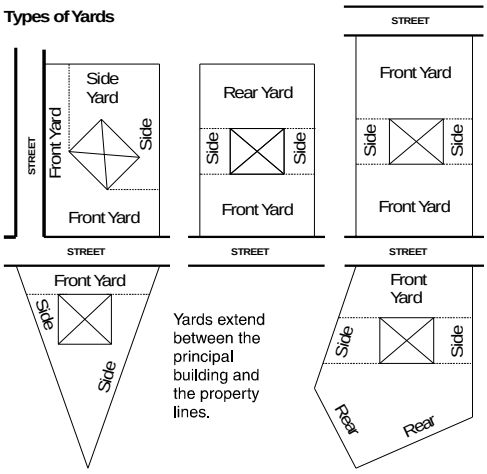
Tower Height: When referring to a transmission tower, the distance measured from ground level to the highest point on the tower, even if the highest point is an antenna. See also "Building Height" and "Structure Height."

Yard: An area that lies between the principal building on a lot and the nearest lot line.

(1) *Front Yard:* A yard situated along any public street right-of-way or private street easement.

(2) *Rear Yard:* A yard situated along a rear lot line.

(3) *Side Yard:* A yard situated along a side lot line, but not extending into a front or rear yard.



ARTICLE II. MINIMUM LOT AND SETBACK REQUIREMENTS.

Sec. 5-3 Minimum standards—lot frontage.

Every lot must front for a minimum continuous distance of 25 feet on a street that has been opened and accepted as a public street, approved as a private street or shall have otherwise received the legal status of a public street, unless alternate access is allowed under this Development Code such as a variance approval.

Sec. 5-4 Minimum standards—lot size and width.

Every property upon which a principal building or use may be located shall meet or exceed the following requirements for the zoning district in which the lot is situated, as shown on Table 5.1:

Table 5.1: Minimum Lot Size

Zoning District	With Public Water and Sewer: Minimum Lot Area	With Public Water and Sewer: Minimum Lot Area per Dwelling Unit	Lacking Public Water or Sewer: Minimum on Public Water and On-Site Septic System[1]	Lacking Public Water or Sewer: Minimum with Private Water Well and On-Site Septic[1]	Minimum Lot Width (feet)[2]
RR	1 acre	1 acre	1 acre	1½ acre	150
RS1	½ acre	½ acre	¾ acre	1½ acre	100
RS2 and PRD	½ acre	½ acre	¾ acre	1½ acre	100
RD					
Single-Family	½ acre	½ acre			80
Duplex	½ acre	¼ acre			80
Multi-Family	½ acre	5,445 sf			80
All other uses	7,500 sf	7,500 sf			80
RM	7,260 sf	3,630 sf			60
PUD	2 acres (project)	See PUD approval[3]			See PUD approval[3]
OI			**Per Health Department Determination**		
Multi-Family	½ acre	2,178 sf			60
All other uses	6,000 sf	N/A			60
NC	6,000 sf	N/A			50
GC	6,000 sf	N/A			50
HC	6,000 sf	N/A			50
I	12,000 sf	N/A			100
PCID	1 acre (project)	N/A			50

[1] Except for lots of record recorded prior to September 11, 2006. Larger lot areas may be required to meet Health Department requirements for lots on septic tanks, per Sec. 5-5 .For lots within a protected groundwater recharge area, lot sizes with septic tanks shall meet the requirements for such areas contained in the Environmental Protection Division of Chapter 6 of this Development Code.

[2] Minimum lot width shall be met or exceeded at the front principal building setback line established on the lot, but no closer to the street than the minimum front setback required by the zoning district.

[3] As established as part of the zoning approval for each Planned Unit Development.

Sec. 5-5 Lot size increases.

If an on-site sewage management system is proposed to serve a lot or building, the County Health Department may require larger lot sizes in individual cases based on a variety of factors, such as:

(a) The following land areas are not considered as a part of a lot when calculating the required minimum lot size for an on-site sewage management system under State requirements: easements (such as power lines or pipe lines) that exclude installation of an on-site sewage management system, and land within 50 feet of a lake, river, stream, wetland or other bodies of water.

(b) Such lots located in groundwater recharge areas are subject to increase. See Environmental Protection Division of Article 6 of this Development Code.

(c) The minimum lot area per dwelling shown on Table 5.1 may be increased for a home larger than a "typical size home," which is defined as follows: a 3- or 4-bedroom home with basic appurtenances such as: driveway, minimum number of trees, and water supply line. If larger homes, swimming pools, tennis courts or outbuildings, etc. are proposed to be constructed or if trees would interfere with installation of an on-site sewage management system, the County Health Department may require larger lots to assure useable soil area.

(d) The County Health Department may also require larger lot sizes when physical factors indicate the need to do so. These factors include, but are not limited to, the availability of sufficient unobstructed land areas for an approved on-site sewage management system and approved replacement system, slope greater than 5 percent, percolation rates higher than 45 minutes per inch, need for subsurface drainage or adverse topographic features.

(e) Lots shall be a minimum width of 100 feet or 150 feet measured within the area where an approved on-site sewage management system and replacement system are to be located when served by a public water supply system or non-public water supply system (private well), respectively.

(f) There must be an unobstructed area on each lot for installation of an approved on-site sewage management system and an area equal in size for a conventional system or larger area, as appropriate, for an approved replacement system; this will include sufficient area for necessary site modifications for installation of both the initial system and a replacement system. All pertinent zoning setbacks and other space requirements must also be met.

(g) The maximum daily sewage flow for each lot or parcel of land shall not exceed 600 gallons per acre per day (gpad) when served by non-public or individual water supply system or 1,200 gpad when served by public water supply system. When sewage flows exceed these quantities (600 or 1,200 gpad as indicated) for a given dwelling structure, the minimum lot size or parcel of land shall be increased proportionally following Health Department guidelines.

Sec. 5-6 Minimum setbacks; principal buildings and principal structures.

(a) All principal buildings and principal structures on a lot shall be set back from the street centerlines and from the front, side, and rear lot lines bounding the lot no less than the distances shown on Table 5.2.

(b) A 20-foot wide street-side utility easement may be required along the street right-of-way within a front setback. See Chapter 9 under "easements" for details.

Table 5.2: Minimum Setback: Principal Buildings and Structures

Zoning District	From Street Right-of-Way: Arterial or Collector Street[4]	From Street Right-of-Way: Local Street[4]	From Side Lot Line[5]	From Rear Lot Line[5]
RR	65	50	25	35
RS1	50	35	15	15
RS2 and PRD	50	35	15	15
RD	45	30	12	15
RM	40	30	10	15
PUD	50	**	**	**
OI	40	30	10	15
NC	40	30	None[6]	None[7]
GC	40	30	None[6]	None[7]
HC	40	30	None[6]	None[7]
I	40	30	None[6]	None[7]
PCID	40	30	None[7]	None[7]

** As established as part of the zoning approval for each Planned Unit Development.

[4] As measured at a right angle from the right-of-way of the street along the full length of the property frontage. See the Project Design Standards Article for street classifications.

[5] Greater setback may be required to accommodate a stream buffer established along a stream or lake under the minimum requirements for erosion and sediment control of Article 10, or for a zoning buffer required under the Landscaping, Buffers and Tree Conservation Article.

[6] Minimum 10 feet adjacent to Residential zoning district. See zoning buffer requirements under the Landscaping, Buffers and Tree Conservation Article.

[7] Minimum 25 feet adjacent to Residential zoning district. See zoning buffer requirements under the Landscaping, Buffers and Tree Conservation Article.

Sec. 5-7 Minimum setbacks; accessory buildings and structures.

(a) Accessory buildings.

Minimum setbacks for accessory buildings shall be as follows:

(1) Guest house or family care dwelling.

Guest houses and family care dwellings must be located to the rear of the main home on the lot and must meet the same setbacks as required for principal buildings in each zoning district.

(2) Night watchman residence.

Night watchman residences shall conform to the minimum setback requirements for principal buildings in each zoning district.

(3) All other accessory buildings.

a. Accessory buildings having a floor area of 144 square feet or less must be at least 5 feet from any property line and may not be located within any minimum front yard (i.e., between the required principal building front yard setback and a street).

b. Accessory buildings having a floor area greater than 144 square feet must comply with the same setbacks as required for principal buildings in each zoning district and may not be located within any minimum front yard setback.

(4) Exceptions to accessory building setbacks.

For non-typical building orientations, such as a home fronting on a lake, the requirements of this Sec. 5-7 (a) may be modified as a Special Exception variance. See the Appeals Section of Article 2 of this Development Code for procedures.

(b) Accessory structures.

Minimum setbacks for accessory structures (excluding buildings but including parking lots) shall be as follows:

(1) Fences and free-standing walls.

There shall be no minimum setback for fences or free-standing walls, provided that any fence or free-standing wall shall not obstruct visibility at street intersections (see the Sight Triangle provisions under the Project Design Standards Article) nor be located within any street right-of-way or utility easement.

(2) Gasoline pumps.

Pumps that dispense gasoline, kerosene, propane, natural gas, or diesel fuels shall conform to the minimum building setback requirements for principal buildings in each zoning district.

(3) Canopies.

Canopies shall conform to the minimum building setback requirements for principal buildings in each zoning district.

(4) Signs.

Signs shall be set back as required by the Sign Regulations Article of this Development Code.

(5) All other accessory structures.

Accessory structures not listed above must be at least 20 feet from any street right-of-way and at least 5 feet from any other property line (except that portion of a vehicular driveway that is directly connected to a street or that portion of a driveway that provides vehicular access directly to adjoining property).

(6) Accessory structures shall not encroach upon any easement.

Sec. 5-8 Minimum setbacks; other buildings and structures.

(a) Any building on a property that is not a principal building or accessory building must comply with the setback requirements for principal buildings under Sec. 5-6 .

(b) Any structure on a property that is not a principal structure or accessory structure must comply with the setback requirements for accessory structures under Sec. 5-7 (b).

ARTICLE III. FLOOR AREA PROVISIONS.

Sec. 5-9 Maximum floor area in NC Neighborhood Commercial district.

(a) The gross floor area occupied by a single business establishment in the NC Neighborhood Commercial zoning district may not exceed 25,000 square feet, nor may a multi-tenant commercial building exceed 100,000 square feet.

(b) For the purpose of this Section, a business that contains other businesses within it occupying the same space, such as a grocery store with a branch bank or fast food restaurant inside, shall be considered a single business establishment.

Sec. 5-10 Minimum floor area within a dwelling unit.

Occupancy within a dwelling unit is not allowed to exceed the following number of persons, based on the amount of gross floor area[8] within the unit:

(a) For up to 800 square feet of gross floor area, no more than 4 persons.

(b) For each person over 4, at least 125 square feet of additional gross floor area shall be provided within the dwelling unit.

[8] Gross floor area excludes a garage used solely for parking vehicles or storage, and an attic used exclusively for storage.

ARTICLE IV. TOWNHOUSE DEVELOPMENTS; SPECIAL PROVISIONS.

Sec. 5-11 Townhouse developments; defined.

(a) Townhouse subdivision.

A townhouse subdivision is a development of multi-family attached dwellings[9] in which each dwelling unit is located on a separate lot.

(b) Townhouse condominium project.

A townhouse condominium project is a development of multi-family attached dwellings in which undivided interests in common elements are vested in the unit owners while each dwelling unit is sold separately. Such developments must also meet all requirements of the Georgia Condominium Act.

(c) Townhouse subdivisions, exceptions.

Townhouse subdivisions may comply with the following minimum requirements in lieu of the requirements shown on Table 5.1 and Table 5.2, as long as the overall development meets the zoning district requirements as a whole:

(1) Number of dwelling units per building: At least 3 but no more than 10.

(2) Staggered front facades: The dwelling units in a building shall be staggered, singly or in pairs, by at least 3 feet.

(3) Minimum lot width: The average width for the units in a single building shall be at least 20 feet, with no lot being less than 18 feet wide.

(4) Minimum lot area per dwelling unit:

a. The average lot area for the units in a single building shall be at least 2,400 square feet, with no unit having less than 2,000 square feet of lot area.

b. The subdivision as a whole must provide a total area equal to or greater than the number of lots times the minimum area per dwelling unit required on Table 5.1 for the zoning district.

(5) Minimum side setbacks: None between attached units. On the periphery of the subdivision, buildings must meet the minimum setback requirements shown on Table 5.2 for the zoning district.

(6) Minimum rear setbacks: 15 feet.

(7) Minimum building separation: 20 feet.

(d) Townhouse condominium projects; exceptions.

[9] See the definition in the Glossary, under *Dwelling, Multi-Family Dwelling, Multi-Family Attached*.

Townhouse condominium projects may comply with the following minimum requirements in lieu of the requirements shown on Table 5.1 and Table 5.2, as long as the overall development meets the zoning district requirements as a whole:

(1) Number of dwelling units per building: At least 3 but no more than 10.

(2) Staggered front facades: The dwelling units in a building shall be staggered, singly or in pairs, by at least 3 feet.

Minimum building separation: 20 feet.

(e) Access to rear required.

Townhouse developments shall be designed to provide proper access to the rear of all dwelling units for firefighting purposes.

Sec. 5-12 Lot coverage.

Structures that create an impervious surface on the ground, such as buildings, parking lots, loading areas, driveways, patios, plazas, recreation courts, and paved outdoor storage or display areas, shall not cover a greater percentage of a lot than allowed on Table 5.3.

Table 5.3: Maximum Lot Coverage

Zoning District	Maximum Percent of Coverage
RR	50%
RS1	60%
RS2 and PRD	60%
RD	70%
RM	80%
PUD	**
OI	80%
NC	80%
GC	80%
HC	80%
I	50%
PCID	50%

** As established as part of the zoning approval for each Planned Unit Development.

ARTICLE V. BUILDING AND STRUCTURE HEIGHTS.

Sec. 5-13 Building and structure heights; how measured.

(a) Building height.

The vertical distance measured to the highest point of a building from the average finished grade across those sides of a building that face a street.

(b) Structure height.

The vertical distance to the highest point of a structure (other than a building), as measured from the average grade at the base of the structure or from the average grade directly below a projecting structure.

Sec. 5-14 Maximum building and structure heights.

The maximum height of all buildings and structures in each zoning district shown on Table 5.4 shall apply, except as otherwise provided in this Section as follows:

Table 5.4: Maximum Structure Heights

Zoning District	Maximum Building or Structure Height (feet)
RR	50
RS1	35
RS2 and PRD	35
RD	35
RM	50
PUD	**
OI	50
NC	35
GC	35
HC	50
I	35
PCID	**

** As established as part of the zoning approval for each Planned Unit Development or Planned Commercial-Industrial Development, as applicable.

(a) Exceptions to height restrictions.

(1) Exemptions.

The following structures are exempt from the height limitations imposed by this Section, provided that no structure may exceed 200 feet in height from the average finished grade at its base:

a. Agricultural buildings such as but not limited to barns, silos, windmills, grain elevators, and other farm structures, but not including dwellings.

b. Cooling towers, gas holders, or other industrial structures where required as part of the manufacturing process.

c. Church spires, belfries, cupolas, domes, monuments, water towers, observation towers, utility substations, windmills, chimneys, smokestacks, derricks, conveyors, and TV reception antennae.

d. Telecommunication towers, such as commercial radio and television broadcast towers, and cellular telephone or other telecommunication towers, except as may be limited as a condition of approval as a Special Use by the County Commission.

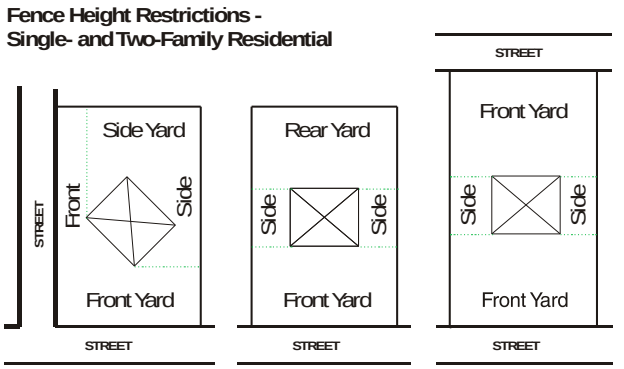
(2) Height limitations for fences and freestanding walls.

a. In the Commercial and Industrial zoning districts, no fence or freestanding wall may exceed 8 feet in height, with no more than an additional 2 feet of security wire.

b. In the Multi-Family Residential and Office zoning districts, no fence or free-standing wall may exceed 8 feet in height.

c. In the Single-Family and Two-Family (Duplex) Residential zoning districts, the following shall apply:

1. A fence or free-standing wall in any front yard area may not exceed 2½ feet in height.
2. A fence or free-standing wall in any side or rear yard area may not exceed 8 feet in height.



Fences in Front Yards are limited to 2½ feet in height.
Fences in Side and Rear Yards may be up to 8 feet in height.

Sec. 5-15 Height restrictions near airport.

Structures near the Crisp County Airport or any approved aircraft landing strip or helicopter landing area that would be located under the landing or take-off corridors or under any of the imaginary surfaces established by FAA around the airport, landing strip, or helicopter landing area shall comply with all height restrictions of the FAA and obtain approval from the FAA prior to permitting by the County. Appendix A to this Development Code contains a copy of the FAA's "Part 77" regulations for informational purposes.

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CHAPTER 6. LANDSCAPING, BUFFERS AND TREE CONSERVATION

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CHAPTER 6. LANDSCAPING, BUFFERS AND TREE CONSERVATION

ARTICLE I. PURPOSE AND DEFINITIONS.

Sec. 6-1 Purpose of Chapter 6.

The purpose of this Article is to improve the aesthetic qualities of the County and to protect and preserve the appearance, character and value of its neighborhoods and business areas by:

(a) Providing for quality and consistency in the design of landscaping and screening.

(b) Providing for the separation of incompatible types of land use.

(c) Providing for the conservation of existing trees and the planting of new trees in pace with the land development process.

Sec. 6-2 Definitions.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application.

Agricultural Activities: 1. good-faith commercial production from the land or on the land of agricultural products, including horticultural, floricultural, dairy, livestock, poultry, and apiarian products, but not including forestry products (see "Tree farming" herein); and 2. clearing trees for the purpose of planting crops, providing pasture for livestock, or constructing buildings accessory to production of agricultural products.

Aquifer: An underground reservoir of groundwater from which water can be drawn by a well or natural spring.

Berm: A mound of earth, or the act of pushing earth into a mound.

Buffer, Zoning: An area of natural vegetation or man-made construction which is intended to provide a visual and dimensional separation between dissimilar land uses (in contrast to a "Stream Buffer" required for environmental protection purposes).

(1) *Natural Buffer:* A visual screen created by vegetation of such density so as to present an opaque visual separation when viewed from one side to the other throughout the year.

(2) *Structural Buffer:* A visual screen created through construction of a solid wooden fence, decorative masonry wall, earthen berm, or combination of fence or wall with an earthen berm, which may be supplemented with vegetation, so as to present an opaque visual separation when viewed from one side to the other throughout the year.

Caliper: The diameter of a tree (usually nursery stock) measured at a point 6 inches above the ground or top of root ball for up to and including 4-inch caliper trees, and at a point 12 inches above the ground or top of root ball for larger sizes.

Canopy Tree: A species of tree that normally reaches a height at maturity in excess of 40 feet and is used primarily for shade, such as red oak, shumark oak, Chinese elm, river birch, white oak, water oak, American elm, trident maple, pin oak, American beech, pecan, southern magnolia, sweetgum and willow oak.

Critical Root Zone: The land area circular in shape and centered on the trunk of a tree, the radius of which circle is determined by the farthest extent of the drip line from the trunk.

Development Site: That portion of a tract of land that will be dedicated to a proposed development, including the land containing trees that will be counted toward satisfying the requirements of these provisions.

Diameter Breast Height (DBH): The diameter of a tree trunk (usually a mature tree) measured at a height of 4 feet above the ground. If a tree splits into multiple trunks below 4 feet, the trunk is measured at its most narrow point beneath the split.

Drip Line: A perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

Ground Cover: A low growing plant, other than turf grass, which forms a continuous cover over the ground surface.

Groundwater Recharge Area: The land area where the water that eventually seeps down into an aquifer first enters the ground.

Impermeable: Something that water cannot pass through or be absorbed by, such as a layer of rock.

Impervious Surface: A surface that rainwater cannot penetrate or be absorbed by, such as a parking lot, paved road or building.

Landscape Materials: Any combination of living plant materials and nonliving materials (such as rocks, pebbles, wood chips, mulch and pavers) and decorative features such as sculpture, patterned walks, fountains, and pools. This definition includes synthetic landscaping materials that are visually indistinguishable from natural materials.

Landscaping: Landscaping shall consist of shrubs, vines, turf, ground cover and other landscape materials which are utilized to enhance the aesthetic and functional qualities of a site.

Opaque: Impenetrable to view, or so obscuring to view that features, buildings, structures, and uses become visually indistinguishable.

Parking Bay: Three or more parking spaces adjacent to one another and aligned side-by-side.

Plant Materials: Living plants, such as trees, shrubs, ground cover, grasses and perennial flowering plants, turf, and vines that are suitable for ornamental and/or functional use.

Screen: Natural vegetation or a decorative structure that creates an opaque visual block or obscures an unattractive view. Screening may consist of any combination of the following, as approved by the Director:

(1) Fencing constructed of cedar, redwood, treated wood, or other suitable all-weather material.

(2) Masonry walls.

(3) Plant materials or natural vegetation.

(4) Earthen berms.

For the purpose of this ordinance, a screen is opaque to a height of 6 feet above the ground surface or, for a screen of plant materials, has the maximum opacity obtainable with the approved arrangement and species of plant materials, to a height of 6 feet.

Shade Tree: A broadleaf deciduous tree having an average height at maturity of a least 20 feet and having a broad spread relative to its height (excluding trees with pyramidal, conical, or columnar crowns) and a dense canopy, so as to provide shade to structures or parking areas in the summer months.

Shrub: A self-supporting woody plant that normally reaches a height of less than 15 feet.

Significant Tree: A tree in fair or better condition that has been determined to be of a high value because of its species, size, age or other professional criteria shall be considered a significant tree.

(1) A tree is considered in fair or better condition if:

a. its life expectancy is greater than 15 years;

b. it has a relatively sound and solid trunk with no extensive decay or hollow and less than 29 percent radial tip die-back; and,

c. it has no major insect or pathological problems.

(2) Hardwood trees such as oaks and hickories and soft-wood trees such as pines and cedars whose diameters are 18 inches DBH or more, and small hardwoods such as dogwoods, redbuds or sourwoods whose diameters are 8 inches DBH or more, shall be considered significant trees due to size.

(3) A tree of lesser size than the preceding shall be significant if it is a rare or unusual species or is of historical significance or is specifically used by design as a landscape focal point of the project.

Tree: A self-supporting woody plant which normally reaches a height of at least 15 feet.

Tree Farming: The planting, cultivating and harvesting of trees in a continuous cycle as a regular practice on a tract of land; not including the removal of trees for purposes of development or the removal of trees without replanting.

Turf: Ground cover composed of one or more species of perennial grass that is grown as a permanent lawn.

Wetlands: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support,

a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

Zoning Buffer: See "Buffer, Zoning."

Sec. 6-3 Calculation of "tree units."

(a) Use of tree units.

The landscaping requirements of this Article with regard to the preservation or planting of trees is expressed in terms of "tree units" rather than the number of trees. This approach provides the developer with wide latitude of choice as to the number and sizes of trees to be planted, and their distribution following aesthetic landscaping practices, while achieving a common standard on all properties.

(b) Establishment of tree unit values.

The diameter of a tree's trunk establishes the "tree unit" value of an existing tree, as shown on Table 6.1. The values assigned to trees of the same size are different for existing and new trees, as indicated in the table. One "unit" is not the same as one "tree."

Table 6.1: Tree Unit Values

Tree Unit Values for Existing Trees (Add 15% for Significant Trees)

DBH[1] (inches)	Tree Units	DBH[1] (inches)	Tree Units
1 to 4	0.1	16	1.4
5 to 6	0.2	17	1.6
7	0.3	18	1.8
8	0.4	19	2.0
9	0.5	20	2.2
10	0.6	21	2.4
11	0.7	22	2.6
12	0.8	23	2.9
13	0.9	24	3.1
14	1.1	25	3.4
15	1.2	26[3]	3.7

Tree Unit Values for New (Replacement) Deciduous Trees

Caliper (inches)	Tree Units	Canopy Trees[2] Caliper (inches)	Tree Units
1	0.3	1	0.4
2	0.6	2	0.7
3	0.8	3	0.9
4 or more	0.9	4 or more	1.0

Tree Unit Values for New (Replacement) Evergreen Trees

Height (feet)	Units	Height (feet)	Units
4-6	0.3	8-10	0.8
6-8	0.6	over 10	1.0

[1] Diameter breast height—4½ feet above the ground.

[2] A "canopy tree" is one that will have a normal height at maturity of 40 feet or more (see definition).

[3] For larger trees, the number of units is equal to the cross-section area of the trunk at DBH, in square feet rounded to the nearest 1/10.

ARTICLE II. ENVIRONMENTAL PROTECTION.

Sec. 6-4 Groundwater recharge area protection.

(a) Protected groundwater recharge areas; defined.

(1) Significant recharge area.

Significant recharge areas are defined by the Georgia Department of Natural Resources (DNR) using criteria developed by them, and have been mapped on DNR's Hydrologic Atlas 18 (1989 edition), or as may be amended by DNR from time to time.

(2) Pollution susceptibility category.

Categories of relative vulnerability of an aquifer to pollution (higher, average, lower) are defined by the DNR using criteria developed by them, and have been mapped on DNR's Hydrologic Atlas 20 along with the most significant recharge areas. All significant recharge areas in Crisp County are categorized as having a higher susceptibility to pollution.

(3) Throughout Crisp County, the Board of Health has determined that all areas of the county fall under the higher susceptibility category.

(b) Protected groundwater recharge areas; restrictions.

Within Crisp County, the following shall apply:

(1) All new agricultural waste impoundment sites must be lined. The liner must be constructed of compacted clay having a thickness of 1 foot and a vertical hydraulic conductivity of less than 5×10^{-7} cm/sec or other criteria established by the U.S. Soil Conservation Service.

(2) A new home served by a septic tank/drain field system must have a lot that is at least 150% of the minimum lot size required by Table MT-1 of the Department of Human Resource's *Manual for On-Site Sewage Management Systems*.

(3) A new manufactured home park served by a septic tank/drain field system must have a lot or space that is at least 150% of the minimum lot or space size required by Table MT-2 of the Department of Human Resource's *Manual for On-Site Sewage Management Systems*.

(4) Spray irrigation of wastewater or the land spreading of wastewater treatment plant sludges must be approved by DNR.

(5) Permanent stormwater infiltration systems are prohibited.

(6) New wastewater treatment basins must have an impermeable liner, except for mining settling basins.

(7) New hazardous waste treatment or disposal facilities are prohibited.

(8) New sanitary landfills, if permitted, shall have synthetic liners and leachate collection systems.

(9) Any new facility that handles hazardous materials, as determined by the DNR, shall comply with all requirements of the DNR including the provision of impermeable surfaces for spill and leak collection systems for their operations.

(10) A new aboveground chemical or petroleum storage tank must have secondary containment of 110% of the volume of the tank or 110% of the volume of the largest tank in a cluster of tanks. This requirement does not apply to:

a. Any tank having a maximum capacity of 660 gallons; and,

b. Any tank used for agricultural purposes, provided it complies with all Federal requirements.

Sec. 6-5 Wetlands protection.

(a) Protected wetlands; defined.

(1) "Wetlands" are freshwater areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar freshwater areas.

(2) Protected wetlands are those wetlands identified and mapped in the Comprehensive Plan, based on criteria defined, identified and mapped by the Georgia Department of Natural Resources (DNR).

(b) Protected wetlands; restrictions.

Within any protected wetlands area, the following shall apply:

(1) Alteration or degradation of a protected wetland requires prior approval by the U.S. Army Corps of Engineers under Section 404 of the federal Clean Water Act.

(2) Hazardous waste receiving, treatment or disposal facilities are prohibited.

(3) Sanitary landfills are prohibited.

(4) Land uses that may be allowed if permitted by the zoning district and by the Section 404 permit include:

a. Timber production and harvesting.

b. Wildlife and fisheries management.

c. Camping, hiking, hunting and fishing recreation activities.

d. Public wastewater treatment and natural water quality treatment or purification facilities.

ARTICLE III. LANDSCAPING OF PROJECTS IN GENERAL.

Sec. 6-6 Landscaping; where required.

(a) Residential subdivisions exempt.

Landscaping requirements are not imposed on any residential subdivision for single family or two-family development, or on the lot when a single-family or two-family dwelling is to be constructed.

(b) Multi-family and nonresidential uses.

Landscaping shall be installed on the property of any multi-family or nonresidential use or development as a condition of site plan approval, or issuance of a development permit or building permit, whichever occurs first. Landscaping shall be provided in accordance with the requirements of this Article, which includes the following:

(1) Within the yard areas of the property, and in landscape strips along the street frontages and side lot lines.

(2) Within parking lots containing 5 or more parking spaces and between such lots and streets from which they are visible.

(3) As buffers between incompatible land uses and zoning districts.

(4) As replacement trees for those removed during construction, or as a supplement, in order to achieve the tree conservation requirements of this Article.

Sec. 6-7 Landscaping of yard areas.

(a) Minimum requirements.

The minimum landscaping requirement for all uses, excluding single-family and two-family uses or developments, is 2 shrubs per 5,000 square feet of total lot area.

(b) Open yard areas.

All portions of the site not covered with paving or buildings shall be landscaped. Open areas not covered with other materials shall be covered with turf or ground cover. Turf or ground cover utilized on all slopes in excess of 25% (1 foot of rise in 4 feet of run) must be specifically selected to stabilize the slope.

(c) Trash storage containers.

All exterior trash storage containers shall be screened so that they are not visible from off the property, and a permanent masonry or frame enclosure shall be provided for each such bin. A detailed drawing of enclosure and screening methods to be used in connection with trash bins on the property shall be included with the site landscaping plan.

Sec. 6-8 Landscape strips along front lot lines.

(a) Landscape strips along front lot lines; where required.

A landscape strip shall be provided along the full length of any street frontage of a multi-family or nonresidential development as follows:

(1) A minimum 20-foot wide landscape strip shall be provided along the full length of any arterial or collector street. See the Project Design Standards Article of this Development Code for classifications of streets.

(2) A minimum 10-foot wide landscape strip shall be provided along the full length of any local street.

(3) Landscape strips are not to be located within any street-side utility easement required under the Project Design Standards Article of this Development Code.

(b) Location of structures in frontage landscape strip.

Frontage landscape strips shall contain no structures, parking areas, patios, storm-water detention facilities or any other accessory uses except for the following:

(1) Retaining walls or earthen berms constructed as part of an overall landscape design.

(2) Pedestrian-oriented facilities such as sidewalks.

(3) Underground utilities.

(4) Driveways required to access the property.

(5) Signs otherwise permitted by this Code.

(c) Landscaping required in frontage landscape strips.

(1) All portions of a frontage landscape strip shall be planted in trees, shrubs, grass or ground cover, except for those ground areas that are mulched or covered by permitted structures.

(2) Trees shall be provided within the frontage landscape strip at the rate of one tree unit for every 75 feet of length of street frontage, or portion thereof. Such trees may be deciduous or evergreen, but must be of a type that is suitable to local growing conditions and that will normally reach a height of at least 15 feet upon maturity.

(3) Upon planting, new trees shall have a caliper of no less than 2 inches, and may be clustered for decorative effect following professional landscaping standards for spacing, location, and design.

(4) Trees and shrubs in the frontage landscape strip are not to extend into the street right-of-way.

Sec. 6-9 Landscape strips along side lot lines.

(a) Landscape strips along side lot lines; where required.

(1) A minimum 5-foot wide landscape strip shall be provided along any side lot line of a nonresidential development (unless a zoning buffer is otherwise required along the side lot line).

(2) The landscape strip is to extend from the frontage landscape strip to the rear lot line of the property.

(b) Location of structures in side landscape strip.

Side yard landscape strips shall contain no structures, parking areas, patios, storm-water detention facilities or any other uses except for the following:

(1) Retaining walls or earthen berms constructed as part of an overall landscape design.

(2) Underground utilities.

(3) Driveways required to access neighboring property.

(c) Landscaping required in side landscaping strip.

(1) All portions of a side yard landscape strip shall be planted in trees, shrubs, grass or ground cover, except for those ground areas that are mulched or covered by permitted structures.

(2) Trees shall be provided within the side yard landscape strip at the rate of at least 1 tree unit for every 75 feet of length or portion thereof, or the side yard landscape strip may be planted in a continuous hedge or junipers (except for approved access drives and utility easements).

ARTICLE IV. PARKING LOT AND LOADING AREA LANDSCAPING.

Sec. 6-10 Parking lot trees.

(a) Parking lot trees; where required.

Shade trees shall be provided within any parking lot designed or intended to accommodate 5 cars or more, in accordance with the requirements of this Section.

(b) Parking lot trees; minimum standards.

(1) Shade trees shall be provided within the parking lot at a ratio of at least 1 tree unit for every 30 parking spaces, or portion thereof. Each tree shall be located within the parking lot in reasonable proximity to the spaces for which the tree was required. Trees provided to meet the minimum requirements of any landscape strip or zoning buffer under this Article may not be counted toward this requirement.

(2) New trees shall have a caliper of no less than 2 inches upon planting, and may be clustered for decorative effect following professional landscaping standards for spacing, location, and design.

(c) Parking lot islands and planting areas.

(1) Landscape islands, strips or other planting areas shall be located within the parking lot and shall constitute at least 5% of the entire area devoted to parking spaces, aisles and driveways.

(2) As a minimum, a landscaping island shall be located at the end of every parking bay between the last parking space and an adjacent travel aisle or driveway. The island shall be no less than 8 feet wide for at least one-half the length of the adjacent parking space. The island shall be planted in trees, shrubs, grass, or ground cover except for those areas that are mulched.

(3) Tree planting areas shall be no less than 8 feet in width and shall provide at least 100 square feet of planting area per tree. No tree shall be located less than 20 feet from the back of curb. All parking lot landscape islands, strips or other planting areas shall be curbed with minimum 6-inch high rolled or vertical curbs.

(4) Landscaping islands and tree planting areas shall be well drained and contain suitable soil and natural irrigation characteristics for the planting materials they contain.

(d) Loading area screening.

(1) Loading area screening; where required.

Any area set aside for loading or unloading of trucks or vans, which are visible from a street right-of-way, must provide a visual screen of the loading area that meets the requirements of this subsection.

(2) Loading area screening; minimum standards.

a. Screening to a height of 20 feet must be provided along the edge of the loading area closest to and parallel to the street, and along any edge closest to and within 30 degrees of being parallel to the street. A driveway to the loading area may interdict the landscaping.

b. The visual screening shall be decorative and 100% opaque to a height of 2 feet above the elevation of the loading area or the street, whichever is highest.

(e) Loading area screening; techniques.

Loading area screening may be provided in any of the following ways:

(1) *Planted only*. A hedge consisting of at least 12 shrubs per 40 linear feet that will spread into a continuous visual screen within 2 growing seasons. Shrubs must be at least 18 inches tall at the time of planting, and be certified by a registered Landscape Architect to be of a species that will normally exceed 20 feet in height at maturity and are suitable for the parking lot application.

(2) *Earthen berm*. An earthen berm constructed to a height of 20 feet above the adjacent elevation of the street or loading area, wherever is highest, shall not exceed a slope of 1 vertical in 2 horizontal (1:2) and shall have a crown of at least 2 feet. The berm shall be planted in ground covers or other plant materials to achieve a decorative effect.

(3) *Wall*. A wall of brick, stone or finished and textured concrete may be constructed to the required height and opacity, and landscaped with plant material to achieve a decorative effect.

(4) Combination. Any combination of hedge, berm or wall that effectively provides a visual screen of the loading area to a height of 20 feet and achieves a decorative effect through appropriate use of landscaping and plant material.

(f) Loading area screening; location.

The loading area screening treatment may be located within the landscape strip required under this Article along the front yard of the property.

ARTICLE V. BUFFERS BETWEEN INCOMPATIBLE LAND USES.

Sec. 6-11 Buffers; where required.

A zoning buffer shall be required in any multi-family or nonresidential development project along a side or rear lot line that abuts a less intense land use, as follows:

Table 6.2: Situations Where Buffer Required

② Along a side or rear lot line next to this use or zoning ↓	① Provide a buffer on the lot of this use ↓ 1- or 2-Family Residential	↓ Multi-Family	↓ Office or Commercial	↓ Industrial
1- or 2-Family Residential		■	■	■
Multi-Family			■	■
Office or Commercial				■
Light or Heavy Industrial				

■ = buffer required

(a) General.

Zoning buffer areas shall contain no driveways, parking areas, patios, storm-water detention facilities, or any other structures or accessory uses except for a fence, wall, or earthen berm constructed to provide the visual screening required to meet the standards of this Development Code. Underground utilities may be permitted to cross a zoning buffer if the screening standards of this Development Code will be subsequently achieved. Vehicular access through a zoning buffer may be allowed only as a condition of rezoning, Special Use or Planned Development approval by the County Commission.

(b) Width of buffer.

(1) Side Lot Line. Zoning buffers required along any side lot line shall be no less than the minimum required width of the side principal building setback. If there is no side

principal building setback required by the zoning district, the buffer along a side lot line must be at least 10 feet wide.

(2) Rear Lot Line. Zoning buffers required along any rear lot line shall be no less than the minimum required width of the rear principal building setback. If there is no rear principal building setback required by the zoning district, the buffer along a rear lot line must be at least 10 feet wide.

(c) Minimum required screening.

Minimum required screening shall consist of a natural buffer utilizing existing vegetation or a structural buffer, whichever provides an opaque visual screen to a height of 6 feet, or any combination of existing and replanted vegetation which can reasonably be expected to create an opaque visual screen 6 feet high within two growing seasons.

(d) Natural buffers.

Natural zoning buffers may contain deciduous or perennial vegetation, but shall contain evergreen shrubs and trees suitable to local growing conditions that will provide an opaque visual screen during all seasons of the year.

(e) Structural buffers.

Structural zoning buffers shall meet the following criteria:

(1) Structural buffers shall be vegetated throughout the minimum area required for the buffer around any fences or walls and upon any earthen berms, which may include grass, ground covers, shrubs, and trees.

(2) All earthen berms shall have a maximum side slope 1 foot of vertical rise of to 2 feet of horizontal run (1:2). Earthen berms shall not be constructed within the drip line of any existing trees that will remain on the property.

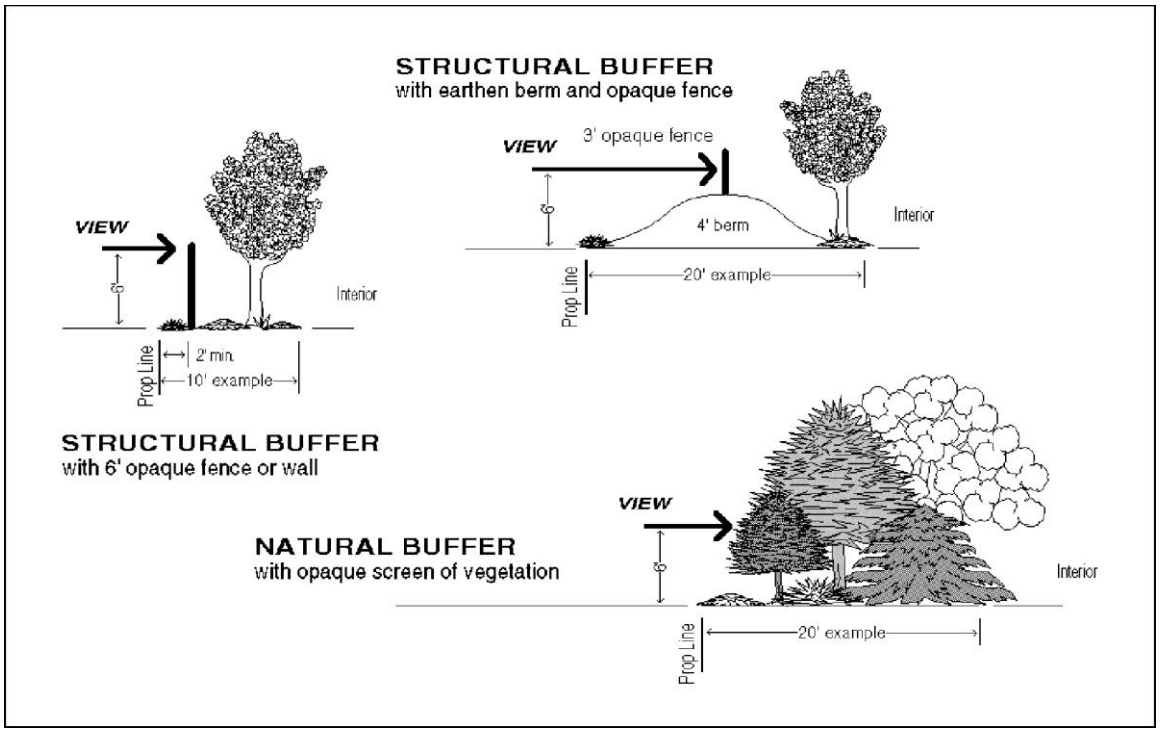
(3) Trees shall be located or planted within any structural buffer at a density of no less than one tree unit for each 30 feet of buffer length or portion thereof. New trees shall have a caliper of no less than 2 inches upon planting, and may be clustered for decorative effect following professional landscaping standards for spacing, location, and design.

(4) Fences and freestanding walls shall present a finished and decorative appearance to the abutting property, and shall be located no closer to the property line than 2 feet. Shrubs, ground covers, or other vegetation shall be provided between the fence or wall and the property line so as to provide a decorative effect, following professional landscaping standards for spacing, location and design.

(5) Fences used in zoning buffers must be made of rot-resistant material or protected from deterioration with water-proofing material.

(f) Examples of zoning buffers.

The accompanying illustration provides examples of natural and structural buffers. Other solutions meeting the minimum requirements of this Section are also acceptable.



(g) Maintenance of zoning buffers.

Every zoning buffer required by this Article shall be maintained by the owner of the property where the buffer is located, so as to provide an opaque visual screen to a height of 6 feet on a continuous, year-round basis.

Sec. 6-12 Buffer modifications.

(a) Automatic reduction in buffer width.

If a structural buffer is provided that creates an opaque screen to a height of no less than 8 feet instead of 6, the buffer may be reduced to a width of no less than 5 feet.

(b) Location of buffers.

Buffers may be relocated on the site to best achieve the screening required.

(c) Waiver for unnecessary buffers.

The Director of Planning may waive a zoning buffer requirement or reduce its extent to a temporarily appropriate level of screening if the Comprehensive Plan anticipates future

development on the adjoining property in a land use category such that a buffer would not be required by this Code once the adjoining property is rezoned or developed.

ARTICLE VI. TREE CONSERVATION.

Sec. 6-13 Tree conservation; where required.

(a) Application to new development or disturbed areas.

(1) The tree conservation requirements shall apply to the construction of any new multifamily or nonresidential use or development project.

(2) For existing multifamily or nonresidential development, these requirements shall only apply to new disturbed area.

(b) Exemptions from tree conservation requirements.

The tree conservation requirements shall not apply to the following:

(1) Property on which a single-family or two family dwelling is being constructed or which is already occupied by single-family or two-family dwelling, unless non-residential uses or additional dwelling units are proposed for such property.

(2) Public utility companies and government agencies conducting operations on public and utility rights-of-way and easements or on sites for electric power substations and similar facilities, which operations are for the purpose of assuring uninterrupted utility and governmental services and unobstructed passage on public streets.

(3) Property in use for tree farming (as defined by this Code) or other agricultural activities (as defined by this Code).

Sec. 6-14 Trees to be provided or retained.

(a) Number of tree units upon completion of development.

Upon completion of development, all multifamily or nonresidential uses or development projects shall have a number of tree units equivalent to at least 15 tree units per acre of development site or disturbed area, whichever is less. The limits of grading activity shall establish the extent of land disturbance.

(b) Retention of large or significant trees.

Existing significant trees or any other trees 10 inches DBH or larger shall not be removed unless development would cause irreparable damage to the critical root zones.

(c) Criteria for new (replacement) trees.

(1) Spacing and the potential size of species chosen shall be compatible with spatial limitations of the site.

(2) The species must be ecologically compatible with the specifically intended growing site.

(3) The trees must be compatible in extent of crown and root systems at maturity with nearby utilities.

(4) Questions of tree characteristics shall be determined by a registered Landscape Architect.

Sec. 6-15 Protection of existing trees.

For existing trees that are proposed to be retained in order to meet the minimum requirements of this Code, the following provisions shall apply;

(a) Damage prohibited.

No person shall:

(1) Cut, carve, or otherwise damage or remove any tree except in accordance with the provisions of this Development Code.

(2) Attach any wire, nails, advertising posters, or other contrivance harmful to any tree.

(3) Allow any gaseous, liquid, or solid substance which is harmful to trees (such as concrete washout, fuel, lubricants, herbicides, paint) to come in contact with them.

(4) Set a fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any tree.

(b) Fence required.

During excavation, filling, construction, or demolition operations, each tree or stand of trees to remain on the property shall be protected against damage to bark, roots, and low-hanging branches with a temporary fence enclosing the critical root zone. Fencing shall be either plastic construction area fencing, silt fencing, 12-gauge 2 x 4 inch wire mesh, double 1 x 4-inch rails on 2 x 4-inch posts, or high-visibility surveyors tape on 1x2 inch posts. Height of the latter three fence types shall be 4 feet.

(c) Compaction prohibited.

All building materials, vehicles, construction equipment, dirt, debris, or other objects likely to cause soil compaction or above-ground damage shall be kept outside the critical root zone. Where a limited amount of encroachment is unavoidable, the critical root zone shall first be mulched with a 4 inch layer of processed bark or wood chips or a 6 inch layer of straw.

(d) Grade change prohibited.

There shall be no raising or lowering of the ground level within the critical root zone. Stripping of topsoil in the critical root zone shall not be permitted. Where necessary, the use of moderate fill is permitted only with prior installation of an aeration system. Deposition of sediment in the critical root zone shall be prevented by placement of sediment barriers, which shall be backed by 2 x 4 inch wire mesh in areas of steep slope.

(e) Ditches prohibited.

No person shall excavate any ditch or trench within the critical root zone. Where such encroachment is unavoidable, ditches or trenches shall be so located as to minimize root damage. If roots must be cut, root pruning procedures must be employed.

(f) Paving prohibited.

No person shall pave with concrete, asphalt, or other impervious material within the critical root zone.

ARTICLE VII. LANDSCAPING PLANS, INSTALLATION AND MAINTENANCE.

Sec. 6-16 Site landscaping plans.

(a) Site landscaping plans; where required.

(1) Landscaping, buffer and tree conservation plans are required upon application for a development permit or for a building permit for new construction of buildings in any development to which landscaping, screening, buffer or tree conservation requirements apply.

(2) In cases where approval of the landscaping, buffer and tree conservation plans would cause harmful delay to the start of construction, the Planning Director may issue footing and foundation permits for the project so that construction may proceed.

(3) Permits for construction beyond the footing and foundation shall not be issued until the landscaping, buffer and tree conservation plans have been submitted and approved.

(b) Site landscaping plans; criteria.

The technical specifications for landscaping, buffer and tree conservation plans are found under the Plans and Permits Article of this Code.

(c) Exemptions from site landscaping plan requirements.

(1) The provisions of this section shall not apply to structures for which site landscaping plans have previously been submitted and approved.

(2) Site landscaping plans shall be required for only that phase of development for which the development permit or building permit is being requested.

Sec. 6-17 Plant materials; standards.

(a) Acceptable plant materials.

The following are the minimum plant sizes and conditions to be used in satisfying the requirements of this Article. Acceptable plant materials for landscaping, buffers and tree replacement shall be as approved by a registered Landscape Architect.

(1) New plant materials

a. Medium shrubs, 18 x 24 inch balled and burlapped or 2-gallon container.

b. Large shrubs, 24 x 30 inch balled and burlapped or 5-gallon container.

c. Ground cover, $2^1/_2$ inch peat pot.

d. Trees – as required to meet the requirements of the tree conservation plan.

(2) The *American Standard for Nursery Stock*, published by the American Association for Nurserymen, may be referred to for the determination of plant standards.

(3) Existing trees that are to be retained to satisfy the requirements of this Code shall meet the following standards:

a. For evergreen trees, the height shall be at least 6 feet.

b. Trees shall be free from mechanical injuries, insect infestations and disease.

c. Trees shall be protected from injury to roots, trunks and branches during grading and construction. Protective fencing, tree wells, or retaining walls shall be utilized where necessary to insure tree vigor upon completion of construction.

(b) Approval of plant materials.

Approval of a proposal to use a specific landscaping or buffer material shall be subject to a determination by a registered Landscape Architect that the proposed material is the most appropriate for:

(1) the specific location, given surrounding land uses and the type of screening used on nearby properties, and

(2) the specific topography, soil, existing vegetation, and other factors that may influence the effectiveness of a screen material.

Sec. 6-18 Installation and maintenance of plant materials.

(a) Installation of plant materials.

Plant materials, as required by the provisions of this Article, shall be installed by the date specified on the approved site landscaping plan. The Planning Director may allow one planting season in a twelve-month period in which the installation of plant materials shall be completed. For the purposes of this Development Code, there shall be two planting seasons, which are from February 15 through May 31, and September 15 through November 30. Zoning buffers, if required, shall be installed before an occupancy permit is granted; except where the weather is not suitable for planting, and escrow provisions are made in accordance with guidelines of the Planning Department.

(b) Maintenance of required plant materials.

(1) The owner, tenant and their agent, if any, shall be jointly responsible for the maintenance in good condition of the plant materials used to meet the minimum requirements of this Article for landscaping, buffer or tree conservation. The plant materials shall be kept free from refuse and debris.

(2) Plants that are not in sound growing condition or are dead shall be removed and replaced with a plant of the same species, variety or cultivator, as acceptable to the Planning Director.

(3) Other landscape materials shall be maintained in proper repair and shall be kept clear of refuse and debris.

CHAPTER 7. OFF-STREET PARKING

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CHAPTER 7. OFF-STREET PARKING

ARTICLE I. OFF-STREET PARKING; WHEN REQUIRED.

(a) At the time of the establishment of any use, or erection of any building, or at the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats or floor area, there shall be provided permanent off-street parking spaces improved with an asphalt or concrete surface in accordance with the requirements of this Article.

(b) Parking space defined: A space identified and set aside for the temporary parking of an automobile or other motor vehicle.

ARTICLE II. NUMBER OF PARKING SPACES REQUIRED.

Sec. 7-1 Parking for residents, employees, customers and visitors.

(a) Parking required.

Off-street automobile storage or parking spaces shall be provided to serve every property that contains a principal use with vehicular access to a street or alley, and shall be equal to at least the minimum requirements for the specific land use set forth herein.

(b) Minimum number of parking spaces required.

The minimum number of off-street parking spaces to be provided for residents, employees, customers and visitors for each type of land use shall be determined according to Table 7.1, rounded up to the nearest whole parking space.

Sec. 7-2 Parking for company-owned vehicles not included.

Every business that stores vehicles owned by the business on site overnight (such as a company fleet), or maintains a stock of vehicles as part of its business activities (such as a car sales lot, a salvage and wrecking yard, car rental agency, etc.), shall provide for adequate parking or storage for the vehicles such that no parking occurs in a public right-of-way or in an area that has not been improved as a parking lot or storage yard. Such parking spaces shall be in addition to those required for residents, employees, customers and visitors.

Sec. 7-3 Maneuvering lanes not considered parking.

Areas designated for temporary occupancy of vehicles while maneuvering on a site, such as queuing lanes for a drive-in window, are not considered parking spaces.

(a) Dedication to parking use.

(1) Parking spaces provided to meet the requirements of this Article, along with the aisles and driveways necessary to provide access to those spaces, shall not be used for any other purpose than the temporary parking of vehicles. Specifically, no such parking area may be used for the sale, repair, dismantling or servicing of any vehicles;

or for the sale, display or storage of equipment, goods, materials or supplies; or for the location of garbage, refuse or waste containers.

(2) Parking spaces provided to meet the requirements of this Article shall not be used to meet the parking requirements of any other use, except as provided for shared parking, below.

(3) Parking spaces provided to meet the minimum requirements of this Article shall not be reduced in number nor otherwise lose their functional ability to serve the land use for which they were required.

Sec. 7-4 Off-street parking required by land use.

The number of off-street parking spaces to be provided for each type of land use shall be determined by the following, rounded to the nearest whole space. Developments containing two or more of the uses listed on the table shall provide the number of spaces required for each use (except as may be reduced under Shared Parking, below).

Table 7.1: Minimum Parking Spaces by Use

Use	Number of Parking Spaces:	Required for Each:
a. RESIDENTIAL		
1. Single-Family Residence	2	Dwelling Unit
2. Two-Family Residence	2	Dwelling Unit
3. Multi-Family Residence	2	Dwelling Unit
4. Retirement Community	1	Dwelling Unit
5. Membership Dwellings, Personal Care Homes, Nursing Homes	1	2 residents or beds
6. Bed & Breakfast, Rooming House, Boarding House	1	Room to be rented
7. Hotel or Motel:		
(a) Convention hotel, or a motel with a restaurant or lounge.	1½	Room
(b) Non-convention hotel or a motel with no restaurant	1	Room
b. COMMERCIAL		
1. Offices: general and professional offices, insurance and real estate offices	3½	1,000 sf[1] of GFA[2]
2. Banks	4½	1,000 sf of GFA
3. Offices - Medical & Dental	4½	1,000 sf of GFA

[1] Square feet.

[2] Gross floor area—the total area of all floors, measured between the exterior walls of a building.

Table 7.1: Minimum Parking Spaces by Use

Use	Number of Parking Spaces:	Required for Each:
4. Funeral Home	35	Viewing Room
5. Daycare Center	4	1000 sf of GFA
6. Movie Theater	1	3 Seats
7. Service Station, Gas Station, Auto Repair Shop or Garage	3 5	Service bay, plus 1,000 sf of retail space
8. Automobile, Truck, Recreation Vehicle, Manufactured Home or Utility Structure Sales	2 1 3	1,000 sf of indoor sales area, plus 2,500 sf of outdoor display, plus Service bay
9. Custom Service Restaurant:		
(a) Quality restaurant	20	1,000 sf of GFA
(b) Family Restaurant	18	1,000 sf of GFA
10. Fast Food Restaurant	15	1,000 sf of GFA
11. Bowling Center	4½	Lane
12. Amusement Parlor, Recreational Attraction, Roller Skating or Ice Skating Rink	6	1,000 sf of GFA
13. Health Club or Fitness Center	8	1,000 sf of GFA
14. Shopping Centers:		
(a) Less than 100,000 sf of GLA[3]	4 3 10	1,000 sf of total GLA, plus 100 movie theater seats, plus 1,000 sf of food service area
(b) 100,000-199,999 sf of GLA	4 3 6	1,000 sf of total GLA, plus 100 theater seats over 450, plus 1,000 sf of food service area
(c) 200,000-399,999 sf of GLA	4 3	1,000 sf of total GLA, plus 100 theater seats over 750
(d) 400,000-599,000 sf of GLA	4½ 3	1,000 sf of total GLA, plus 100 theater seats over 750
(e) 600,000 or more sf of GLA	5 3	1,000 sf of total GLA, plus 100 theater seats over 750
15. Supermarket	5½	1,000 sf of GFA
16. Drug Store	2½	1,000 sf of GFA
17. Dry Cleaners	2½	1,000 sf of GFA
18. Furniture or Carpet Store	2½	1,000 sf of GFA
19. Hardware or Paint Store	2	1,000 sf of GFA
20. Home Improvement Superstore	4½	1,000 sf of GFA

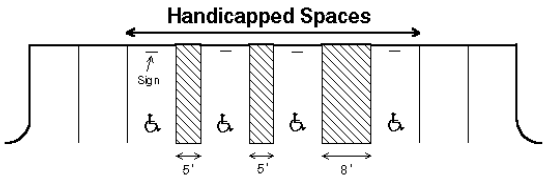
[3] Gross leasable area—the total area of all floors intended for occupancy and the exclusive use of tenants, specifically excluding public or common areas such as utility rooms, stairwells, enclosed malls and interior hallways.

Table 7.1: Minimum Parking Spaces by Use

Use	Number of Parking Spaces:	Required for Each:
21. Office Supply or Electronics Superstore	2½	1,000 sf of GFA
22. Building Supplies, Brick or Lumber Yard	2 1	1,000 sf of indoor sales area, plus 2,500 sf of outdoor display
23. Retail Sales or Service establishments not listed above	5	1,000 sf of GFA
c. INDUSTRIAL AND MANUFACTURING		
1. Wholesale, Office-Warehouse	1 1	200 sf of office space, plus 1,000 sf of storage area
2. Open storage of sand, gravel, petroleum, etc.	1	2,500 sf of outdoor sales area, if any
3. Warehouse, Transfer and Storage	1	600 sf of GFA
4. Warehouse including commercial sales to the public	1 1	200 sf of sales or office, plus 1,000 sf of storage area
5. Manufacturing	2½	1,000 sf of GFA
d. INSTITUTIONAL AND OTHER		
1. Hospital	1.8	Bed
2. Church or other Place of Worship	1	5 seats or 10 feet of pew
2. Auditoriums, live theatres, stadiums, and other places of assembly	1	3 seats
3. College (instructional space)	10	Classroom
4. Technical College, Trade School	10	Classroom
5. Senior High Schools	10	Classroom
6. Elementary & Jr. High Schools	2½	Classroom
7. Civic Clubs, Community Centers, Fraternal Lodges, etc.	1	200 sf of GFA

Sec. 7-5 Handicap accessible parking spaces.

(a) Handicap accessible parking spaces shall have an adjacent aisle 5 feet wide, and one in every 8 handicapped spaces shall be adjacent to an aisle 8 feet wide and the space shall be signed "van accessible." Handicapped parking space aisles shall be clearly demarcated by lines painted on or otherwise applied to the parking lot surface.



(b) Handicap accessible parking spaces shall be located on a surface with a slope not exceeding 1 vertical in 50 horizontal (1:50).

(c) Handicap accessible spaces shall be provided in each parking lot in the following ratio to the total number of spaces required for the use:

Table 7.2: Handicap Accessible Spaces Required

Spaces Required for Use	Minimum Number of Handicap Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
1,001 and over	20, plus 1 for each 100 over 1,000

Source: Americans with Disabilities Act Accessibility Guidelines.

(d) Method of Computation. Handicap accessible parking spaces shall be counted as part of the total number of parking spaces provided under this Article.

(e) In addition to the requirements of this subsection, all handicapped parking shall comply with the requirements of the federal Americans with Disabilities Act. Where conflicts between this subsection and the federal regulations may occur, compliance with the Americans with Disabilities Act shall be considered as compliance with this subsection.

Sec. 7-6 Dedication to parking use.

Parking spaces provided to meet the minimum requirements of this Article, along with the aisles and driveways necessary to provide access to those spaces, shall not be used for any other purpose than the temporary parking of vehicles. Specifically, no such parking area may be used for the sale, repair, dismantling or servicing of any vehicles, or for the sale, display or storage of equipment, goods, materials or supplies.

ARTICLE III. SHARED PARKING.

The parking spaces provided for separate uses may be combined in one lot but the required spaces assigned to each use may not be assigned to another use, except as follows:

Sec. 7-7 Shared parking between day and night users.

One-half of the parking spaces assigned to a church or other place of worship, theater or assembly hall whose peak attendance will be at night or on weekends may be assigned to a use that will be closed at night or on weekends.

Sec. 7-8 Mixed use developments.

Parking spaces may be shared by more than one use if the Planning Director finds that the total number of spaces will be adequate at the peak hours of the uses they serve. The following ratios may be used in determining the time of day and the day of the week at which the maximum number of spaces will be needed by the uses served by the shared parking facility.

Table 7.3: Percentage of Required Parking Spaces by Time Period

	Weekdays		Weekends		Nighttime
	6 am to 5pm	5pm to 1am	6 am to 5pm	5pm to 1am	1am to 6am
Office	100%	10%	10%	5%	5%
Retail	60%	90%	100%	70%	5%
Hotel	75%	100%	75%	100%	75%
Restaurant	50%	100%	100%	100%	10%
Entertainment/ Recreation	40%	100%	80%	100%	10%
Church	10%	25%	100%	100%	10%

By way of example, the following illustrates shared parking calculations for a particular mixed-use development:

Example:
Spaces needed for uses in an example mixed-use project, calculated individually:

	spaces	per	for	Total Spaces
Office	3.5	1,000 sf	100,000 sf	350
Retail	5	1,000 sf	100,000 sf	500
Hotel w/Restaurant	1.5	room	100 rooms	225
Family Restaurant	9.5	1,000 sf	6,000 sf	57
Movie Theater	1	4 seats	800 seats	200
Church	1	3 seats	300 seats	100
TOTAL if figured separately				**1,432**

Spaces Required applying the Peak Demand Percentages to the Example:

	Weekdays		Weekends		Nighttime
	6 am to 5pm	5pm to 1am	6 am to 5pm	6 am to 5pm	5pm to 1am
Office	350	35	35	18	18
Retail	300	450	500	350	25
Hotel w/Restaurant	169	225	169	225	169
Family Restaurant	29	57	57	57	6
Entertainment/ Recreational	80	200	160	200	20
Church	10	25	100	100	10
TOTAL	**937**	**992**	**1,021**	**950**	**247**

Highest demand = 1,021 instead of 1,432

Sec. 7-9 Availability of shared spaces.

Parking spaces that are proposed to be shared among two or more uses must be clearly available to each use and not appear in any way to be serving a particular use, either through signage dedicating the spaces or through design techniques that would tend to orient use of the spaces to a particular business or building.

Sec. 7-10 Recordation of shared parking agreement.

Shared parking arrangements must be committed to writing in an instrument acceptable to the Planning Director, and approved by the owners of each of the affected properties or uses. The approved instrument shall be recorded and a copy of the recorded document must be supplied to the Planning Director. The document must be written to survive future changes in ownership in perpetuity, unless the agreement is dissolved with approval by the Board of Commissioners.

ARTICLE IV. PROXIMITY OF OFF-STREET PARKING SPACES TO USE.

Sec. 7-11 Location of parking spaces.

Unless otherwise provided under an approved Alternate Parking Plan, all parking spaces required to meet the minimum standards of this Article shall be located in proximity to the use the spaces serve, as follows:

Table 7.4: Location of Parking Spaces

Use	Parking Location
Single-Family or Two-Family Residence	On the same lot of the residence the parking spaces are required to serve.
Townhouse Development	Each required parking space must be within 100 feet of an entrance to the dwelling unit that it serves, as measured along the most direct pedestrian route.
Other Multi-Family Developments	Each required parking space must be within 300 feet of an entrance to the building that it serves, as measured along the most direct pedestrian route.
Church, Hotel or Motel, Hospital, Nursing Home, Membership Dwellings and similar uses	Each required parking space must be within 300 feet of an entrance to the building that it serves, as measured along the most direct pedestrian route.
Retail Sales or Retail Services Establishment, other than a Shopping Center	Each required parking space must be within 400 feet of an entrance to the building or use that it serves, as measured along the most direct pedestrian route.
Shopping Center, Office or Industrial Use, or any other use not specified above.	Each required parking space must be within 500 feet of an entrance to the building or use that it serves, as measured along the most direct pedestrian route.

Sec. 7-12 Off-site parking.

If required parking spaces are not located on the same lot as the particular use, building or establishment they are intended to serve, the following shall apply:

(a) The parking spaces must be located on a property that has the same zoning classification as the property that the spaces serve, or a less restrictive zoning classification.

(b) No required parking spaces may be located across any State or US highway from the use they are intended to serve.

(c) An easement (or other recordable instrument satisfactory to the Director of Planning) dedicating the off-site parking to the property that the spaces serve shall be recorded with the Clerk of the Superior Court and a copy provided to the Director of Planning. The document must be written to survive future changes in ownership in perpetuity, unless the agreement is dissolved with approval by the Board of Commissioners.

(d) Off-site parking spaces shall be located in proximity to the use that the spaces serve, in accordance with the locational requirements of Table 7.4, above, or transportation services shall be provided, such as a shuttle bus.

ARTICLE V. DESIGN REQUIREMENTS FOR PARKING LOTS.

The provisions of this Section apply to all off-street parking spaces and parking areas, whether the parking meets or exceeds the number of spaces required to serve a particular use or the parking lot is operated as a principal use on a property and not dedicated to serving a particular use.

Sec. 7-13 Orientation to street.

Except for parcels of land devoted to one-family, two-family or townhouse residential uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain access.

Sec. 7-14 Off-street parking spaces.

(a) No parking spaces shall be accessible from an access driveway within the first 20 feet of the driveway back from the street right-of-way line.

(b) Every parking space shall provide a useable rectangular area at least 9 feet wide by 18 feet long. Access aisles shall not encroach into this minimum rectangular area. Every parking space shall be clearly demarcated by lines painted on or otherwise applied to the parking lot surface.

Sec. 7-15 Access and circulation.

(a) Access aisles in parking lots must be at least 22 feet wide for two-way traffic, and 14 feet wide for one-way traffic. One-way traffic aisles must be clearly marked with directional arrows on the pavement at each intersection with another aisle.

(b) Ingress and egress to parking areas shall be by means of paved driveways from the adjoining street. The minimum width of driveways for ingress and egress shall be the same as those specified above for aisles. Driveway width, for the purpose of this section, shall include only the pavement and not the curbs and gutters.

(c) The distance from a parking area access drive to the intersection of two streets, and the distance between driveways at the street, shall be based on the driveway requirements in the Project Design Standards Article of this Code.

Sec. 7-16 Setback requirements.

(a) Off-street parking for single-family and two-family residential uses shall have no setback requirements.

(b) Off-street parking for all other uses, including multi-family residential, commercial, industrial and institutional uses, shall be set back from the front property line by at least 20 feet. An additional 10-foot setback from any buffer required along a side or rear property line shall also be maintained.

(c) The area between the front property line and the parking area shall be used for landscaping and/or screening as required in the Landscaping, Buffers and Tree Conservation Article of this Code, and for the street-side utility easement if required (see Chapter 9 under "easements" for details).

Sec. 7-17 Lighting of parking areas.

Any lights used to illuminate the parking area shall be arranged, located or screened to direct light away from any adjoining residential use.

Sec. 7-18 Improvement of parking areas.

(a) Surfacing and curbing.

(1) All off-street parking areas and all access drives shall be improved with a permanent dust-free surface consisting of a minimum of a 6-inch rolled stone base overlaid with a $1^1/_2$-inch asphalt surface, or a 4-inch asphalt base overlaid with a $1^1/_2$-inch asphalt surface. A reduction in the level of improvement required for a parking lot may only be approved as a special exception variance under the Procedures and Permits Article of this Development Code.

(2) In the Industrial zoning district, one of the above types of surface is required for customer, visitor and employee parking. In the Industrial zoning district the following surface will be allowed in areas of loading docks and parking of commercial trucks and other commercial equipment: a 6-inch rolled stone base, sealed with a bituminous seal with a coverage of between 0.15 and 0.25 gallons per square yard of surface area. The sealer is to be covered with a dust-free chipped rock surface of sufficient depth to prevent pick-up of the sealer coat by vehicle tires, at least 3/8-inches thick.

(b) Maintenance.

Off-street parking areas shall be maintained in proper repair with a dust-free surface.

(c) Drainage facilities.

For any use that will require a parking area to be newly constructed, added to, or altered in such a way as to affect drainage either on or off the site, storm water drainage plans, including grading plans, shall be submitted to and approved by the Planning Department, prior to the issuance of a building permit or occupational license.

(d) Permit required.

Construction of a new parking lot or expansion of an existing parking lot requires issuance of a development permit from the Planning Department. A permit is not required for resurfacing an existing parking area A driveway permit is required for customary driveways for single-family and two-family residential dwellings. Permit requirements are found in the Procedures and Permits Chapter of this Code.

(e) Time limit.

All required off-street parking areas shall be ready for use, including the above surfacing requirement, before the occupancy of the use (in the case of a new building or addition) or within 45 days after the issuance of an occupational license (in the case of a change of occupancy in an existing building). An extension of time may be granted by the Planning Director due to adverse weather conditions.

ARTICLE VI. RESTRICTIONS ON VEHICLE PARKING.

Sec. 7-19 Restrictions in residential zoning districts.

(a) No motor vehicle designed or regularly used for carrying freight, merchandise or other property and which is licensed in excess of 18,000 pounds gross vehicle weight, nor any motor vehicle designed to carry more than 8 passengers (excluding any vehicle which is licensed as a Recreational Vehicle), shall be parked in a residential zoning district, except for deliveries.

(b) Parking of vehicles and trailers.

(1) No vehicle shall be parked overnight on a street or within a street right-of-way.

(2) Commercial vehicles of 18,000 pounds gross vehicle weight or less, buses or vans with a capacity of 8 passengers or fewer, Recreational Vehicles, travel trailers, campers, motorized homes, boats and boat trailers or haulers shall not be parked in the front yard in any residential district.

(3) Commercial vehicles of 18,000 pounds gross vehicle weight or less, buses or vans with a capacity of 8 passengers or fewer, Recreational Vehicles, travel trailers, campers, motorized homes, boats and boat trailers or haulers may be parked or stored in an enclosed garage or carport or in a rear or side yard provided they remain

more than 20 feet from the rear property line and ten feet from the side property line.

(4) No such vehicle shall be occupied for sleeping or as a residence, either permanently or temporarily, when so parked.

Sec. 7-20 Inoperable vehicles.

With the exception of the Industrial zoning district, inoperable vehicles may not be stored or repaired (other than in enclosed garages) on the premises.

Sec. 7-21 Construction equipment and construction vehicles.

In Districts other than the Industrial zoning district, construction equipment and construction vehicles may not be stored or repaired on the premises (other than in enclosed garages), except as follows:

(a) When being utilized for construction activities on the premises pursuant to a valid permit issued by the City for construction work necessitating use of such equipment, or when used for permitted work on the pubic right-of-way, or

(b) When the equipment is used as an accessory use customarily associated with an allowable primary business use, for example, forklifts used by some businesses to move merchandise, or

(c) When associated with a special use permit as part of an allowable primary use, such as an equipment rental business.

ARTICLE VII. TRUCK LOADING.

Sec. 7-22 Off-street truck loading; where required.

Any business or industrial building, hospital, institution, or hotel, in any zoning district, shall provide adequate off-street facilities for the loading and unloading of business merchandise, goods or freight within or adjacent to the building as deemed appropriate by the owner or occupants of the property. Such loading facilities, if provided, shall not obstruct freedom of vehicular traffic or pedestrian movement on the public streets and sidewalks.

Sec. 7-23 Truck loading on public streets.

The loading and unloading of business merchandise, goods or freight within a street right-of-way is prohibited in all zoning districts. Loading or unloading of furniture, equipment or fixtures for the purpose of a home or business relocation may be allowed in within a street right-of-way if:

(a) The street is classified as a “local” street as defined in this Code; and,

(b) Vehicular and pedestrian access is not completely blocked on the street.

CHAPTER 8. SIGN REGULATIONS

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CHAPTER 8. SIGN REGULATIONS

ARTICLE I. PURPOSE, FINDINGS AND INTENT.

Sec. 8-1 Purpose of Chapter 8.

The purpose of this Chapter is to provide minimum standards to support economic vitality through adequate identification of occupants and services; to safeguard life, health, property, property values and the public welfare; and to afford adequate opportunity for self-expression through free speech. These purposes are realized by regulating and controlling the number, location, size, sign type, and type of illumination of signs and sign structures located on private property so that all persons have ample opportunity to be equally heard.

Sec. 8-2 Statement of legislative purpose.

(a) The Board of Commissioners recognize that signs provide an important medium through which individuals, businesses, and government may convey a variety of messages. However, left unregulated, signs can become a threat to the public health and safety as a traffic hazard, as a detriment to property values, and as an aesthetic nuisance affecting the overall economic growth of Crisp County. Numerous professional studies have been prepared that examine and establish the effect of signs on traffic safety, aesthetics and economic prosperity, including the following:

(1) Klauer, S.G., T.A. Dingus, V.L. Neale, J.D. Sudweeks, D.J. Ramsey. “The Impact of Driver Inattention on Near-Crash/Crash Risk: An Analysis Using the 100-Car Naturalistic Driving Study Data.” National Highway Traffic Safety Administration. DOT HS 810 594. April 2006.

(2) Snyder, Jonathan, Samuel S. Fels Fund. “Beyond Aesthetics: How Billboards Affect Economic Prosperity.” December 2011.

(3) Wachtel, J., 2009. “Safety Impacts of the Emerging Digital Display Technologies for Outdoor Advertising Signs.” Prepared for AASHTO and the Standing Committee on Research of the National Cooperative Highway Research Program (NCHRP), April 2009. The Veridian Group, Inc., Berkeley, California.

(4) Weitz, Jerry, Ph.D., AICP. “The Public Purpose of Roswell's Sign Ordinance and the Implications of Doing Without It: A Position Paper.” December 7, 1999.

(b) Based on a review of the cited materials and the studies referenced therein as well as other related studies, the Board of Commissioners find that unregulated signs:

(1) Can be a safety hazard to drivers and pedestrians;

(2) Can be a detriment to the public health;

(3) Can hamper economic growth;

(4) Can lower property values;

(5) Can adversely impact public investments;

(6) Can degrade the utility of public safety signs; and

(7) Can adversely impact the aesthetic quality of the community and surrounding environment.

Sec. 8-3 Findings of fact.

The Board of Commissioners find that:

(a) Signs are a proper use of private property, are a means of personal free expression, and a necessary component of a commercial environment. As such, signs are entitled to the protection of the law. However, an improperly regulated sign environment imposes health and safety dangers to the public;

(b) The result of effective sign regulation will be to lessen hazardous conditions, confusion, and visual clutter caused by the proliferation, improper placement, illumination, and excessive height and size of signs, which compete for the attention of pedestrians and vehicular traffic;

(c) Proper regulation of signs is a necessary prerequisite to a peaceable, orderly, and safely designed business environment;

(d) Through proper regulation of signs, the aesthetic attractiveness and economic well-being of the county will be enhanced as a place to live, work and conduct business.

(e) Concerns about aesthetic and safety issues as balanced with concerns about freedom of expression or speech are reasonably promoted in the county by the provisions of this Chapter.

Sec. 8-4 Intent.

The intent of these sign regulations is:

(a) To aid in the identification of businesses and other commercial establishments in the county for law enforcement, fire, and other emergency responders, and to avoid confusion and delay in response to such emergencies;

(b) To protect the public health, morals, and welfare from the display of unconstitutionally obscene language and the advertisement of illegal activities.

(c) To promote the mental and physical health, safety, and welfare of the public by providing for the orderly and harmonious display of signs within the county;

(d) To maintain and enhance the aesthetic environment by minimizing visual clutter, encouraging a positive visual environment, and avoiding the erection of displays which produce deleterious and injurious effects to adjacent properties and to the natural beauty of the environment;

(e) To provide for the safety of the traveling public, both vehicular and pedestrian, by limiting distractions, hazards, and obstructions; Crisp County Land Development Code page 8-3

(f) To maintain the County's ability to attract sources of economic development and growth and to aid in the identification of properties and enterprises for the convenience of the public;

(g) To encourage the effective use of signs as a means for communication in the county by allowing the maximum amount of expression or speech consistent with the compatibility of such expression or speech with other land uses and with the aesthetic and public health, safety, and welfare concerns which the Board of Commissioners is charged with preserving and protecting by law and the Georgia Constitution.

ARTICLE II. SIGN DEFINITIONS.

Awning: A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway, walkway, or window from the elements. Awnings are often made of fabric or flexible plastic supported by a rigid frame, and may be retracted into the face of the building.

Awning Sign: See "Building Sign."

Banner: A sign other than a flag, made of paper, cloth, thin plastic or similar lightweight material and usually containing a message or logo.

Building sign: A sign that in any manner is fastened to, projects from, or is placed or painted upon the exterior wall, window, door, or roof of a building. The term "building sign" includes but is not limited to the following:

(1) *Awning Sign:* A sign imposed or painted upon an awning.

(2) *Building Marker:* A sign composed of concrete, bronze, or other permanent material which is built into the surface of the building at the time of its construction.

(3) *Canopy Sign:* A sign imposed, mounted or painted upon a canopy, as defined herein.

(4) *Facade or Wall Sign:* A sign that is fastened directly to or is placed or painted directly upon the exterior wall of a building and extends from the surface of the wall no more than 18 inches.

(5) *Mansard Sign:* A sign imposed, mounted or painted upon the fascia portion of a mansard roof.

(6) *Marquee Sign:* Any sign attached flat against the marquee or permanent sidewalk canopy of a building and not extending above the roof line.

(7) *Projecting Sign:* A sign affixed to a wall and extending more than one foot from the surface of such wall, usually perpendicular to the wall surface.

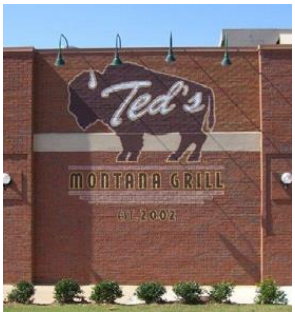
(8) *Roof Sign:* A sign that is mounted on, applied to, or otherwise structurally supported by the roof of a building (other than the fascia portion of a mansard roof.)

(9) *Under Canopy Sign:* A display attached to the underside of a marquee or canopy and protruding over public or private sidewalks or right-of-way.

(10) *Window Sign:* A sign that is placed on or behind a window pane and intended to be viewed from outside the building.

The following are Illustrative Examples of Building Signs by Type:

Wall Sign



Wall Sign

Wall Sign

Awning Signs

Awning Sign

Building Marker

Canopy Sign

Mansard Sign

Marquee Sign

Projecting Sign

Projecting Sign

Roof (and Canopy) Sign

Under-Canopy Sign

Under-Canopy Sign

Window Sign

Window Signs

Canopy:

(1) *Building Canopy:* A permanent roof-like structure projecting from a building and open on at least one side for the purpose of shielding a pedestrian walkway from the elements.

(2) *Freestanding Canopy:* A freestanding roof-like structure supported by columns intended to shield a vehicular driveway or service area from the elements.

Channeled Letter Signs:

(1) Internally Channeled Letters: Letters or other symbols cut into a sign face and located above a recessed background surface, often designed for the background surface to be illuminated by an artificial light source.

(2) *Reverse Channeled Letters:* Letters or other symbols raised above a background surface designed to be illuminated from behind and within the letters or symbols by an artificial light source

Commercial Speech:

(1) The expression of an idea, opinion, or message that directs or attracts attention to a business operated for profit; or to a product, commodity or service for sale, trade, barter, swap or lease; or to any other commercial interest or activity; or,

(2) The solicitation for financial contributions or personal support for (a) any nonprofit organization, institution, committee, club or association of a social, political, religious, or charitable nature, or (b) for any nonprofit organization representing the opinions, viewpoint or interests of a particular group.

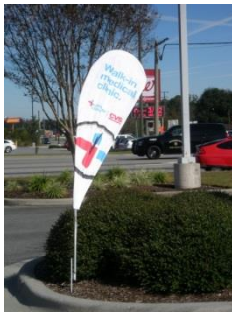
Days: The term "days" shall mean working days exclusive of holidays authorized by the Board of Commissioners and weekends, unless the term is stated as "calendar days" or the context implies otherwise.

Double-Faced Sign: A sign structure with two sign faces that are parallel (back-to-back) or that form an angle to one another of no more than 60 degrees, where each sign face is designed to be seen from a different direction and the two sign faces are separated from each other at their nearest point by no more than three feet. Sign faces on a single sign structure that are separated by more than three feet are treated as separate signs.

Electronic Message Board: A type of sign that presents its message through illumination of flashing, intermittent, or moving lights forming the letters, numbers, or symbols of the message, whether or not the message appears to move across the sign face.

Façade: The exterior vertical surfaces of a building that comprise the front, side or rear wall.

Feather Banner: A banner mounted on a pole, such as the examples shown to the right. Such signs may be wind activated (see "sign, animated") or rigidly mounted in a stationary position. Feather banners are a type of "portable sign", as defined herein.



Examples of Feather Banners

Festoons: Strings of light bulbs and strings of ribbons, tinsel, small flags, pennants, streamers, pinwheels or other similar devices designed to move in the wind.

Flag: A sign made of paper, woven natural or synthetic fabric, thin plastic or similar lightweight pliable material that is normally displayed by flying from a pole as a wind-activated device, but is not otherwise defined herein as a banner, pennant, or feather banner.

Fluorescent Color: A color that is intense, brilliantly colored and apparently giving off light, such as day glow (day-glo) colors.

Freestanding sign: A sign permanently attached to the ground and that is wholly independent of any building or other structure. The term "freestanding sign" includes but is not limited to the following:

(1) *Pole Sign:* A sign that is mounted on one or more freestanding poles or columns or similar support such that the bottom of the sign face is at least 6 feet above the ground and such supporting poles or similar support are each less than 10% of the width of the sign body.

(2) *Column Sign:* A sign that is mounted on one or more freestanding stanchions or columns, in which the bottom of the sign face is less than 6 feet above the ground but not directly in contact with the ground, and at least one of the supporting stanchions or columns is 10% of the width of the sign body or more.

(3) *Monument Sign:* A freestanding sign in which the entire bottom of the sign face is in contact with the ground, providing a solid and continuous background for the sign face from the ground to the top of the sign structure; the base of which is as wide as or wider than the total width of the sign body plus any supporting columns.

(4) *Hybrid Monument Sign:* A freestanding sign in which the entire bottom of the base of the sign structure is in contact with the ground, but a solid and continuous background for the sign from the ground to the top of the sign structure is not provided; the base of which is as wide as or wider than the total width of the sign body plus any supporting columns.

The following are Illustrative Examples of Freestanding Signs by Type:

Pole Sign

Pole Sign

Column Sign

Column Sign

Column Sign

Monument Sign

Monument Sign

Monument Sign

Hybrid Monument Sign

Holiday or Seasonal Event: A day established as a legal holiday by federal, state, or local law; a nationally recognized holiday such as Halloween or Mother's Day; a religious day or term of days such as Easter, Yom Kippur or Christmas, or Lent, Ramadan or Hanukah.

Illuminated signs:

(1) *Internally-illuminated sign*: Any sign that is illuminated by an artificial light source from within the sign structure over any or all of its sign face.

(2) *Externally-illuminated sign:* Any sign that is partially or completely illuminated at any time by an artificial light source that directly or indirectly illuminates the face of the sign from outside the sign structure.

Incidental Sign: A small sign, emblem or decal no larger than one square foot. Such signs are normally located on doors, windows and gas pumps, or in parking lots or loading areas, may be freestanding or building signs, and are generally not readily visible or legible from public rights-of-way.

The following are Illustrative Examples of Incidental Signs:

Inflatable Sign: A sign that is either expanded to its full or intended dimensions through mechanical means of an air blower or supported by gasses contained within the sign, or sign parts, at a pressure greater than atmospheric pressure.

Internally Channeled Letters: See under "Channeled Letter Signs."

Kiosk: A freestanding sign structure, often cylindrical in shape, intended to be viewed from all sides and erected for the purpose of posting signs, notices or other public announcements. Kiosks that are composed of flat faces are treated as multi-faced signs.

Landscape Materials: Any combination of living plant materials and nonliving materials (such as rocks, pebbles, wood chips, mulch and pavers) and decorative features such as sculpture, patterned walks, fountains, and pools. This definition includes synthetic landscaping materials that are visually indistinguishable from natural materials.

Leased Sign: An agreement by which a property owner conveys, usually for a specified rent, to other persons, permission to erect and maintain a sign upon their property.

LED Sign: Any sign or portion thereof that uses light emitting diode technology or other similar semiconductor technology to produce an illuminated image, picture, or message of any kind whether the image, picture, or message is moving or stationary. This type of sign includes any sign that uses LED technology of any kind, whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro polymer (OEL), or any other similar technology. An LED sign is considered to be a form of electronic changeable copy sign (see under "sign, changeable copy").

Mansard: A steeply sloped, roof-like façade architecturally similar to a building wall.

Marquee sign: See under "Building Sign."

Miscellaneous Building Sign: A building sign (as defined herein), other than a principal building sign, a temporary event sign or an incidental sign, commonly found on the wall of a nonresidential use property.

The following are <u>Illustrative</u> Examples of Miscellaneous Building Signs:

Miscellaneous Freestanding Sign: A freestanding sign, other than a freestanding principal sign, temporary event sign or incidental sign, commonly found on multi-family and nonresidential use properties located at entrance and exit driveways, drive-through windows, internal driving lanes, parking lots, designated handicap parking spaces, etc.

The following are Illustrative Examples of Miscellaneous Freestanding Signs:

Mobile Sign: See "Sign, Portable".

Monument sign: See under "Freestanding Sign."

Multi-faced sign: A sign structure that contains two sign faces (see "double-faced sign) or three or more sign faces that are located on different sides of the structure and are separated from each other at their nearest point by no more than three feet. Sign faces on a single sign structure that are separated by more than three feet are treated as separate signs.

Multi-tenant nonresidential development: A single office, commercial or industrial property that is designed or intended for occupancy by two or more businesses.

Parapet Wall: A building façade that extends above the eave line or edge of a roof.

A Parapet Wall

Pennant: Any lightweight plastic, fabric, or similar material, suspended from a rope, wire, or string, usually in series, designed to move in the wind. The term "pennant" shall not include a "banner" or a "flag" as defined herein.

Personal (Noncommercial) Speech: The expression of an idea, opinion, or message that does not direct or attract attention to a business operated for profit; or to a product, commodity or service for sale, trade, barter, swap or lease; or to any other commercial interest or activity.

Planned Center: A single office, medical, commercial, or industrial property that is designed or intended for occupancy by two or more principal businesses that are separately owned and have no corporate relationship. A planned center may consist of a single building, such as a shopping center, or multiple buildings, such as an office condominium center.

Principal Building or Structure: The building in which is conducted the principal use of the parcel on which it is located. Parcels with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Principal Sign: The main, most prominent or largest freestanding or building sign on a property's street frontage or principal building, other than a project entrance sign as defined in this Article. Such signs are of permanent construction and not placed as temporary signage.

Project Entrance Sign: A sign located at a discernible entrance into a particular subdivision, development, or office or industrial park. Designs for project entrance signs are classified as three types:

(1) *Single Sign, Double Faced:* A project entrance sign designed as a single sign structure with two back-to-back faces, oriented to be seen from both directions on the road adjacent to the development.

(2) *Single Sign, Single-Faced:* A project entrance sign designed as a single-faced sign structure, oriented parallel to and directly facing the road adjacent to the development.

(3) *Dual Signage:* Project entrance signage designed as two single-faced sign structures, one located on each side of the project entrance, with each sign oriented toward the intersection so as to be viewed from only one direction on the road adjacent to the development.

The following are <u>Illustrative</u> Examples of Project Entrance Signs:

Projecting Sign: See under "Building Sign."

Reverse Channeled Letters: See under "Channeled Letter Signs."

Roof Sign: See under "Building Sign."

Sign: Any structure, display, or device that is used or is intended to be used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, colors, movement or illumination, and that is placed in such a way, whether out of doors or inside or near a window, as to be in the view of the general public from the exterior of any building on the property.

Sign, A-Frame, Sidewalk or Sandwich: A temporary, movable sign not secured or attached to the ground or surface upon which it is located. This type of sign is typically "A" shaped or in some variation thereof and which is usually double sided. This includes a sign displayed on an easel. A-Frame, sidewalk and sandwich signs are a type of "portable sign", as defined herein.

A-Frame Sign

Sign, Aggregate Area: The combined sign area of all sign faces of a particular category on a single parcel. For example, the aggregate sign area of all freestanding signs on a parcel is the sum total of the sign face areas of all freestanding signs on such parcel.

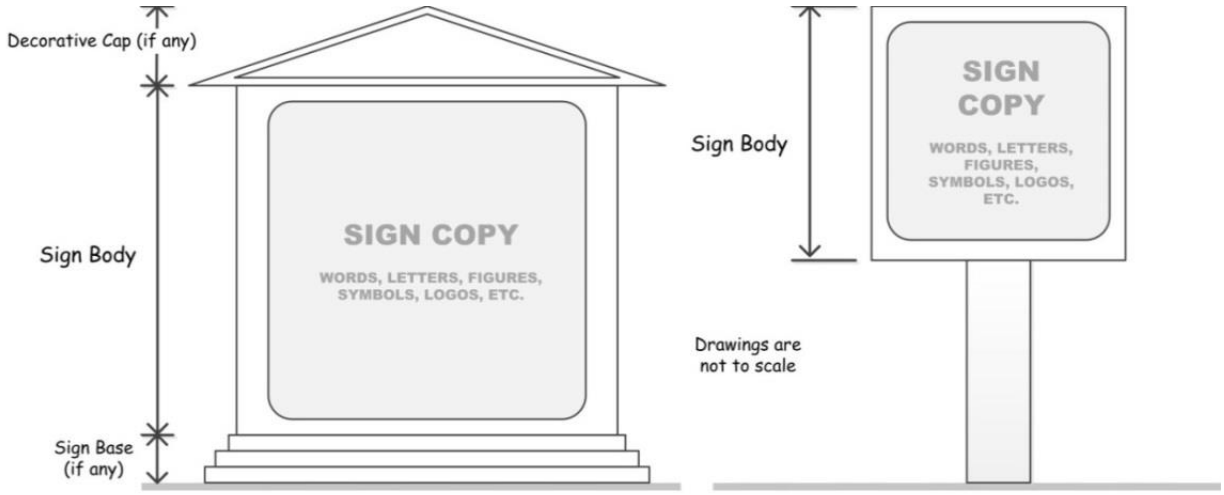
Sign, Animated: A sign that has moving parts or includes action, motion, or color changes, or the optical illusion of action, motion, or color changes, including signs using electronic ink, signs set in motion by wind or by mechanical means such as the blowing of air or motorized parts, or made up of a series of sections that turn, including any type of screen using animated or scrolling displays such as an LED (light emitting diode) screen or any other type of video display.

Sign, Awning: See under "Building Sign".

Sign, Banner: A sign of fabric, thin plastic or similar lightweight material that is mounted to a pole or a building at one or more edges and is intended or displayed as commercial speech. Flags displaying noncommercial speech shall not be considered to be banners.

Sign, Billboard: Any monument sign erected on undeveloped property.

Sign Body: That portion of a sign structure that is intended or designed primarily to support or display the sign face, exclusive of the sign's base or decorative cap, if any.



Monument Sign Column or Pole Sign

Sign, Building Marker: See under "Building Sign".

Sign, Canopy: See under "Building Sign".

Sign, Changeable Copy: A type of animated sign that is capable of changing the position or format of word messages or other displays on the sign face or change the visible display of words, numbers, symbols and graphics by the use of a matrix of electric lamps, movable discs, movable panels, light apertures or other methods, provided these changes are actuated by either a control mechanism or manually on the face of the sign. Changeable copy signs include the following types:

(1) *Manually Activated:* A sign whose alphabetic, pictographic, or symbolic informational content can be changed or altered by placing such letters or other message elements directly on the sign face by hand.

(2) *Electronic:* A sign whose alphabetic, pictographic, or symbolic informational content can be changed and is displayed electrically or electronically. See also "LED sign".

Sign, Channeled Letter: See under "Channeled Letter Signs".

Sign, Column: See under "Freestanding Signs".

Sign Copy: The words, letters, figures, symbols, logos, fixtures, colors or other design elements that are to convey the message, idea or intent for which a sign has been erected or placed.

Sign, Dilapidated/Deteriorated: A sign that is structurally unsound, has defective parts, or is in need of painting or other maintenance.

Sign, Double-Faced: See "Double-Faced Sign".

Sign, Façade: See under “Building Sign”.

Sign Face: That portion of the surface of a sign structure where words, letters, figures, symbols, logos, fixtures, colors, or other design elements are or may be located in order to convey the message, idea, or intent for which the sign has been erected or placed. The sign face may be composed of two or more modules on the same surface that are separated or surrounded by portions of a sign structure not intended to contain any advertising message or idea and are purely structural or decorative in nature.

Sign Face Module: Each portion or unit of a sign face that is clearly separable from other such units by virtue of the expression of a complete thought, message, logo, or idea.

Sign Height: The vertical distance to the highest point of a sign structure, as measured from the average grade at the base of the structure or directly below a projecting structure.

Sign, Hybrid Monument: See under “Freestanding Sign”.

Sign, illuminated: See “Illuminated Signs”.

Sign, Incidental: See “Incidental Sign”.

Sign, Inflatable: See “Inflatable Sign”.

Sign, Kiosk: See “kiosk”.

Sign, Mansard: See under “Building Sign”.

Sign, Marquee: See under “Building Sign”.

Sign Module: Each portion or unit of a sign face that is clearly separable from other such units by virtue of its individual or independent construction or framing.

Sign, Monument: See under “Freestanding Sign”.

Sign, Multi-Faced: See “Multi-Faced Sign”.

Sign, Neon: An illuminated sign containing a glass tube filled with neon or phosphors, which is bent to form letters, symbols or other shapes, or otherwise used to highlight, decorate or outline the sign.

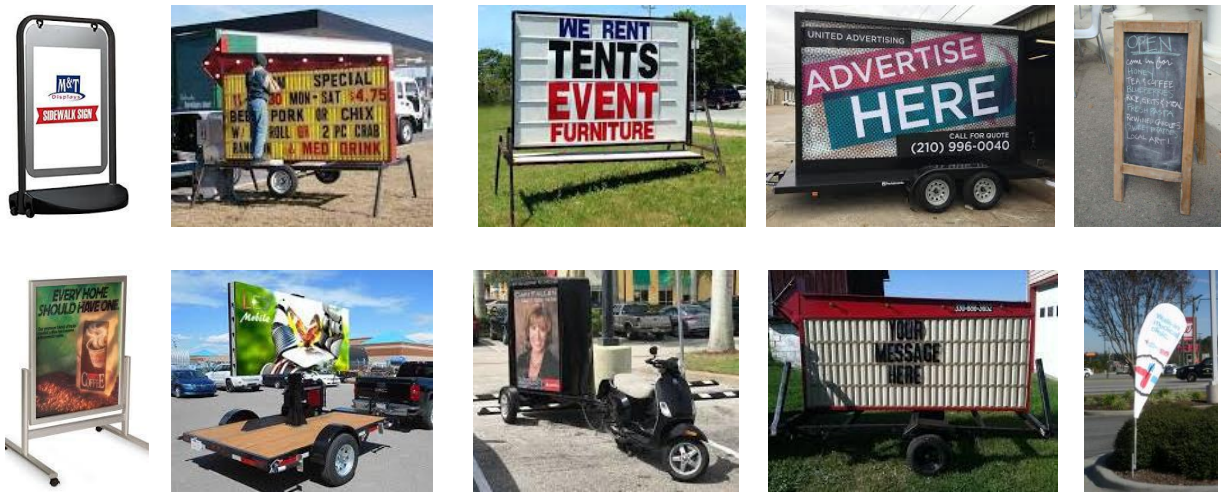
Sign, Nonconforming: A sign legally existing at the time of its placement or erection that could not have been approved under the terms of this Chapter.

Sign, Permanent: Any sign that is securely affixed to the ground or to a building and not readily removable. Temporary signs are not considered to be permanent signs.

Sign, Pole: See under “Freestanding Sign”.

Sign, Portable: A sign whose principal supporting structure is intended, by design and construction, to be used by resting upon the ground or another structure for support and may be easily moved or relocated for reuse. Portable signs include, but are not limited to, signs mounted upon a trailer, wheeled carrier, or other non-motorized mobile structure with or without wheels. See also “Feather Banner; Sign, A-Frame, Sidewalk or Sandwich”; and “Vehicular Sign”, which are types of portable signs**.**

The following are Illustrative Examples of Portable Signs:



Sign, Pre-Permanent: A temporary sign used for signage by a new business until their permanent sign is installed.

Sign, Principal: See “Principal Sign”.

Sign, Prohibited: Any sign, other than a non-conforming sign, not conforming to this Chapter.

Sign, Project Entrance: See “Project Entrance Sign”.

Sign, Projecting: See under “Building Sign”.

Sign, Roof: See under “Building Sign”.

Sign Structure: All elements of a freestanding sign, including the sign face, background or decorative elements related to the presentation of the sign’s message, and the structural supports.

Sign, Temporary: Any sign, the use of which is short-term in nature, that is affixed to or placed on the ground or to a building but is readily removable and not intended for permanent installation.

Sign, Under Canopy. See under “Building Sign”.

Sign, Wall: See under “Building Sign”.

Sign, Window: See under “Building Sign”.

Subtenant means a natural person, business, or other entity that subleases or is otherwise allowed to occupy a portion of land or a building, the majority of which is also occupied by a

tenant. For the purposes of these regulations, a subtenant is not treated as a "tenant" as defined herein.

Temporary Event: An activity, other than a special outdoor event as defined under this Code, having a specific duration or the end of which is related to a specific action, usually lasting for only a few days or months at a time. Temporary events, as contrasted to special outdoor events, include such activities as:

(1) An election, political campaign, referendum or ballot proposition put to the voters as part of county, state or federal governance.

(2) Special business promotions, such as "grand openings," "close-out sales," and seasonal sales events.

(3) A yard sale.

(4) The construction of a building or development project, or the rehabilitation, remodeling or renovation of a building.

Tenant: A natural person, business, or other entity that possesses or occupies land or buildings by title, under a lease, through payment of rent, or at will; the primary occupant, inhabitant, or dweller of a place. See also "subtenant".

Tenant Frontage: The horizontal distance in feet between the walls that delimit an exterior façade of a tenant space. A "tenant space" may be a stand-alone building with a single occupant, or a portion of a planned center that is separated from all other tenant spaces for occupancy by a single tenant.

Under canopy sign: See under "Building Sign."

Uniform sign plan: Coordinated drawings and specifications that establish a unified design concept with regard to the location, materials, size, letter style, and color of all signs to be placed on a property.

Use, Nonresidential: A principal use that is a business engaged in the sale of goods or the provision of personal, professional, business, entertainment or other services; an institutional or nonprofit organization; a business engaged in the fabrication, manufacture or production of durable or non-durable goods; an activity for the administration or support of a business or organization; or a place of lodging for the travelling public, such as a hotel, motel or bed and breakfast.

Use, Residential: A principal use that is intended for occupancy by an owner or lessee as their permanent place of abode.

Vehicular Sign: Any sign placed, mounted, painted on, or affixed to a motor vehicle or to a freight, flat-bed or storage trailer or other conveyance, whether motorized or drawn. Vehicular signs are a type of "portable sign", as defined herein.

The following are Illustrative Examples of Vehicular Signs:

Wall sign: See under "Building Sign."

Window Sign: See under "Building Sign."

ARTICLE III. APPLICABILITY.

Sec. 8-5 Signs that are regulated.

The regulations and requirements of this Chapter apply to all signs that are or are intended to be viewed from a public right-of-way or adjacent property, or that are intended to be viewed from outdoor areas of public property, except as otherwise exempt under this Article. Such signs are allowed only in conformance with these sign regulations, or as otherwise provided for grandfathered signs under the provisions of this Code.

Sec. 8-6 Exemptions; general.

The following are exempt from all restrictions and regulations imposed by this Chapter:

(a) Incidental signs.

Incidental signs (as defined in this Chapter) of no more than 1 square foot in area are exempt.

(b) A building design, color, or motif that is associated with a particular establishment or organization but which conveys no commercial message is not considered to be a sign and is exempt from these sign regulations.

Sec. 8-7 Signs that are exempt from regulation.

Each of the following types of signs are allowed in any zoning district and are exempt from the restrictions imposed by this Chapter:

(a) Official signs.

Signs placed by a governmental body, governmental agency, or public authority, such as traffic signs, signals, or regulatory devices or warnings; official emblems, public notices, or official instruments; signs of historical interest; signs designating special events or areas of architectural or historic significance or gateways; or other similar signs or devices. Such signs are authorized within all rights-of-way or other properties controlled by such governmental body, agency, or authority.

(b) Property address sign.

A sign limited in content to the street name and address number of the building or property to which it is affixed, provided that such sign consists of lettering no larger than 5 inches in height on a building or 3 inches on a mailbox.

(c) Holiday decorations.

Displays or decorations related to a holiday or seasonal event (as defined in this Development Code) that are placed on a property by the owner or with the owner's permission as personal (noncommercial) speech (also as defined in this Development Code) are exempt.

(d) Window displays

Window displays of goods available on a site are not considered to be signs and are exempt from these sign regulations.

ARTICLE IV. PROHIBITED SIGNS.

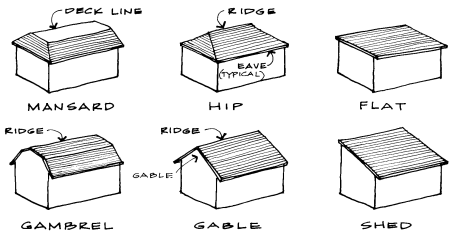
The following types of signs are prohibited:

Sec. 8-8 Animated signs.

A sign with action, motion, changing colors, flashing lights, or moving characters is not allowed. Such signs may require electrical energy, but also include wind-activated devices such as spinners, wind vanes and aerial devices. This prohibition does not include rotating signs that revolve no faster than 5 revolutions per minute or electronic message boards.

Sec. 8-9 Certain roof signs.

A building sign that extends above the top edge of the parapet or eaves of a flat or shed roof; the ridge line of a gable, hip, or gambrel roof; or the deck line of a mansard roof, is not allowed. All roof-mounted signs must comply with the Building Code.



ROOF TYPES

Sec. 8-10 Festoons.

Strings of light bulbs and strings of ribbons, tinsel, small flags, pennants, streamers, pinwheels or other similar devices designed to move in the wind, are not allowed, except as temporary signage for a special business promotion event under Sec. 8-44 (a)(2) of this Article.

Sec. 8-11 Inflatable signs.

A sign that is intended to be expanded by air or other gas for its proper display or support is not allowed, except as temporary signage for a special business promotion event under Sec. Sec. 8-44 (a)(2) of this Chapter, or except as exempted as holiday or seasonal event decorations under Sec. 8-7 (c).

Sec. 8-12 Obstructions and distractions.

(a) No sign shall obstruct any fire escape, window, door or opening usable for fire prevention or suppression, or prevent free passage from one part of a roof to any other part thereof. No sign shall be affixed to a fire escape or interfere with any opening required for ventilation.

(b) No sign shall hide from view or interfere with the effectiveness of any official traffic-control device.

(c) No sign shall obstruct a clear view from any public road to any other portion of such public road, to intersecting or adjoining public roads, or to property abutting such public road in such a manner as to constitute a hazard to traffic on such roads.

(d) No sign shall, because of its nature, construction, or operation, constitute a dangerous distraction to or interfere with the vision of drivers of motor vehicles.

Sec. 8-13 Portable signs.

A sign designed to be transported or easily relocated and not attached to the ground, such as the following, is not allowed:

(a) A sign designed to be temporarily placed upon the ground and not otherwise affixed to it.

(b) A sign mounted on a trailer, with or without wheels.

(c) An A-frame or sandwich board sign.

(d) An umbrella used for advertising.

A sign mounted or painted upon a parked vehicle that is positioned for the primary purpose of acting as a sign exposed to the public and is not in use in the ordinary course of carrying out its transportation function is not allowed. This prohibition shall not apply in the following circumstances:

(1) When such conveyances are actively being used to transport persons, goods or services in the normal course of business;

(2) When such conveyances are parked in an inconspicuous area; or

(3) When such conveyances are actively being used for storage of construction materials for, and on the same lot with, a bona fide construction project for which building and other applicable permits have been issued and where construction is underway.

(e) A sign mounted or painted upon a vehicle that is operated on public streets for the primary purpose of presenting a message or symbol and is not otherwise in use in the normal course of transporting people, merchandise, or freight.

Sec. 8-14 Private signs placed on public property.

Any sign posted or erected on utility poles, governmental signs, public rights-of-way or any other public property except those placed by agencies of the federal, state or local government is not allowed.

Sec. 8-15 Signs imitating public warning or traffic devices.

Any sign that displays intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance or rescue vehicles, and any sign that uses the words “stop,” “danger” or other message or content in a manner that might mislead or confuse a driver, is not allowed. No red, green or yellow illuminated sign shall be permitted within 300 feet of any traffic light.

Sec. 8-16 Snipe signs.

Any sign of a material such as cardboard, paper, pressed wood, plastic or metal that is attached to a fence, tree, utility pole or temporary structure is not allowed.

Sec. 8-17 Sound or smoke emitting signs.

A sign that emits or utilizes in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing, or a sign that emits smoke, vapor, particles, or odors, is not allowed.

Sec. 8-18 Home-made signs.

Except for a professionally hand-painted sign, hand written, handmade, and other unprofessionally fabricated signs are not allowed. A “professionally” hand-painted sign is one that has been prepared or created by a person engaged in the paid occupation of sign painting and generally reproduces font sets created by such foundries as Adobe, Microsoft, BitStream, etc.

The following are illustrative examples of "professionally" hand-painted signs that would not be prohibited:

Sec. 8-19 Certain illuminated signs.

The following types of illuminated signs are prohibited:

(a) Signs containing, including, or illuminated by, any flashing, intermittent, or moving lights, scrolling lights, and/or utilizing changes in the intensity of lighting, are prohibited.

(b) Any illumination of a sign that interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal, is prohibited.

(c) Any illumination of a sign that is not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of a street and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interferes with the operation of any motor vehicle, is prohibited.

(d) No red, green, or yellow illuminated sign shall be placed within 300 feet of any traffic signal light.

ARTICLE V. GENERAL REQUIREMENTS APPLYING TO ALL SIGNS.

Sec. 8-20 Conformance to Building Codes.

(a) In addition to the Sign Permit required under this Code, a building permit shall be obtained from the Planning Director prior to installation or placement of any sign having electrical service. All electrical service to a sign shall be in compliance with the Electrical Code.

(b) Plans required for issuance of a sign permit for a billboard shall be certified as to conformance with all structural and wind-load resistive standards of the Building Code by a qualified structural engineer, or be prepared using standard drawings prepared by a structural engineer or other qualified professional meeting or exceeding all requirements of the Building Code.

(c) All signs involving internal lights or other electrical devices or circuits shall display a label certifying it as being approved by the Underwriter's Laboratories, Inc.

(d) Clearance from all electrical power lines shall be in conformance with the requirements of the Electrical Code.

Sec. 8-21 Conformance to State Law.

The following applies to any sign located or to be located within 660 feet of the nearest edge of the right-of-way of a U.S. or State-numbered highway (or any other road designated as a "primary highway" by the State of Georgia and approved by the U.S. Department of Transportation), or located or to be located beyond 660 feet of such highway but visible and intended to be read from such highway:

(a) Such sign shall comply with all requirements of the Georgia Outdoor Advertising Act, O.C.G.A. 32-6-70 et seq.

(b) Such sign shall comply with all requirements of this Chapter. Between the Georgia and Crisp County regulations, such sign must comply with the most restrictive requirements with respect to each and every item of regulation.

Sec. 8-22 Minimum sign setbacks and maximum heights.

(a) All portions of a sign must be set back at least 10 feet from any street or highway right-of-way, except as follows:

(1) Miscellaneous freestanding signs allowed under Sec. 8-36 at driveways must be set back at least 5 feet from any street or highway right-of-way.

(2) Project entrance signs allowed under Sec. 8-38 must be set back from any street or highway right-of-way and any project entrance roadway by at least 5 feet.

(3) Billboards shall conform to the setback requirements of ARTICLE VIII.

(4) No set back from a right-of-way line is required for the following types of signs:

a. Special outdoor event signs allowed under Sec. 8-39 .

b. Temporary event signs allowed under ARTICLE VIII.

c. Real estate event signs allowed under Sec. 8-45 .

d. Real estate directional signs allowed under Sec. 8-46 .

e. Institutional and amenity directional signs allowed under Sec. 8-40 .

(b) All signs must be set back at least 5 feet from any other property line other than a right-of-way line, except that principal freestanding signs shall be located at least 37 feet from any side lot line, or one-half the width of the lot frontage, whichever is less.

(c) Any sign placed within a street-side utility easement shall not interfere with any utility within the easement. Any cost resulting from the removal, repair or replacement of such a

sign caused by the maintenance, repair, replacement or installation of a utility within the easement shall be the responsibility of the sign owner.

(d) The maximum height of any freestanding sign shall be limited to the maximum height for buildings and structures allowed within the zoning district in which the sign is located, except for billboards under the provisions of ARTICLE VIII and for freestanding signs located within a visibility clearance area (see Sec. 8-28).

Sec. 8-23 Signs placed on vacant properties.

The following types of signs, when placed on vacant property, are not considered to be accessory uses:

(a) Signs that are exempt from these sign regulations under Sec. 8-6 .

(b) Project entrance signs (allowed under Sec. 8-38).

(c) Special outdoor event signs (allowed under Sec. 8-39).

(d) Temporary event signs (allowed under Sec. 8-44).

(e) Real estate event signs (allowed under Sec. 8-45).

(f) Real estate directional signs (allowed under Sec. 8-46).

(g) Institutional directional signs (allowed under Sec. 8-40).

Sec. 8-24 Sign maintenance.

(a) All signs, together with all their supports, braces, guys, and anchors shall be kept in good repair and, unless constructed of galvanized or noncorroding metal, shall be given a protective coating as necessary to maintain a clean appearance and safe condition.

(b) All signs shall be maintained in accordance with all County ordinances, including ordinances concerning nuisances and vegetation.

Sec. 8-25 Principal freestanding signs—spacing.

Each principal freestanding sign shall be located at least 75 feet from any other freestanding sign on the same side of the street. This distance may be reduced upon approval by the Planning Director if it cannot be met due to the location of existing signs on separate but adjoining lots. Such reduction shall be the minimum required in order to maintain the greatest separation possible from such existing signs.

Sec. 8-26 Projecting and canopy signs.

(a) Projecting signs shall not project more than $5^1/_2$ feet beyond the face of the building. Projecting signs shall be a minimum of 10 feet above the level of any sidewalk from the bottom of the sign. Any projecting sign within 25 feet of a street or alley intersection shall be a minimum of 14 feet above the sidewalk from the bottom of the sign.

(b) Under-canopy signs of greater than 4 square feet shall be rigidly mounted, and there shall be $8^1/_2$ feet of clearance between the base of any rigidly mounted under-canopy sign and the sidewalk. There shall be a minimum clearance of $7^1/_2$ feet between the base of any non-rigidly mounted under-canopy sign and the sidewalk.

(c) Projecting and canopy signs shall be limited to no more than 1 per tenant on a property, and each tenant shall have no more than 1 projecting sign or canopy sign.

Sec. 8-27 Banners.

Banners shall be allowed only as wall or window signage and shall be placed flush upon the wall or window to which it is attached. Banners shall not be hung as canopy signs, flown as flags, or used as any other form of sign.

Sec. 8-28 Visibility clearance area.

No portion of a sign face, and no portion of a sign structure wider than 12 inches, between the heights of $2^1/_2$ feet (30 inches) and 15 feet shall be located within a sight visibility triangle at the intersection of two streets or the intersection of a driveway and a street. See the Project Design Standards Article of this Development Code for delineation of the sight triangle at street and driveway intersections.

Sec. 8-29 Electronic message boards.

Electronic message boards are only allowed on commercial and industrial properties.

Sec. 8-30 Illuminated signs.

(a) Traffic Control.

No sign illumination device shall resemble an official traffic control or warning sign, nor shall it hide from view or distract from any traffic or street sign or signal.

(b) Hazards.

Illumination devices shall be placed, filtered and shielded so direct rays will not be cast into the eyes of drivers or pedestrians.

(c) Light Pollution.

Illumination devices shall be so placed and so shielded that light from the sign itself will not be directly cast into any residential district.

(d) Neon Tubes.

No sign that has exposed neon tubes or other exposed tubes containing luminescent gas shall be used outside a building unless the light source is shielded within the sign, such as a channeled letter sign or internally illuminated sign.

(e) Exposed Wires.

No sign may have exposed electrical wires.

(f) Hours of Illumination.

No sign shall be illuminated between 11 p.m. and 6 a.m. except for those hours during which the premises on which the sign is located is open for business.

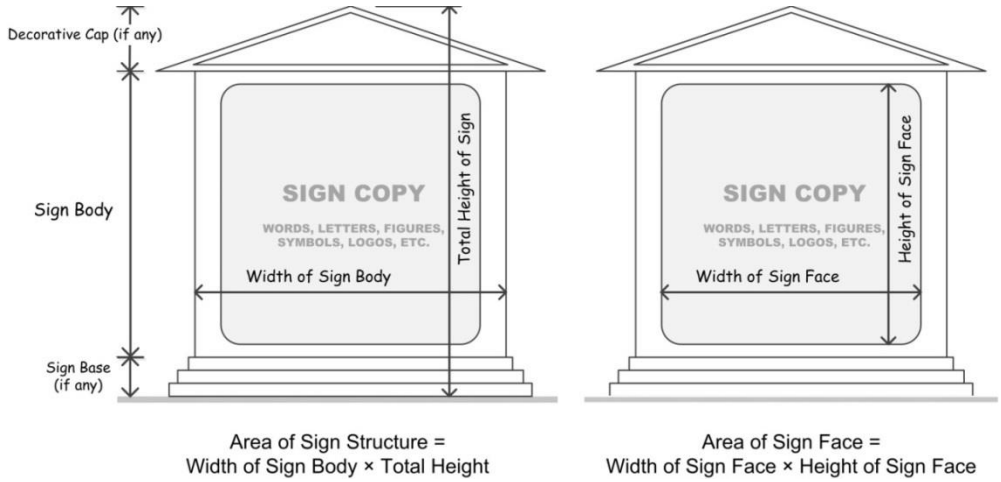
(g) Types of illumination.

(1) *Externally illuminated sign.* An externally-illuminated sign, when permitted, shall have concealed wiring and controls, and shall have shielded and screened external light sources.

(2) Internally *illuminated sign.* Internally-illuminated signs (including internally channeled or reverse-channeled letters), where permitted, must completely shield the source of light from direct view.

Sec. 8-31 Computation of sign area.

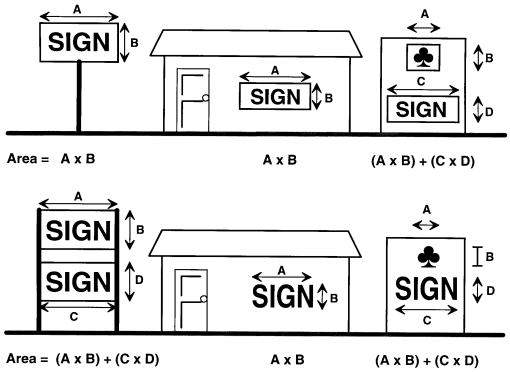
In order to determine compliance with the maximum allowable sign areas permitted under this Chapter, the area of a sign structure shall be computed as the width of the main structure times the total height of the structure upon which the sign copy is placed, and the area of the sign face shall be the area of the portion of the sign upon which the sign copy (the words, letters, figures, symbols, logos, etc. comprising the sign's message or information) is located.



(a) Sign face area.

The area of a sign face shall be computed as the area within the smallest rectangle enclosing the limits of a sign face, or the combination of the areas of all such rectangles delimiting each sign face module, together with any frame or material, texture, or color forming an integral part of the sign face or used to differentiate the sign face from the structure upon which it is placed.

(1) The computation of the area of a sign face shall not include the structure, supports or uprights on which the sign face is placed or any portions of a sign structure that are not intended to contain any message or idea and are purely structural or decorative in nature, other than those portions contained within the rectangle that delimits the sign face or a sign face module

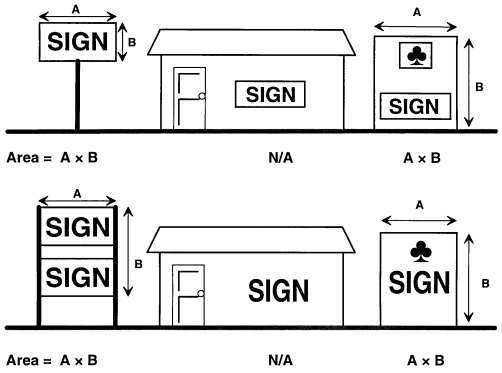


Examples of Sign Face Area Measurements

(2) For any sign on which the words, letters, figures, symbols, logos, fixtures, colors, or other design elements routinely change or are intended to be changed from time to time, the sign face area shall include the entire area within which any words, letters, figures, symbols, logos, fixtures, colors, or other design elements may be placed, together with any frame or material, texture, or color forming an integral part of the sign face or used to differentiate the sign face from the structure upon which it is placed.

(b) Sign Structure Area.

The area of a sign structure shall be computed as the area within the smallest rectangle enclosing the limits of the surface of a sign whereon the sign face or sign face modules may be placed, including all portions of a sign structure that provide a background for the sign face but are not intended to contain any message or idea and are purely structural or decorative in nature.

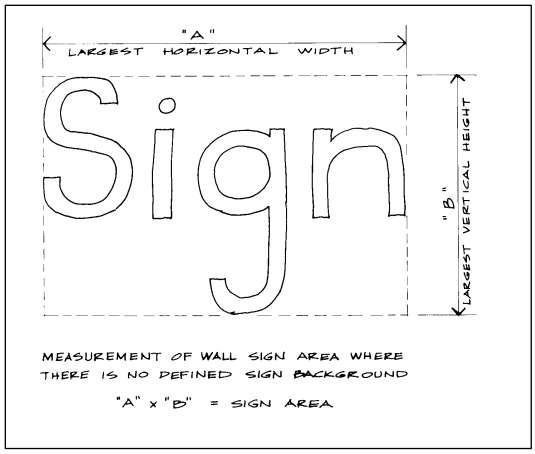


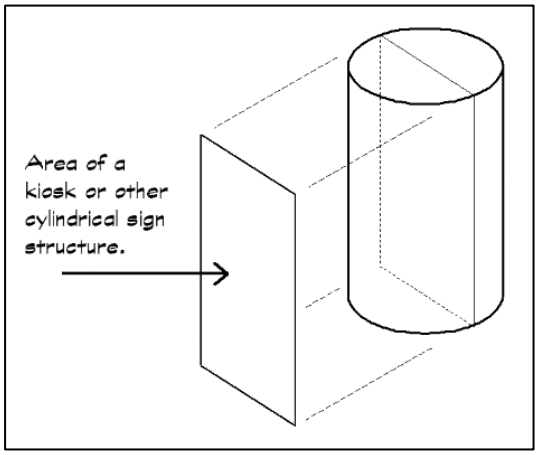
Examples of Sign Structure Area Measurements

(c) Free-Form Signs.

(1) For signs that have no identifiable frame or border, the smallest rectangle that includes all of the sign's words, letters, figures, symbols, logos, fixtures, colors or other design elements intended to convey the sign's message or information shall establish the area of the sign face.

(2) Any open space contained within the limits of the rectangle delimiting the sign face, sign face module, or sign structure shall be included in the computation of the area of such sign face, sign face module, or sign structure.



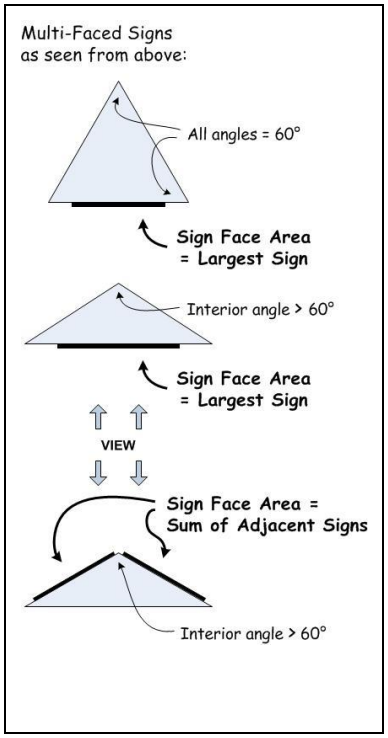


(d) For a kiosk or other cylindrical sign structure, the area of the sign shall be the largest measurement achieved from any view of the sign structure. Measurements shall be made as a flat plane rectangle projected on or bisecting the sign structure.

(e) Multi-faced signs.

(1) For double-faced signs, when the sign face surfaces are parallel (back-to-back), or where the interior angle formed by the faces is 60 degrees or less, the area of the sign shall be taken as the area on the largest side. For double-faced signs where the interior angle formed by the faces is more than 60 degrees, the area of the sign shall be the total area of both sides.

(2) For sign structures having only three faces and the interior angle formed between all of the faces is 60 degrees, the area of the sign shall be taken as the area of the largest side. For all other multi-faced signs with three or more sides, the area of the sign shall be the largest total of all faces that are joined by an interior angle of more than 60 degrees that can be viewed from any one direction.



Sign Face Area
Three-sided Sign Structures

ARTICLE VI. SIGN TYPES PERMITTED BY ZONING DISTRICT.

The following table presents the maximum number, size, height, and other restrictions relating to specific signage that are permitted by right in each zoning district.

Sec. 8-32 Principal freestanding sign—one use on property.

"Principal Freestanding Sign—One Use on Property" on Table 8-1 applies to a lot where there is only one single or two-family dwelling, one multi-family complex, or one business occupant.

Sec. 8-33 Principal freestanding sign—two or more uses on property.

"Principal Freestanding Sign—Two or More Uses on Property" on Table 8-1 applies to a single office, commercial or industrial property that is designed or intended for occupancy by two or more principal businesses that are separately-owned and have no corporate relationship.

Sec. 8-34 Building signs.

For building signs permitted on Table 8-1 in the office, commercial and industrial zoning districts, the following shall apply:

(a) For single-occupant buildings, the total sign face area for building signs on each side of a building shall be calculated on the basis of the horizontal length of the wall along that side of the building. Each side of the building shall be calculated separately.

(b) In addition to the total sign face area calculated from the following table, one more square foot of sign face area shall be allowed on a wall facing a public street for each foot that the building is set back beyond the minimum required principal building front setback from that street.

(c) For multi-tenant nonresidential developments (such as shopping centers), the total sign face area per wall for each tenant shall be distributed on the basis of the horizontal length of the wall along each tenant's occupied space. The maximum sign face area on a particular wall for each tenant shall be calculated separately.

(d) In no case shall window signs obscure more than 25% of a window.

(e) Projecting and under-canopy signs shall be limited to no more than 1 per tenant on a property, and each tenant shall have no more than 1 projecting sign or under-canopy sign.

Table 8.1: Permitted Signs—By Zoning District[1]

	RR, RS1, RS2, PRD, RD, RM			OI, NC	GC, HC	I
	Single- and Two-Family Residence	**Multi-Family Project**	**Nonresidential Use**			
Principal Freestanding Sign - One Use on Property:						
Max. Number	1 per lot	2 per entrance	1 per street frontage	1 per street frontage	1 per 200 feet of street frontage	1 per street frontage
Maximum sign area	6 sf	32 sf	32 sf	32 sf	100 sf	100 sf
Maximum structure area	6 sf	96 sf	96 sf	96 sf	130 sf	130 sf
Maximum height	5 feet	8 feet	10 feet	10 feet[2]	20 feet	20 feet
Illumination	None	External only	External only	External Only	OK	OK
Principal Freestanding Sign – Two or More Businesses on Property:						
Max. Number	N/A	N/A	N/A	1 per street frontage	1 per 200 feet of street frontage	1 per street frontage
Maximum sign area				42 sf	200 sf	200 sf
Maximum structure area				60 sf	300 sf	300 sf
Maximum height				10 feet[2]	20 feet	20 feet
Illumination				External Only	OK	OK
Building Sign: Wall signs and awning, canopy, projecting, incidental, roof & window signs, etc.[3]						
Max. number of **all building signs**	1	1 per building	1 per building	1 per facade, plus 1 per tenant	3 per tenant, total 2 sf for each lineal foot of wall length	1 per tenant, total 1 sf for each lineal foot of wall length
Maximum sign face area of **the principal sign**	1 square foot	12 square feet	½ sf for each lineal foot of wall length	½ sf for each lineal foot of wall length per tenant	1 sf for each lineal foot of wall length for principle tenant	½ sq. foot for each foot of wall length
Projecting or Under Canopy Sign	Not Allowed	Not Allowed	Not Allowed	3 sf per firm	1 per tenant allowed	Not Allowed
Illumination	None	None	External Only	External Only	OK	OK

[1] See text on the next page for regulations relating to the PUD Planned Unit Development District and the PCID Planned Commercial-Industrial Development District.

[2] Monument sign only.

[3] All building signs attached to a particular wall and its windows, doors, awnings, canopies, or roof, including signs that project from the wall, shall collectively not exceed the total square footage of sign face area allowed for the particular wall.

Sec. 8-35 PUD and PCID Planned Developments.

For signs in the PUD Planned Unit Development District and the PCID Planned Commercial-Industrial Development District, each development shall conform to the sign regulations established as part of the zoning approval for the PUD or PCID, respectively. If no such regulations exist, each portion of a Planned Unit Development or a Planned Commercial-Industrial Development shall conform to the regulations of this Chapter for the zoning district most comparable to each portion of the PUD or PCID with regard to permitted uses.

ARTICLE VII. ADDITIONAL PERMANENT SIGNAGE ALLOWED.

In addition to the specific signs permitted in each zoning district, the following signs shall be allowed in all zoning districts (or in the zoning districts as indicated) under the conditions noted for each type of sign. **Such additional signs shall not be restricted or regulated with respect to the message displayed on the sign**, but must comply with the applicable provisions of this Article.

Sec. 8-36 Miscellaneous freestanding signs.

Miscellaneous freestanding signs (as defined in this Chapter) not otherwise prohibited under ARTICLE IV of this Chapter, are permitted for any multi-family or nonresidential use in addition to the freestanding signs allowed under Sec. 8-32 or Sec. 8-33 if each sign complies with all of the following:

(a) Within the minimum front yard setback for principal buildings required for the zoning district, signs may be located at driveways that provide access into or from the property. There shall be no more than 2 such signs per driveway and each such sign shall not exceed 9 square feet in sign area nor be more than $2^1/_2$ feet in height.

(b) Miscellaneous signs located farther from the street than the minimum required front yard setback for principal buildings shall be allowed as follows:

  (1) One miscellaneous sign may be located on the property for each principal building on the lot. Each such sign is not to exceed 32 square feet in area nor be more than 8 feet in height.

  (2) An unlimited number of miscellaneous freestanding signs may be located beyond the minimum front yard setback on a property developed for multi-family or nonresidential use, provided that each such sign is no more than 6 square feet in sign area nor more than 4 feet in height (except signs that are required by law to be higher than 3 feet, such as those marking a handicapped parking space).

Sec. 8-37 Miscellaneous building signs.

Miscellaneous building signs (as defined in this Chapter) not otherwise prohibited under ARTICLE IV of this Chapter, are allowed on nonresidential use properties in addition to the building signs allowed under Sec. 8-34 , as follows:

(a) General miscellaneous building signs.

Miscellaneous building signs are allowed, provided that such signs shall be placed only on a tenant space façade fronting on a dedicated public street. Such signs are limited as follows:

(1) For single-occupant buildings, the maximum aggregate area for all miscellaneous building signs shall be 1 square foot of sign face area per linear foot of the length of the tenant frontage (as defined in this Chapter) on which the signs are affixed, or 10% of the area of the façade, whichever is greater. No single such sign shall be larger than 6 square feet in sign face area.

(2) For planned centers, the maximum aggregate area for all miscellaneous building signs for each tenant space shall be 1 square foot of sign face area per linear foot of the tenant frontage (as defined in this Article), or 10% of the area of the tenant's façade, whichever is greater. No single such sign shall be larger than 6 square feet in sign face area.

(3) Such miscellaneous building signs placed in a window may not result in the obstruction of more than 25% of the window area in combination with all other signs in the window.

(b) Subtenant signs.

(1) One business that occupies space within a principal business as a subtenant, such as a coffee shop within a grocery store, is allowed one wall sign in addition to the principal building sign allowed for the principal business under Sec. 8-34. -(c). The subtenant wall sign shall be in addition to and shall not exceed the size of the principal wall sign allowed for the principal business.

(2) The following are examples of subtenant wall signs allowed by this Subsection:

(c) Convenience stores and service stations with pump islands.

Additional signage is permitted as follows:

(1) One sign per freestanding or building canopy face per public street frontage with a maximum of 16 square feet each is allowed. The canopy sign shall not extend above or below the edge of the canopy.

(2) Spreader bars (signs located under canopy over pump islands) shall be limited to no more than two signs per spreader bar, not to exceed 4 square feet per sign. However, total square footage for all spreader bars shall not exceed 24 square feet.

(3) On-site separate drive-through car wash building(s), shall be allowed one permanent wall sign, not to exceed 8 square feet with an approved sign permit. This sign shall be for incidental purposes only.

Sec. 8-38 Project entrance signs.

Freestanding monument signs may be located at each entrance into a residential subdivision or into an office or industrial park consisting of two or more buildings.

(a) Such signs shall be configured either as dual signage (two single-faced signs, one on each side of the entrance), or as one back-to-back double-faced sign (with each face oriented in each direction along the main street) or as one single-faced sign oriented to the main street. Each project entrance sign shall not exceed:

(1) 32 square feet in sign face area.

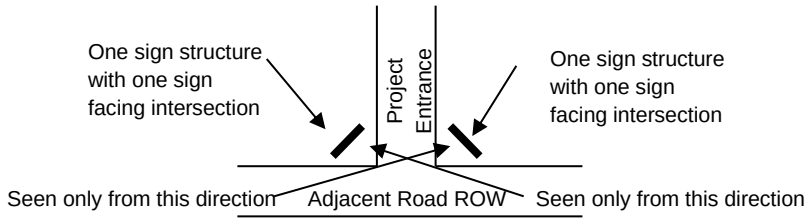
(2) 96 square feet in sign structure area.

(3) $2^1/_2$ feet (30 inches) in height if located within a sight visibility triangle (see the Project Design Standards Chapter) or 8 feet otherwise.

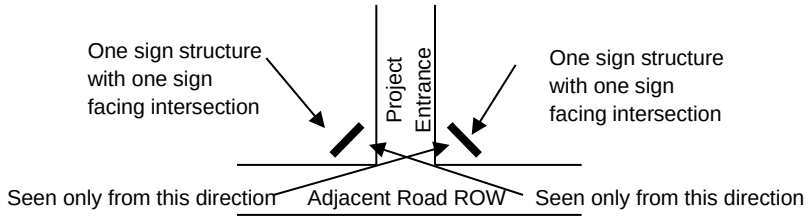
(b) Project Entrance Sign Installations.

(1) Designs for project entrance signs are classified as two types:

a. Single Sign Installation: A project entrance sign designed as a single sign structure with two back-to-back faces, oriented to be seen from both directions on the road adjacent to the development.



b. Dual Sign Installation: A project entrance sign designed as two separate sign structures, each with a single sign face individually oriented toward the intersection so as to be viewed from only one direction on the road adjacent to the development, and each located on opposite sides of the project entrance.



(2) Project entrance signs cannot be constructed in a center island of the project entrance roadway. signs cannot be constructed in a center island of any roadway

Sec. 8-39 Special outdoor event signs.

Signs related to a Special Outdoor Event as defined under this Code shall be allowed as specified as part of the special use approval of the event by the County, or as allowed in the zoning district in which the event is located if special use approval is not required.

Sec. 8-40 Institutional and amenity directional signs.

(a) Purpose. The purpose of institutional and amenity directional signs is to provide assistance to persons in locating land uses that are important to the civic life of the community, the activities and facilities of which uses are open to and serve all residents of the County or a particular neighborhood.

(b) Eligible Uses. Institutional and amenity directional signs may be used to provide directions to a specific use or subdivision amenity owned or operated by a non-profit, religious or eleemosynary institution for the purpose of providing educational, cultural, recreational, religious or social services to the general public or to the residents of a subdivision or development.

(c) Need. A sign may be permitted only where the use identified on the sign is not visible from the major street on which the sign is placed or the route to the use identified on the sign is not apparent, for example, it may be visible from a limited-access road but accessible only from another street, from which it is not visible.

(d) Location. Such signs for private uses shall be on private property, not more than 6 feet from the right-of-way of a street and within 100 feet of the intersection with the right-of-way of the street at which the sign directs that a turn be made.

(e) Setback. No setback from the street right-of-way line shall be required for an institutional or amenity directional sign, except that any such sign shall not be placed within the street right-of-way and shall be placed at least 6 feet behind the edge of pavement of the street, whichever is the farther distance.

(f) Area. The area of such sign shall not exceed 6 square feet. Where more than one such sign is placed on a pole or other mount, total area of all such signs shall not exceed 12 square feet.

(g) Height. The height of such sign above the elevation of the adjoining street shall not exceed 8 feet.

(h) Number. Up to two such signs may be permitted on an arterial street where a turn is required to reach the use, one for traffic approaching from each direction. Similarly, one such sign may be placed on each approach at up to two additional intersections intermediate between an arterial and the use, providing directions where a turn is required.

(i) Only 1 sign structure—sign(s) plus a mounting post—shall be permitted on any street corner.

(j) Permanence. Only permanent lettering and only the sign specified in the permit shall be used.

(k) Lighting. Such signs shall not be illuminated.

Sec. 8-41 Flags.

(a) Any cloth, paper, thin plastic or similar material that is displayed by hanging or flying from a flagpole is allowed as an accessory use on any property that is used in any land use category if it complies with all of the following:

(1) No more than 3 flags may be displayed on a single lot.

(2) On a lot located within a residential zoning district, no single flag shall be larger than 24 square feet in size (e.g., 4’ x 6’), and the total area for all flags collectively shall not exceed 45 square feet (e.g., three 3’ x 5’).

(3) On a lot located within an office, commercial or industrial zoning district, no single flag shall be larger than 40 square feet in size (e.g., 5’ x 8’), and the total area for all flags collectively shall not exceed 72 square feet (e.g. three 4’ x 6’).

Sec. 8-42 Multi-screen movie theater.

(a) Freestanding changeable copy board signs.

(1) For a movie theater that is the only use on a property, a changeable copy board sign may be used as an allowed “principal sign” in accordance with Table 8.1.

(2) For a movie theater that is part of a multi-tenant nonresidential development (as defined herein), changeable copy board signs may be located on the property in addition to the “principal signs” allowed for such uses on Table 8.1, as follows:

a. One freestanding changeable copy board sign is allowed for each multi-screen movie theater for each street frontage.

b. The changeable copy board shall be constructed in such a fashion so as to prevent wind, rain or other elements from altering the position of the sign copy.

c. The size and height of the changeable copy board sign shall comply with the restrictions imposed for principal freestanding signs on Table 8.1.

d. The width of a freestanding changeable copy board sign face shall not exceed the width of the freestanding sign structure.

(b) Building signs on a multi-screen movie theater.

In addition to the building signs allowed on Table 8.1, the following are allowed for a multi-screen movie theater:

(1) One changeable copy board wall sign or marquee sign shall be permitted for each multi-screen movie theater; provided, however, if theaters are contained within separate buildings, then one such wall or marquee sign shall be permitted for each building.

(2) A multi-screen movie theater may have 1 additional wall sign for each theater within the building, provided that the total area of all building signage shall not exceed 10% of the area of the wall.

Sec. 8-43 Rear entrance signs.

In planned centers that contain tenant spaces with rear entrance doors, a sign shall be located on each tenant's rear door as follows:

(a) Rear entrance signs shall be required for each tenant within a planned center for the purpose of identifying each tenant for emergency service vehicles. The developer or owner of the planned center shall be responsible to the County for proper rear entrance signage of tenants, including proper maintenance.

(b) The area of rear entrance identification signs shall not be less than 18 inches wide and 12 inches high, and the copy shall include the name of the business and the street address number. Lettering and numbering shall be at least two inches in height and shall be Helvetica medium style or an equivalent typeface.

(c) The number and area of rear entrance signs shall be in addition to the building signs allowed on Table 8.1.

ARTICLE VIII. TEMPORARY SIGNAGE.

Additional signs are allowed during a Temporary Event (as defined in this Code), such as an election, a special business promotion, a yard sale, the construction of a building, and similar temporary events not otherwise defined as a Special Outdoor Event under this Code. **Such additional signs shall not be restricted as to the message displayed on the sign**, but must comply with the provisions of this Section.

Sec. 8-44 Requirements for all temporary signs.

(a) Duration.

The sign may be placed upon initiation of the temporary event, and must be removed upon the termination of the event. Initiation and termination of particular events shall be interpreted as follows:

(1) *Election*. Initiation upon the last day of qualification of candidates, and termination upon the election of a candidate to office or resolution of a ballot question.

(2) *Special business promotion*. Initiation upon announcement of the special sale or sales event, and termination upon its completion or 30 days after initiation, whichever occurs first.

(3) *Yard sale*. Initiation five days prior to the announced date of the sale, and termination at the end of the announced date.

(4) *Residential or nonresidential subdivision or condominium under development*. Initiation upon preliminary plat or site plan approval by the County, and termination upon the sale of 90% of the lots, dwelling units or buildings in the final phase.

(5) *Building construction or remodeling*. Initiation upon issuance of a building permit authorizing the construction, interior finish or remodeling, and termination upon issuance of the Certificate of Occupancy or approval for connection to electric power for the work authorized by the building permit.

(b) Number of temporary event signs.

Only one temporary sign related to each temporary event may be located on a property at any one time.

(c) Size of temporary event signs.

(1) *Single- and two-family zoning districts*. Temporary event signs located on properties occupied by or zoned for single-family or two-family residences shall not exceed 6 square feet in area and 5 feet in height.

(2) *Rural residential, multi-family and nonresidential zoning districts*. Temporary event signs located on properties occupied by or zoned for agricultural, multi-family or nonresidential uses shall not exceed 32 square feet in area and 8 feet in height.

(d) Construction standards for temporary event signs.

Construction of temporary event signs shall meet the same engineering design and materials standards as for permanent signs, and must be authorized by a building permit prior to placement if required under the Building Code.

Sec. 8-45 Real estate event signs.

(a) One additional freestanding sign per 500 feet of property frontage and one additional building sign per building or available tenant space may be placed on a site while the property, building or tenant space is for sale or lease.

(b) Each such sign may be no larger than the following:

(1) Single-family and two-family residential zoning districts: 6 square feet in area, 5 feet high.

(2) Rural residential, multi-family and nonresidential zoning districts:

a. Along an Interstate Highway, 64 square feet in area, 10 feet high.

b. Along all other roads, 32 square feet in area, 6 feet high.

Sec. 8-46 Real estate directional signs.

A sign that conveys directions to a specific property for sale or lease, such as a real estate development, residential subdivision, apartment or condominium project, home for sale, apartment for rent, or any other real estate property for sale or lease, is permitted if it complies with all of the following:

(a) Real estate directional signs may not contain any commercial message or advertisement, but may contain the name, trademark or trade symbol of the development or property to which directions are being provided or the real estate company offering the property.

(b) Real estate directional signs are allowed in all zoning districts, except those within 660 feet of the right-of-way of any state, U.S. or Interstate numbered highway are only allowed on properties zoned for commercial or industrial use in accordance with the Georgia Outdoor Advertising Act.

(c) Real estate directional signs shall be erected and maintained only with the permission of the owner of the property upon which the sign is erected.

(d) Real estate directional signs shall not exceed a maximum size of 4 square feet.

(e) Real estate directional signs shall not be illuminated.

(f) Real estate directional signs shall be removed upon the consummation of the sale or lease of the property to which directions are provided.

(g) There shall be no more than 4 real estate directional signs providing directions to any 1 residential, commercial, or industrial development; and no more than 2 signs providing directions to any 1 lot.

ARTICLE IX. BILLBOARDS.

Sec. 8-47 Billboard; defined.

A billboard is a freestanding sign that exceeds the maximum sign face or sign structure area permitted by right on a property under the provisions of ARTICLE VI.

Sec. 8-48 Billboards; where allowed.

A billboard may be allowed individually as a principal use or as an additional freestanding sign on a property under the following conditions:

(a) The sign must be located in a GC General Commercial, HC Heavy Commercial or I Industrial zoning district within 660 feet of a State, U.S. or Interstate numbered highway

(b) The billboard must comply with all requirements of the State of Georgia and the Georgia Outdoor Advertising Act.

(c) Billboards located on a State or U.S. numbered Highway shall not exceed 384 square feet, and shall be v-shaped or back to back (to be viewed from each side, not double stacked).

(d) Billboards within 660 feet of an Interstate Highway may be up to 672 square feet in area, limit of (2) sign faces per travel direction, or may carry one sign not to exceed 1200 square feet.

(e) No billboard shall exceed 70 feet in height and shall meet approval from the local airport representative in reference to possible interference in fly zone path.

(f) All portions of the billboard must be located on a lot 20 feet or more from the nearest edge of any public street or State or U.S. numbered Highway right-of-way, and at least 10 feet from any Interstate Highway right-of-way.

(g) Billboards located on a State or U.S. Highway shall not be located within 1000 feet of any other billboard or any building displaying a mural on the same side of the road except when back to back or end to end, or within 200 feet of a zoning district where bill-boards are not allowed. Billboards located on an Interstate Highway shall not be located within 500 feet of any other billboard or any building displaying a mural on the same side of the road except when back to back or end to end. Distance measurements are to be made horizontally in all directions from the nearest edge of the sign structure.

(h) Billboards located near expressway interchanges shall be limited as follows:

    (1) No more than 2 billboards may be located in each quadrant of the interchange.

    (2) Such billboards shall be restricted to an area in each quadrant 1,200 feet long beginning 500 feet from the road that crosses the expressway or 500 feet beyond the point where the pavement begins to widen on the main travelway of the expressway to accommodate an exit or entrance ramp, whichever is farther from the interchange.

(i) The billboard may not be located on or over any building.

ARTICLE X. MURALS AND MONUMENTS.

Sec. 8-49 Mural; defined.

A mural is a building sign that exceeds the maximum sign face area permitted by right on a property under the provisions of ARTICLE VI.

Sec. 8-50 Murals; where allowed.

A mural may be allowed on a principal or accessory building under the following conditions:

(a) The building on which the mural is to be placed must be located in a GC General Commercial, HC Heavy Commercial or I Industrial zoning district within 660 feet of a State, U.S. or Interstate numbered highway

(b) Murals located on a State or U.S. numbered highway shall not exceed 384 square feet and shall be limited to no more than one mural per building.

(c) Murals located within 660 feet of an Interstate Highway may be up to 672 square feet in area, limited to two murals per building, or may be up to 1200 square feet when limited to one such mural per building.

(d) Murals located on a State or U.S. Highway shall be located at least 1000 feet from any other building displaying a mural or from any billboard on the same side of the road, or within 200 feet of a zoning district where murals are not allowed. Murals located on an Interstate Highway shall be located at least 500 feet from any other building displaying a mural or from any billboard on the same side of the road. Distance measurements are to be made horizontally in all directions from the nearest edge of the mural sign face.

(e) A mural not in compliance with the provisions of this Section may be considered for approval by the Board of Commissioners as a special use, based on the artistic, historic or aesthetic merit, community-serving nature and proposed permanence of the sign.

Sec. 8-51 Monument; defined.

A monument is a statue or other structure erected 1) to commemorate a famous or notable person or event, or 2) to commemorate an outstanding, enduring, and memorable example of an event or location.

Sec. 8-52 Monuments; limitations.

(a) A monument shall be of durable construction, using weather-resistant and impervious materials such as stone or metal.

(b) No monument shall contain any form of commercial speech, as defined in this Land Development Code.

Sec. 8-53 Monuments; where allowed.

Monuments are allowed under the following conditions and circumstances:

(a) Monuments are not allowed on properties zoned PRD, RD or RM.

(b) No more than one monument is allowed on a vacant or agricultural property in any zoning district other than those listed in Sec. 8-53 (a), and only upon approval as a special use.

(c) One monument is allowed on a property that is zoned RS1 or RS2 and occupied by a principal building or structure upon approval as a special use. Two or more monuments on such properties are not allowed.

(d) One monument is allowed by right on an occupied property zoned OI, NC, GC, HC, I or PCID. Two or more monuments on such properties require approval as a special use.

(e) No monument shall be located on a property within the minimum front, side, or rear setbacks required by Table 5.2, *Minimum Setback: Principal Buildings and Structures*, of Chapter 5 of this Land Development Code for the zoning district in which the monument is placed.

(f) A monument allowed on any property shall not exceed 20 feet in height unless a Special Exception is granted, which may not otherwise exceed the maximum height allowed on Table 5.4, *Maximum Structure Heights*, of Chapter 5 of this Land Development Code.

(g) Monuments placed by Crisp County, including historical plaques or free-standing signs, are exempt from the restrictions under this Section.

ARTICLE XI. SIGN PERMITS; WHEN REQUIRED.

Sec. 8-54 Sign permit requirements.

In addition to a building permit as may be required under the Building Code, a sign permit shall be obtained from the Planning Director prior to installation or construction of any sign regulated under this Code except for those signs specifically exempted under this Section. The procedure to obtain a sign permit is found under the Procedures and Permits Article of this Code.

Sec. 8-55 Exemptions from sign permit requirement.[4]

(a) Permits shall not be required under the following conditions:

(1) Replacing or altering the sign copy or other design elements that compose a sign's message, in whole or in part, shall not require a sign permit unless a structural or size change is made to the sign.

(2) Replacing or altering changeable copy on theater marquees, billboards and similar signs.

[4] These exemptions apply only to the requirement of a permit and do not relieve the owner of the sign from compliance with all other requirements of this Code for the particular sign.

(3) Painting, repairing, cleaning or maintaining of a sign shall not be considered an erection or alteration which requires a permit unless a structural change is made.

(b) A sign permit will not be required for the following listed signs:

(1) Any sign that is otherwise exempt from regulation under Sec. 8-6 of this Chapter.

(2) Miscellaneous freestanding signs that are allowed under Sec. 8-36 of this Chapter.

(3) Flags that are allowed under Sec. 8-41 of this Chapter.

(4) Rear entrance door signs that are allowed under Sec. 8-43 of this Chapter.

(5) Temporary event signs that are allowed under CHAPTER 8.ARTICLE VIII of this Chapter.

(6) Any building sign that is less than 6 square feet in area.

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CHAPTER 9. PROJECT DESIGN STANDARDS

ARTICLE I. PURPOSE AND DEFINITIONS.

Sec. 9-1 Purpose of Article 9.

This Article sets out the minimum requirements and standards for construction of land development projects, including general principals of design and layout and requirements for such public facilities as streets and utilities.

Sec. 9-2 Definitions.

Block: An area of land surrounded by streets.

Center Line: That line connecting the succession of midpoints between the identifiable limits of any improvements on the ground or of any easement.

Comprehensive Plan: The adopted Comprehensive Plan for Crisp County, as amended from time to time.

Cul-de-Sac: A dead-end street that terminates in a permanent turnaround and not intended for future extension.

Dead-End Street: A street connected to another street at only one end.

Deflection Angle: The angle between a deviation in the direction of the center line of a street and the extension of the center line along a straight course from the point from which the center line changed direction.

Developer: The person, corporation or other legal entity that undertakes the subdivision of property, the alteration of land or vegetation in preparation for construction activity, or the construction of streets, utilities, buildings or other improvements required for the habitation or use of property.

Development: (1) A land development project involving the construction of streets, utilities, buildings, or other improvements required for the habitation or use of property, such as a residential neighborhood, an apartment complex, a store, or a shopping center; (2) any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials; (3) the act of constructing or carrying out a land development project, including the alteration of land or vegetation in preparation for construction activity.

Easement: A strip of land on which the property owner has granted to another entity the right to use such land for specific purposes.

Geodetic Control Monuments: Those survey monuments which are established by federal, state, local, and private agencies, the position of which monuments on the earth's surface has been fixed by high-order surveying and computation for use by surveyors and engineers in the

extension of geodetic position to property corners, improvements to property, utility systems, streets and highways, and such other objects and things as may be located by surveying. Such monuments may be in the form of metal disks set in concrete, rock, metal, or some other fixed permanent object, the position thereof having been published by the agency which established the monument and made available to the public as well as to land surveyors and engineers for public use.

Georgia Stormwater Management Manual, Volume 2: Technical Handbook, produced as a result of a collaborative effort between the Atlanta Regional Commission (ARC), the Georgia Department of Natural Resources-Environmental Protection Division (EPD), and 35 cities and counties from across Georgia that provides guidance on the techniques and measures that can be implemented to meet a set of stormwater management minimum standards for new development and redevelopment, as amended from time to time.

Improvements: The physical addition and changes to land that may be necessary to produce usable, desirable and acceptable lots or building sites.

Intersection: (1) the place where two streets cross; (2) the point at which the centerline of a street intersects the center line of another street or railway.

Major subdivision: See "Subdivision, major."

Minor subdivision: See "Subdivision, minor."

Professional Engineer: An engineer licensed and registered to perform the duties of a professional engineer (P.E.) by the State of Georgia.

Property Corner Monuments: Those survey monuments which are established to identify property corners, the location and description of which are made a part of any plat or any instrument pertaining to real property filed in the office of the Clerk of the Superior Court.

Publicly Dedicated: Land or improvements that has or have been transferred by plat or deeded to and accepted by the appropriate government or public authority for public use and maintenance.

Public Utility: A utility owned and operated by a government or public authority.

(1) *Public Sewerage System:* A sanitary sewerage system for the collection of water-borne wastes complete with a sewage treatment plant that is owned and operated by a public agency or authority.

(2) *Public Water System:* A system for the intake, treatment and distribution of potable water that is owned and operated by a public agency or authority.

Registered Land Surveyor: A land surveyor licensed and registered to perform the duties of a registered land surveyor (R.L.S.) by the State of Georgia.

Reserve Strip: A separately owned strip of land between a public or private street right-of-way and a property line of an adjacent property that has the effect of controlling or limiting access from said adjacent property to the street.

Right-of-Way: Land reserved for and immediately available for use as a street or other public purpose.

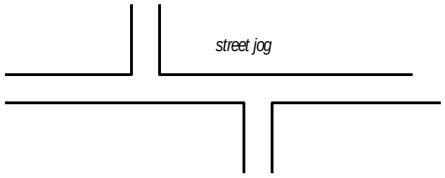
Roadbed: That portion of a street improved for vehicular travel, including the curbs and shoulders).

Roadway: The paved portion of a street improved for vehicular travel, measured from back of curb to back of curb, or from edge of pavement to edge of pavement for swale ditch roads.

Street: An improved way for the conveyance of motor driven, rubber-tired vehicles, such as automobiles and trucks.

Street Classifications: Streets and roads are classified in accordance with the Georgia Department of Transportation's *Functional Classification Map* for Crisp County, latest edition.

Street Jog: The incidence where two streets or two portions of a single street are separated by a relatively short distance, usually at their intersection with another street.

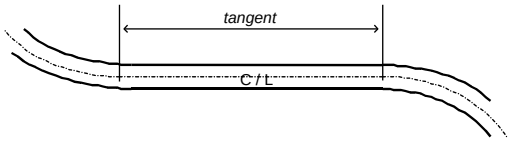


Subdivision: (1) The division of a property or tract of land into two or more tracts or lots; (2) a land development project in which two or more lots are created, along with the streets and utilities needed to support construction of buildings on the lots.

Subdivision, Major: The division of land into 2 or more lots that will require the construction or extension of public streets, water or other public facilities (other than the direct connection of buildings to existing facilities).

Subdivision, Minor: The division of land into 2 or more lots, each of which will be adequately served by existing public streets, water and other public facilities.

Tangent: the straight-line distance between the ending of one curve of a line (center line of a street) and the beginning of another curve of the same line (center line).



ARTICLE II. STANDARDS INCORPORATED BY REFERENCE.

Sec. 9-3 DOT standard specifications.

Unless otherwise specially set forth herein, all of the materials, methods of construction, and workmanship for the work covered in reference to street construction and storm drainage construction shall conform to the latest standard specifications of the Georgia Department of Transportation.

Sec. 9-4 AASHTO design standards.

Design criteria and standards not specifically set forth herein shall conform to the latest edition of the *AASHTO Policy on Geometric Design of Highways and Streets.*

Sec. 9-5 General design standards.

(a) Suitability of the land.

Land physically unsuitable for subdivision or development because of flooding, poor drainage, topographic, geologic or other such features that may endanger health, life or property, aggravate erosion, increase flood hazard, or necessitate excessive expenditures of public funds for supply and maintenance of services shall not be approved for subdivision or development unless adequate methods are formulated by the developer for solving the problems. Such land shall be set aside for such uses as shall not involve such a danger.

(b) Conformance to the comprehensive plan and other adopted plans.

(1) All proposed subdivisions shall conform to the Comprehensive Plan and development policies in effect at the time of submission to the Planning Department.

(2) All highways, streets and other features of the Comprehensive Plan shall be platted by the developer in the location and to the dimension indicated on the Comprehensive Plan.

(3) In subdivisions or developments related to or affecting any State or U.S. numbered highway, the Planning Department shall require the approval of the Georgia Department of Transportation.

(4) When features of other plans adopted by the County Commission (such as schools or other public-building sites, parks or other land for public uses) are located in whole or in part in a subdivision, such features shall be either dedicated or reserved by the subdivider for acquisition within a reasonable time by the appropriate public agency.

(5) Whenever a plot proposes the dedication of land to public use that the County Commission finds not required or suitable for such public use, the County Commission shall refuse to approve the plat, and shall notify the land developer of the reasons for such action.

(c) Name of subdivision or development project.

The name of each subdivision or development Project must have the approval of the Planning Department. The name shall not duplicate nor closely approximate the name of an existing subdivision or development project.

(d) Blocks.

(1) Length:

a. Residential Blocks.

1. Blocks shall be at least 600 feet but not more than 1,800 feet in length except as the Planning Department considers necessary to secure efficient use of land or desired features of street pattern.

2. In blocks greater than 1,000 feet in length, the Planning Department may require one or more public easements of not less than 20 feet in width

to extend entirely across the block for pedestrian crosswalks, fire protection or utilities.

b. Nonresidential Blocks.

Blocks for other than residential use shall be of such length and width as may be suitable for the prospective use, including adequate provision for off-street parking and service.

(2) Width:

Blocks shall be wide enough to allow two rows of lots, except where reverse frontage lots on arterial streets are provided, or when prevented by topographic conditions or size of the property, or for lots along the periphery of the subdivision, in which case the Planning Department may approve a single row of lots.

(e) Lots.

(1) Minimum lot dimensions and areas.

All lots proposed in a subdivision shall meet or exceed the area and dimensional requirements of this Development Code for the zoning district in which the lots are located.

(2) Authority of Health Department.

Nothing contained in this Article shall be construed as preventing the Health Department, after study of the conditions existing in a proposed subdivision, from requiring that all or any portion of the area of such subdivision shall not be built upon or that the minimum lot sizes set forth in this Development Code are inadequate and must be increased to ensure the protection of the public health.

(3) Adequate building sites.

Each lot shall contain a site large enough for a normal building that will meet all building setback requirements and not be subject to flood or periodic inundation.

(4) Arrangement.

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.

a. Corner Lots.

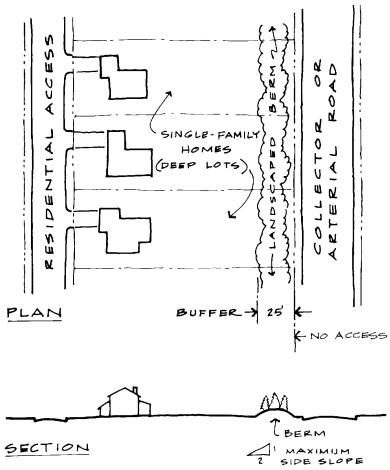
Corner lots shall be sufficiently large to permit the location of buildings so as to conform to the front building lines on both streets.

b. Frontage on highways restricted.

Residential lots shall not be platted in a subdivision to front directly on the right-of-way of a State of U.S. numbered highway (whether a collector or arterial street), unless the lots are served by a frontage road, or unless approved by DOT.

c. Double and reverse frontage lots.

Double frontage and reverse frontage lots are to be avoided except where specifically required to provide separation of residential development from a State or U.S. numbered highway (whether a collector or arterial street) or to overcome specific disadvantages of topography and orientation of property. An easement of at least 25 feet in width, improved with a landscaped berm, across which there shall be no right of access, shall be provided along the line of lots abutting any such highway.



REVERSE FRONTAGE LOTS

(f) Inter-parcel access requirements.

(1) Internal Access Easements Required.

For any office or retail sales or services use, the property owner shall grant vehicular access as described in this Section to each adjoining property that is zoned or used for an office or retail sales or services use and has frontage on the same street. The purpose of the inter-parcel access is to facilitate movement of customers from business to business without generating additional turning movements on the public street.

(2) Access Provisions.

a. Automobile access shall be allowed from the adjoining property to driveways and parking areas intended for customer or tenant use; but parking spaces may be restricted on each property to use by the owner's customers and tenants only.

b. The granting of such access shall be effective upon the granting of reciprocal access by the adjoining property owner.

c. Upon the availability of access to driveways and parking areas of the adjoining lot, the pavement or other surfacing of the owner's driveways and parking areas shall be extended to the point of access on the property line.

(3) Relief.

Where the proposed land use is such that adverse impact on the use of either property would outweigh the reduced impact on the public street provided by the inter-parcel access, the Planning Department may waive the requirement, in whole or in part, administratively.

(g) Easements.

Easements shall be required in connection with subdivisions or other developments for the following purposes, among others:

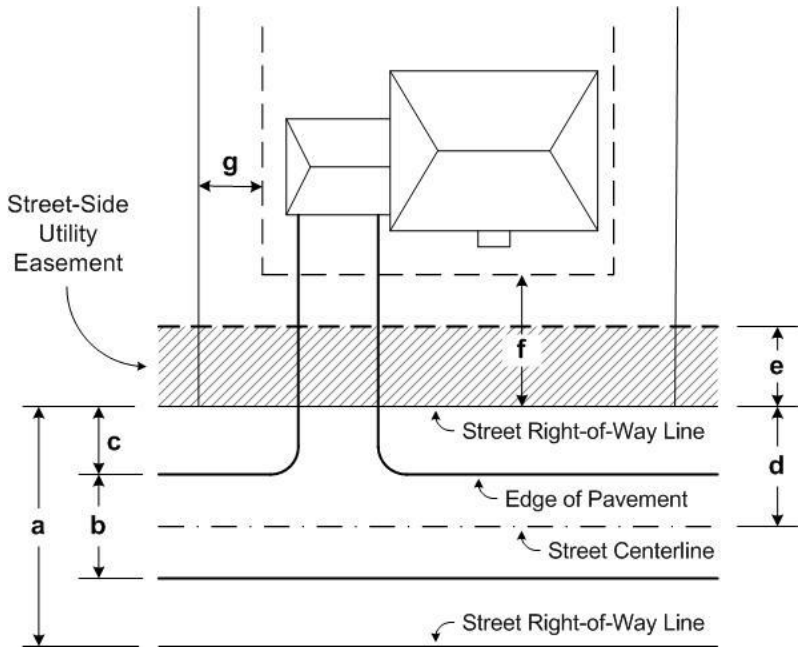
(1) Street-side Utility Easements.

a. A 20-foot wide utility easement shall be required adjacent and parallel to each street right-of-way line, unless this requirement is waived by the County Administrator on a case-by-case basis as not needed.

b. The street-side utility easement shall be applied to both sides of all new streets, whether public or private, and along the adjacent side of any existing street that abuts the subdivision or other development.

c. Figure 9.1 illustrates the application of a street-side utility easement along a local street in a subdivision.

Figure 9.1: Street-Side Utility Easement



a Street right-of-way (local street = 60 feet*)
b Street pavement (local street = 28 feet*)
c Distance from edge of street pavement to right-of-way (local street = 16 feet*)
d Distance from middle of street to right-of-way (local street = 30 feet*)
e Street-side utility easement (20 feet wide)
f Minimum front building setback (varies with zoning district)
g Minimum side building setback (varies with zoning district)

* Street right-of-way and pavement widths may vary. Figures shown are for new subdivision streets.

(2) Other Utility Easements.

Whenever it is necessary or desirable to locate a public utility line outside of the street right-of-way or street-side utility easement, the line shall be located in an easement dedicated to the County (or other appropriate public entity) for such purpose. Easements for water and sanitary sewers shall be a minimum of 20 feet wide, and may be required to be wider depending on the depth of cut.

(3) Water Course and Drainage Easements.

a. A publicly dedicated storm water easement or drainage easement is to be provided along any drainage channel, stream or water impoundment within a development located outside a street right-of-way. The easement is to be substantially centered on the watercourse or surround the high-water line of the impoundment, and shall be of such width as the Planning Director deems necessary for adequate access by maintenance equipment. All easements shall be no less than 20 feet wide when used as an open ditch. Piped storm drainage shall have a minimum easement width of 15 feet wide.

b. Drainage easements off the street right-of-way shall be clearly defined on the plat and deed of the individual property owner, and such property owner shall keep the easement free of obstructions and maintain that part of the easement within the property owner's boundary line so that free and maximum flow is maintained at all times.

c. Overlapping Easements.

Easements for water and sanitary sewers and drainage purposes shall not overlap unless approved by the Planning Department.

(4) Exclusive Use of Easements.

a. An easement established under this Sec. 9-5 (g) shall be reserved for the specific use designated by the type of easement, and shall be occupied by no other structure or utility unless approved by the County.

b. An easement established under this Sec. 9-5 (g) shall not be used for or designated for use by any on-site sewage disposal (septic) system, drain field or replacement field unless approved as a special exception variance at the request of the Health Department.

ARTICLE III. MANUFACTURED HOME PARK DESIGN STANDARDS.

Notwithstanding any other requirements of this Article, a manufactured home park (i.e., a property on which two or more manufactured homes are located on a single lot, as contrasted to a subdivision of individual lots for sale) shall conform to the requirements of this Section.

Sec. 9-6 Entrances and exits.

The entrances and exits to the manufactured home park shall be only from the major thoroughfare on which it fronts. Entrance and exit streets must be designed and constructed to public street standards, but shall be maintained as private streets.

Sec. 9-7 Park boundary treatment.

(a) A manufactured home park shall be bounded with a ten-foot buffer strip along all of the exterior lot lines of the park not bordering the major thoroughfare but not extending into a front yard.

(b) The buffer strip along the exterior side and rear lot lines shall meet the buffer standards of the Landscaping, Buffers and Tree Conservation Article of this Development Code.

(c) An easement of at least 25 feet in width, improved with a landscaped berm, across which there shall be no right of access other than the approved entrance/exit street, shall be provided along the frontage of the manufactured home park.

Sec. 9-8 Manufactured home park interior streets and driveways.

(a) Minor interior streets shall have a right-of-way width of a least 40 feet unless a greater width for drainage purposes is required. Minimum surface width shall be 28 feet.

(b) Driveways on individual manufactured home lots pad sites shall be at least 8 feet wide with an additional 2 feet if the driveway also serves as a walk.

(c) All manufactured home structures shall observe the required front setback from all streets, whether public or private, as required by the zoning district.

(d) The park street system shall be adequately maintained and lighted by the owner. The lighting units shall be so spaced and equipped to provide for the safe movement of pedestrians and vehicle traffic at night.

Sec. 9-9 Manufactured home park walks.

(a) Common sidewalks a least $3^1/_2$ feet wide shall be provided connecting the individual manufactured homes with each other and with the recreation, management or service areas.

(b) Walks at least 2 feet wide shall be provided on each pad site to connect the manufactured home with a common walk.

Sec. 9-10 Manufactured home sites.

(a) Each manufactured home shall have a minimum of 3,500 square feet of site area around it if shared, central or public sewage disposal facilities are utilized (not to exceed 8 dwelling units per gross acre).

(b) A manufactured home served by an individual on-site sewage system shall be provided with a minimum site of one-half acre or larger (as required by the Health Department).

(c) All manufactured home stands shall have a smooth, hard and dense surface that is properly drained and durable under normal use and weather conditions.

(d) A line outlining each manufactured home site and the type of sewage disposal proposed for each site shall be clearly delineated on a site plan prior to approval by the Planning Department.

Sec. 9-11 Automobile parking.

(a) No automobile parking shall be permitted on entrance or exit portions of an interior street.

(b) At least 2 automobile parking spaces shall be provided for each manufactured home. The parking spaces shall be provided on the individual home site of the manufactured home they serve.

Sec. 9-12 Recreation areas.

(a) At least 100 square feet of common open space per manufactured home shall be provided. Each recreation area provided shall contain at least 2,500 square feet and be improved with active recreation facilities.

(b) Recreation areas shall be so located as to be free of traffic hazards and shall be equally accessible by all residents of the park.

ARTICLE IV. REQUIRED IMPROVEMENTS.

Sec. 9-13 Required improvements in major subdivisions, multi-family and nonresidential developments.

The following improvements shall be provided by the developer or at the developer's expense in every major subdivision or multi-family or nonresidential development in accordance with the standards contained in this Article.

(a) Survey monumentation of the public streets and lot lines in a subdivision.

(b) Public streets (or private streets if allowed under Sec. 9-15) providing access to a development and to all lots in a subdivision, including the extension of streets required to provide access to adjoining properties.

(1) Public streets contained wholly within a subdivision shall be improved to the full standards contained in this Article. Existing streets that adjoin a development shall be improved to the minimum standards from the centerline of the street along the development's frontage. (Half streets are not allowed).

(2) Public streets in nonresidential areas or serving a multi-family development shall be improved to "collector" street standards. In residential subdivisions, streets that serve 100 dwelling units or more shall be improved to "collector" street standards, while those serving fewer than 100 dwelling units shall be improved to "local" street standards.

(3) The County may participate in sharing the costs of construction and installation to the extent that improvements are needed to bring the street to a higher level of classification than required to exclusively serve the subdivision or development.

(4) Curb and gutter or swale ditches along all roadways, as applicable.

(c) Project access improvements (deceleration, turn lanes, etc.) under the provisions of Sec. 9-22 .

(d) Driveway access to each lot in accordance with ARTICLE VIII.

(e) Storm water drainage and detention facilities.

(f) Sidewalks along each side of any curb and gutter street within or adjacent to the development, within $^1/_4$ mile of a public school or commercial property.

(g) Street name signs, stop bars and traffic control signs shall be installed by the County at the developer's expense.

(h) Public water service shall be provided to every lot in a subdivision and to every multi-family and nonresidential development for both domestic use and fire protection if public water is available or programmed to be available within 1,000 feet of the subdivision or development. Water mains shall be connected to the existing public water system and extended past each lot. A licensed contractor shall install all elements of the water system, including mains, valves and hydrants at the developer's expense. The County may participate in sharing the costs of construction and installation to the extent that pipe sizes are needed in excess of that size required to exclusively serve the subdivision or development.

(i) Fire hydrants shall be located along the streets in every subdivision and within every development project.

(j) Every lot in a subdivision and every development shall be connected to a public sanitary sewerage system unless on-site disposal is allowed by the Health Department. Sewer lines shall be connected to an existing sanitary sewerage system and extended past each lot. Every element of the sanitary sewer system, including mains, lift stations, outfalls, and laterals, shall be installed at the developer's expense by a contractor approved by the jurisdiction that owns the sanitary sewerage system.

(k) Dedication of easements as required by this Development Code.

Sec. 9-14 Required improvements in minor subdivisions.

By definition, a minor subdivision does not involve the construction of major public improvements, such as new streets or stormwater detention. However, the following improvements are required in order to adequately serve the lots and protect the safe operation of the existing road:

(a) Survey monument markers of all lot corners in accordance with the requirements of Sec. 9-13 (a).

(b) Right-of-way dedication along the property's frontage from the centerline of the existing road equal to $^1/_2$ of the minimum requirement for the classification of the road, as required under Sec. 9-18 (b) and as established in 0.

(c) A street-side utility easement dedicated to the County in accordance with Sec. 9-5 (g)(1), and dedication of other easements if required by this Development Code.

(d) Driveway access to each lot in accordance with ARTICLE VIII.

(e) The stormwater carrying capacity of the road, whether in an existing ditch or gutter, shall not be compromised. If the stormwater characteristics of the existing road are inadequate to accommodate the new lots, the Planning Director may require improvement of the roadway ditch and associated drainage structures as appropriate.

Sec. 9-15 Private subdivisions.

(a) Private subdivisions that meet all requirements and standards that apply to public subdivisions are allowed only in a Planned Residential Development (PRD) and a Planned Unit Development (PUD) zoning district.

(b) A private subdivision may be served by a private street that meets all requirements and standards that apply to a public street, provided that:

(1) Owner's release.

a. At the time of closing on a property that is served by a private street that is constructed using standards that are the same as those required for public streets, upon any sale or resale of a property, the purchaser shall acknowledge by execution of a release that the street is private and not maintained by the County, and that maintenance of the street is the responsibility of the owner or other private association or entity identified in the release. The release is to be prepared using a form acceptable to the County Attorney and shall be recorded with the Clerk to Superior Court. (See Appendix B for an example of a release form.)

b. Such release must be provided to the Planning Director prior to issuance of a building permit on the property.

(2) Other standards.

The private subdivision shall meet all other requirements and standards that apply to public subdivisions, such as storm water runoff and detention requirements, the provision of utilities, and traffic and street name signs, and to all other provisions of Sec. 9-15 not modified under this Sec. 9-15 (b) or Sec. 9-15 (d).

a. Adherence of the private streets in a subdivision to the same standards for public streets in a PRD or PUD may be waived or lesser standards may be set by the County Commission as a condition of approval at the time of zoning, subject to the requirements of this Subsection.

1. Standards for approval.

Approval of a reduction in or waiver of the standards otherwise required for public streets or the private streets in a subdivision shall require a finding by the County Commission, based upon the certification of a

Registered Professional Engineer furnished by the developer, that 1) the action is consistent with the purposes of this Development Code, as set forth under Chapter 1, and that 2) the health, safety and welfare of the public is secured.

2. Liability.

If the subdivision is served by private streets and the standards approved for the streets are less than those required for public streets, the subdivision developer shall by declaration hold the County harmless and assume all liability arising from the design and construction of the street and the inability of the County to adequately provide emergency fire, law enforcement or medical services to properties that gain access from said private street, including improvements on the property and any and all of the property's occupants, visitors, employees and customers. The declaration is to be prepared using a form acceptable to the County Attorney and, upon approval by the County Attorney, shall be recorded with the Clerk to Superior Court.

b. Owner's release.

1. At the time of closing on a property that is served by a private street that is constructed using standards that are less than those required for public streets, upon any sale or resale of a property, the purchaser shall acknowledge by execution of a release that the street is private and not maintained by the County, that the street does not meet the County's standards for public streets, that maintenance of the street is the responsibility of the owner or other private association or entity identified in the release, and that the purchaser holds the County harmless and assumes all liability arising from the inability of the County to adequately provide emergency fire, law enforcement or medical services to property. The release is to be prepared using a form acceptable to the County Attorney. (See Appendix B for an example of a release form.)

2. Such release must be provided to the Planning Director prior to issuance of a building permit on the property.

(c) Other standards.

The private subdivision shall meet all other requirements and standards that apply to public subdivisions, such as storm water runoff and detention requirements, the provision of utilities, and traffic and street name signs, and to all other provisions of Sec. 9-13 not modified under this Sec. 9-15 (c) or Sec. 9-15 (d).

(d) Requirements for all private streets.

(1) Private streets shall be located within a separate parcel of land that is owned by a mandatory Homeowners Association for the development.

(2) The width of the private street parcel must provide the same minimum width required for right-of-way for a similar public street. Street-side utility easements as required under Sec. 9-5 (g)(1) shall be provided along both sides of the private street parcel.

(3) An access easement coincident with the private street parcel shall be recorded with each lot's deed. The access easement must grant the right of vehicular access to every other lot served by the street, as well as the right of access by governmental vehicles and the right to place public and private utilities therein.

(4) Private streets shall be denoted as such on the street name signs for each such street. The County may utilize a different color than the standard color for the street name sign, or may affix an additional sign to the street name sign pole indicating that the street is not maintained by the County.

(5) Any gate placed across a private street that limits access to a subdivision or development shall provide for unimpeded access by emergency vehicles, governmental vehicles on official business, and delivery services including the U.S. Postal Service. Such gate shall be of breakaway or other construction acceptable to the County. Accessibility to such gated communities shall comply with all standards and requirements of the County Fire Chief for access activation, including the following:

a. Programmable key pad with an emergency override code as assigned by the Fire Chief;

b. Once the override code is used to open the gate, the gate will remain open until emergency personnel release the gate for normal use;

c. Automatic opening of the gates in the event of power failure; and

d. Reassignment of an emergency override code without the approval of the Fire Chief is not allowed.

(6) Road maintenance.

a. The County will not maintain roadways, signs or drainage improvements on private streets.

b. As part of the mandatory Homeowners Association, covenants are required for every lot within the private subdivision, whether or not the lot is served by a private street. Provisions for maintenance shall be included in the Homeowners Association covenants. The covenants shall set out the distribution of expenses, remedies for noncompliance with the terms of the agreement, right of use easements and other considerations. The covenants shall include the following items:

1. The covenants shall establish minimum annual assessments in an amount adequate to defray costs of ordinary maintenance and procedures for approval of additional needed assessments.

2. The covenants shall include a periodic maintenance schedule.
3. The covenants for maintenance shall be enforceable by any property owner in the private subdivision or by the Homeowners Association established by the covenants.
4. The covenants shall establish a formula for assessing maintenance and repair costs equitably to property owners served by the private road.
5. The covenants shall run with the land.
6. The covenants shall not be dissolved or be modified in any way so as to conflict with these regulations.
7. Maintenance shall include, but not be limited to, road base and surfacing, shoulders, signs, storm drainage facilities and vegetation control.

(e) Completion of required improvements.

No final subdivision plat shall be approved by the County or accepted for recordation by the Clerk of the Superior Court until all required improvements have been constructed in a satisfactory manner and approved by the Director of Planning.

ARTICLE V. SURVEY MONUMENTS.

(a) Geodetic control monuments, if set, shall be placed at a corner of the exterior boundary of the subdivision being developed and shall be set flush or up to 6 inches above the finished grade.

(b) Property corner markers.

(1) All street or lot corners or angle points and points of curve in each street shall be marked with an iron or steel pipe, bar or rod, or concrete marker, at least 24 inches long and driven no less than 1 inch or up to 6 inches above the finished grade. All such monuments shall be properly set in the ground and shall be approved by a registered land surveyor prior to the time of final plat approval.

(2) Existing permanent monuments that, in the professional opinion of a registered land surveyor, are of sufficiently durable construction may be maintained in lieu of a new concrete monument as described above.

(c) It is unlawful for any person willfully and knowingly to remove, destroy, injure, or displace any geodetic control monument or property corner monument except under the authority of the agency which originally set the monument or, in the case of a property corner monument, under the authority of a registered land surveyor or duly elected or appointed county surveyor having the written permission of all landowners who are parties to said property corner monument. In the case of a geodetic control monument, the record of any authorized change shall be published; and, in the case of a property corner monument, the record of any authorized change shall be filed for record in the office of the Clerk of the Superior Court.

ARTICLE VI. STREETS.

Sec. 9-16 Access.

(a) A publicly approved street meeting the requirements of this Article shall serve every development and every lot within a subdivision.

(b) Every development and every subdivision shall have access to the public street system via a paved roadway.

(c) When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged and designed so as to allow for the opening of future streets and to provide access to those areas not presently served by streets.

(d) No subdivision or development shall be designed in a way that would completely eliminate street access to adjoining parcels of land.

(e) Reserve strips shall be prohibited.

(f) Development along State and U.S. numbered highways.

(1) Where a residential subdivision abuts or contains a State or U.S. numbered highway, a street approximately parallel to and on each side of such right-of-way shall be constructed as a frontage road to provide access to the lots, or double frontage lots shall be provided (see "lots" above). Residential lots in a subdivision shall have no direct access to a State or U.S. numbered highway unless approved by DOT.

(2) Subdivision streets that intersect a State or U.S. numbered highway shall do so at intervals of not less than 800 feet, or as required by the Georgia Department of Transportation, whichever is greater.

Sec. 9-17 Street classifications.

Streets are classified according to the function that they serve, the type, speed, and volume of traffic they will carry and the required standards of design. The classifications of streets and roads are shown on the Georgia Department of Transportation's *Functional Classification Map* for Crisp County, latest edition, and are assigned to Crisp County classifications as shown on Table 9.1.

Table 9.1: Street Classifications

Crisp County Classification	GDOT Classification*
Arterial Street	Rural Principal Arterial Urban Principal Arterial Rural Minor Arterial Urban Minor Arterial
Collector Street	Rural Major Collector Rural Minor Collector Urban Collector Street
Local Street	Rural Local Road Urban Local Street

* Per Georgia Department of Transportation's *Functional Classification Map* for Crisp County, latest edition

Sec. 9-18 Relation to present and future street system.

(a) The street pattern within a development or subdivision shall provide for the continuation or appropriate projection of the existing street pattern at the same or greater width, but in no case less than the required minimum width in the section of the community involved, unless the Planning Department deems such extension undesirable.

(b) Existing streets that adjoin a development or subdivision boundary shall be deemed a part of the subdivision. The proposed street system within a subdivision shall have the right-of-way of existing streets extended no less than the required minimum width. Subdivisions that adjoin only one side of an existing street shall dedicate one-half of the additional right-of-way needed to meet the minimum width requirement for the street. If any part of the subdivision includes both sides of an existing street, all of the required additional right-of-way shall be dedicated.

(c) Where, in the opinion of the Planning Department, it is necessary to provide for street access to adjoining property, proposed streets shall be extended by dedication of right-of-way to the boundary of such property through the development.

Sec. 9-19 Design standards for streets.

(a) Arterial Streets.

All State or U.S. numbered highways shall meet all design requirements of and be approved by the Georgia Department of Transportation. Non-State arterials shall meet all design requirements of Georgia DOT.

(b) Local and Collector Streets.

All local and collector streets shall comply with the design and construction requirements of this Development Code, except that all State or U.S. numbered highways shall meet all design requirements of and be approved by the Georgia Department of Transportation.

(c) Minimum width of right-of-way.

Minimum width of right-of-way measured from lot line to lot line shall be as shown on Table 9.2.

Table 9.2: Minimum Right-of-Way Width

Street Classification	Width of Right-of-way*
Arterial Street	120 feet**
Collector Street**	80 feet
Local Street w/curb	50 feet
Local Street w/swale drainage	60 feet

* Exclusive of street-side utility easements, when required under Sec. 9-5 (g)(1).

**Per Georgia DOT for State and U.S. numbered highways.

(d) Additional Right-of-Way.

Subdivisions which include an existing platted street or road that does not conform to the minimum right-of-way requirements of this Code and is identified as a transportation improvement project in the Transportation Plan shall provide additional width along one or both sides of such street or road so that the minimum right-of-way required by this Article is established. Subdivisions

abutting only one side of such a street or road shall provide a minimum of one-half measured from the center of the existing right-of-way, of the right-of-way required by these regulations.

(e) Vertical alignment of streets.

(1) Grades on Arterials shall not exceed 8 percent with a maximum curve of 10 degrees; grades on collectors shall not exceed 10 percent with a maximum curve of 15 degrees; grades on local streets shall not exceed 12 percent with a maximum curve of 20 degrees except that the grade across a cul-de-sac in all directions shall not exceed 1.5 percent. All streets shall have a minimum grade of 1 percent.

(2) All changes in grade shall be connected by a vertical curve so constructed as to afford a minimum sight distance, said sight distance being measured from the driver's eyes, which are assumed to be 3.5 feet in height above the pavement surface, to an object 6 inches high on the pavement.

The minimum sight distance shall be as shown on Table 9.3.

Table 9.3: Minimum Sight Distance

Design Speed	Distance in Feet
25	150
30	200
35	250
40	275
45	400
50	475
55	550

(f) Horizontal alignment of streets.

(1) Where a deflection angle of more than 10 degrees in the alignment of a street occurs, the radius of curvature of the center line of said street shall be not less than as shown on Table 9.4.

Table 9.4: Horizontal Alignment

Street Classification	Minimum Radius of Curvature of Center Line
Arterial Street	Varies**
Collector Street**	500 feet
Local Street	275 feet

**Per Georgia DOT for State and U.S. numbered highways.

(2) Curved streets shall have a minimum tangent of 100 feet at intersections as measured from the centerline of cross streets. A tangent of a least 200 feet in length shall be introduced between reverse curves on collector streets, and 100 feet on local streets.

(3) Adjoining street intersections shall be spaced at least 200 feet apart measured from edge of right-of-way to edge of opposing right-of-way.

(4) Street jogs with centerline offsets of less than 125 feet on local streets shall not be allowed.

(5) Intersections. The centerline of no more than two streets shall intersect at any one point. All streets shall intersect at no less than 60 degrees, and as near a right angle as possible. The angle of intersection is to be measured at the intersection of the street centerlines. Such intersecting streets shall provide an uninterrupted line of sight from the center point of the intersection for not less than the minimum sight distance required in accordance with this Development Code.

(6) Islands at intersections shall be subject to individual approval by the Planning Director. In no case shall anything extend more than three feet above the back of the curb within the right-of-way of the intersecting street.

(7) Curb lines (or the edge of pavement for swale ditch sections) at street intersections shall have a radius of curvature of not less than 15 feet.

(8) Intersecting street right-of-way lines shall parallel the back of curb or edge of pavement of the roadway, and shall be rounded with a radius of no less than 4 feet.

(g) Design Speed.

Horizontal curves and super elevation shall be designed in accordance with the minimum design speeds shown on Table 9.5.

Table 9.5: Design Speeds

Street Classification	Minimum Design Speed
Arterial Street	**
Collector Street**	50 mph
Local Street	25 mph

**Per Georgia DOT for State and U.S. numbered highways.

(h) Dead-end streets (cul-de-sacs).

(1) A cul-de-sac shall be no more than 600 feet long unless necessitated by topographic or other conditions and approved by the Planning Department. Cul-de-sacs shall terminate in a circular turnaround having a minimum right-of-way of at least 110 feet in diameter for curb and gutter streets or 120 feet in diameter for swale ditch streets, and a paved turnaround with a minimum outside diameter of 88 feet. Such a street shall be provided at the closed end with a turnaround having the following right-of-way and roadway dimensions:

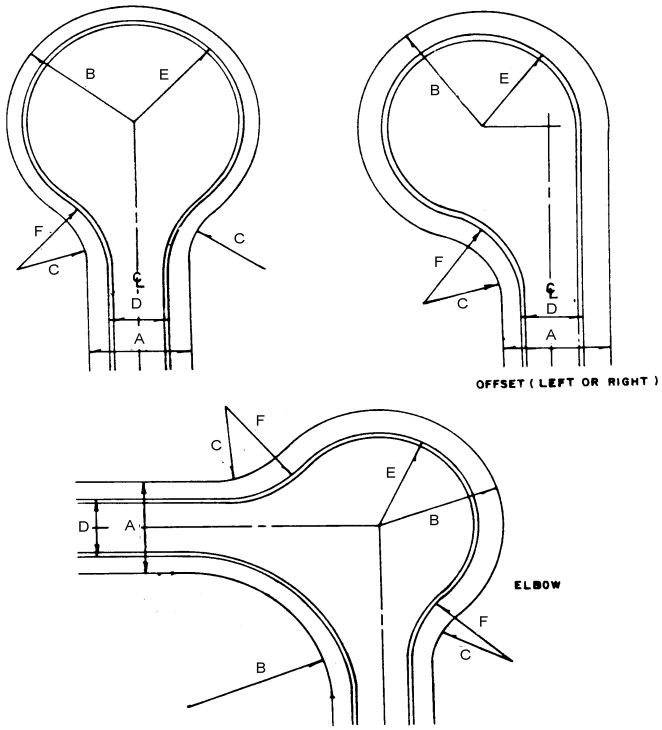


Table 9.6: Cul-de-Sacs

	Right-of-way (feet)				Roadway (feet)		
Street Type	A	B	C		D	E	F
Curb & gutter section	50	55	33		28	44	44
Swale ditch section	60	60	28		28	44	44

(2) A reverse curve joining a cul-de-sac turn-around to a street section is to have a radius to the back of curb or edge of pavement of 44 feet. Standard shoulder widths are to be maintained in accordance with the type of street.

(3) A dead-end street other than a cul-de-sac shall not be allowed except as a temporary stage of construction of a street that is intended to be extended in a later stage of construction. Such a temporary dead-end street shall be provided with a temporary turn-around having a roadway radius of 44 feet if:

a. one or more lots front exclusively on the street; and,

b. extension of the street is not under construction when the Final Plat is submitted for recording.

(4) Temporary turnarounds shall consist of a tack coat and 1 inch of asphalt.

(i) Alleys and service drives.

Alleys shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the Planning Director of the need for alleys. Where an alley has been specifically authorized or required by the Planning Department, it shall comply with the following minimum design standards:

(1) The roadbed width shall be no less than 20 feet, containing a paved roadway of no less than 16 feet exclusive of gutters.

(2) Dead-end alleys shall be provided with a turn-around having a radius of at least 40 feet.

(j) Street names.

(1) Proposed streets that are obviously in alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for a proposed street duplicate existing street names in the county, irrespective of the use of the suffix street, avenue, boulevard, road, pike, drive, way, place, court or other derivatives.

(2) Property address numbers shall be provided by the Planning Department after the issuance of a building permit.

(k) Half streets prohibited.

Half streets are prohibited. Whenever a street is planned adjacent to the proposed subdivision tract boundary, the entire street right-of-way shall be platted within the proposed subdivision.

(l) Split Level Streets and One-way Streets.

Streets which are constructed so as to have two trafficways, each at a different level with the same right-of-way, shall provide a paved traffic surface of at least 20 feet on each level and a slope between the two trafficways of not less than three to one. One-way streets and split streets will be allowed when:

(1) Topographic conditions are such that alternatives to the typical street construction would be more desirable.

(2) The shape and size of the parcel could be more efficiently developed. In either case, approval must be obtained from the Planning Department.

Sec. 9-20 Street Improvements

(a) Minimum width of roadway.

The minimum roadway width, measured from back of curb to back of curb (or edge of pavement to edge of pavement for a swale ditch section) shall be as shown on Table 9.7.

Table 9.7: Minimum Roadway Width

Street Classification	Width of Roadway
Arterial Street	**
Collector Street**	40 feet
Local Street	28 feet

**Per Georgia DOT for State and U.S. numbered highways.

(b) Street base.

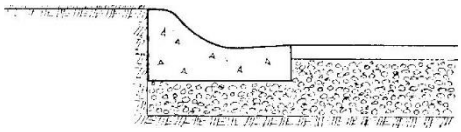
(1) Street base material shall conform to the specifications shown on Table 9.8.

Table 9.8: Street Base

Street Base Type	Arterial Street	Collector Street**	Local Street	
			Commercial & Industrial Streets	Residential Streets
Graded Aggregate Base (GDOT Sec. 310)	**	8 inches	8 inches	6 inches

**Per Georgia DOT.

(2) The street base shall extend fully under curb and gutter at least 2” thick (as illustrated below). For streets without curbs, the base shall extend at least 6 inches beyond the edge of payment.



(c) Pavement topping.

Streets shall be paved with top courses meeting the standards shown on Table 9.9.

Table 9.9: Pavement Topping

Street Classification	Primer (gal per sq yd)	Binder	Topping
Arterial Street	**	**	**
Collector Street**	0.25	2½ inches B	1½ inches E or F
Local Streets:			
Commercial or Industrial street	0.25	3½ inches B	1½ inches E or F
Residential street	0.25	N/A	2 inches E or F

**Per Georgia DOT for State and U.S. numbered highways.

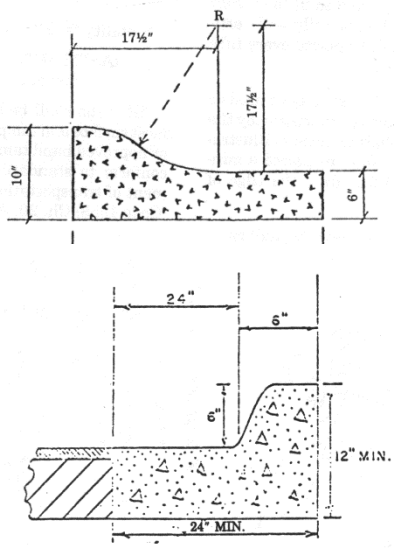
(d) Curb and gutter.

(1) Curb and gutter may be provided at the developer's option.

(2) If provided, local residential street curbs shall be 6-inch x 24-inch vertical or roll back type, 2,500 psi Portland cement concrete at 28 days.

(3) If provided, curbs along collectors and local commercial or industrial street curbs shall be 6-inch x 24-inch vertical type only, 3,000 psi Portland cement concrete at 28 days.

(4) If provided, curbing along streets shall meet the following standards:



a. Developer's engineer or surveyor shall set line and grade.

b. One-half inch expansion joints of pre-molded bitumastic expansion joint material shall be provided at all radius points and at intervals not to exceed 50 feet in the remainder of the curb and gutter.

c. The Planning Director shall individually approve special curbing design (center islands, etc.).

d. Curb and gutter shall be set true to line and grade and finished by skilled workers to the section shown on the plans.

e. Inferior workmanship or construction methods resulting in unsightly curb and gutter will be cause for rejection of the finished work.

f. All curbing shall be backfilled and grassed.

g. Adequate storm drainage structures shall be provided. The curb and gutter shall be constructed so as to present a smooth, even line both horizontally and vertically.

(5) Valley gutters shall not be allowed across streets at street intersections.

(e) Slopes and Shoulder Improvements.

(1) On streets with curb and gutter, the shoulders shall slope one-fourth ($^1/_4$) inch to the foot toward the roadway for at least 7 feet from back of curb, and no more than one-half ($^1/_2$) inch to the foot for the remainder of the right-of way width.

(2) On streets with swale ditch drainage, the shoulders shall slope three-quarters ($^3/_4$) inch to the foot away from the roadway for at least 5 feet to the drainage channel. The maximum slope for the drainage channel shall be 2 feet of run for each 1 one foot of fall, with a minimum 2-foot wide channel at the bottom of the swale.

(f) Turning lanes.

Deceleration and turn lanes may be required in accordance with Sec. 9-22 .

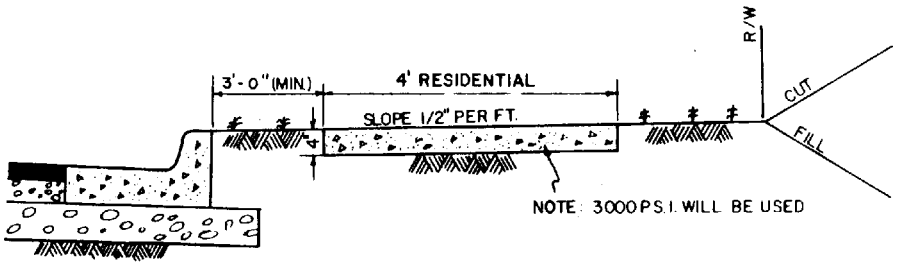
(g) Street name and traffic control signs.

Street name signs of a type approved by the County are to be placed at all intersections. Traffic control signs shall be placed by the County at the developer's expense and conform to the *U.S. Manual on Uniform Traffic Control Devices,* latest edition.

(h) Sidewalks.

(1) Sidewalks shall be provided along the development's frontage on any street within $^1/_4$ mile of any public school.

(2) Where provided, sidewalks shall be located not less than one foot from the property line to prevent interference of encroachment by fencing, walls, hedges or other planting or structures placed on the property line at a later date. In single family residential areas sidewalks shall be no less than 4 feet in width, constructed of concrete no less than 4 inches in depth, and located no less than 3 feet from the back of curb. In commercial areas sidewalks shall be no less than 5 feet in width, constructed of concrete no less than 4 inches in depth.



TYPICAL SECTION OF SIDEWALK
N.T.S.

(3) Concrete shall be 3,000 psi at 28 days strength.

(4) Sidewalks are to be provided along all streets that are required to have curb and gutter.

(5) Sidewalks shall be backfilled and grassed.

Sec. 9-21 Location of utilities in streets.

Utilities are to be located within the street-side utility easement required under Sec. 9-5 (g)(1). The following applies to utilities that cross a street right-of-way or are otherwise allowed in the right-of-way by the County Administrator.

(a) Above-Ground Utilities.

Telephone poles, street light poles, telephone junction boxes and other public or private utility structures allowed to be placed above ground within a street right-of-way must be at least 8 feet back from the back of the street curb (or edge of pavement) and 1 foot back from the edge of any sidewalk, whichever is farthermost from the roadway.

(b) Underground Utilities.

Utilities placed underground across the right-of-way as approved by the Planning Director on construction drawings for the project shall be placed as follows:

(1) All utilities beneath pavement shall be installed and the ditch back-filled and thoroughly compacted before any pavement or base is installed, or the pipes shall be bored if installed after street construction.

(2) All utility manholes and valve boxes shall be brought to the finished grade within the roadway section.

(3) All private utilities that will cross under pavement shall be installed completely throughout the subdivision prior to any roadway base being applied. Installation of approved utility sleeves shall be considered as an alternate.

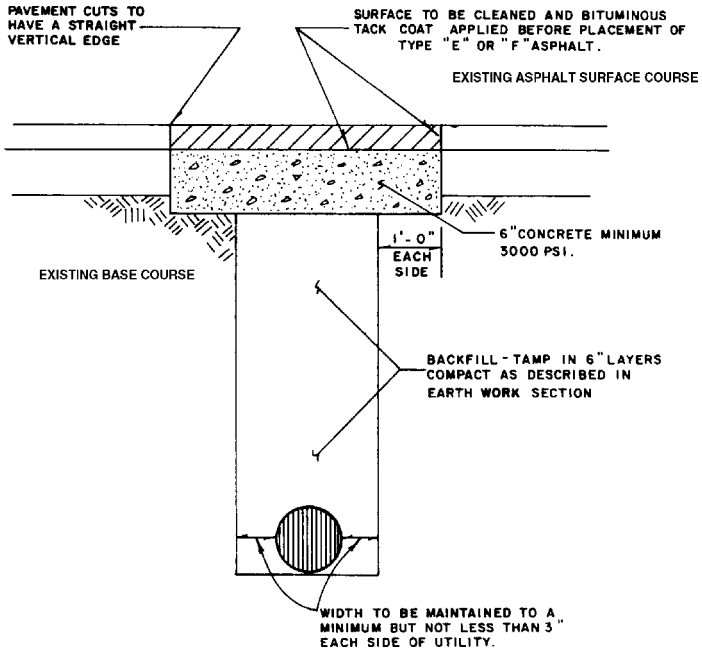
(c) Pavement Cuts

(1) All utility street cuts within public rights-of-way shall be reviewed and approved by the Planning Department before construction begins.

(2) Pavement cuts for the installation of utilities shall be avoided whenever possible. Utility crossings shall be bored across any arterial, subject to the approval of the Georgia DOT, and across any collector unless a pavement cut is approved by the Director of Planning.

(3) Pavement cuts across local streets shall be permitted, provided the road is repaired with at least 6 inches of 3000 psi Portland cement and topped with at least 2 inches of E or F hot plant mix asphaltic cement. The top of the concrete pad shall not exceed the elevation of the aggregate base course of the original road construction.

(4) Pavement cuts across local streets shall conform to the following illustration:



NOTE:

TEMPORARY 6" GRAVEL WITH STRUCTURAL STEEL PLATE SHALL BE USED WHEN WEATHER DOES NOT PERMIT PAVING OR CONCRETE PLACEMENT.

ARTICLE VII. DECELERATION LANES AND TURN LANES.

Sec. 9-22 Deceleration and turning lanes; where required.

(a) Residential subdivision entrances.

Entrance streets to all major residential subdivisions connecting to a State highway shall construct a deceleration lane at each entrance to the subdivision. See Sec. 9-22 , below.

(b) Commercial/industrial subdivision entrances.

(1) A deceleration lane shall be installed at all entrance roads into a commercial or industrial subdivision connecting to a State highway. See Sec. 9-23 , below.

(2) The Public Works Director may require a traffic study to determine if the project's size warrants a center turn lane, longer deceleration lane, an acceleration lane or other improvements. If the traffic study determines that the traffic generated by the project warrants it, the Public Works Director will require the additional improvements or other mitigating measures.

(c) Driveways for multi-family and nonresidential development projects.

(1) Multi-family and nonresidential development projects shall install a deceleration lane at each driveway entrance connected to a State highway. See Sec. 9-23 Sec. 9-22 , below. For such a project located on a corner lot, a continuous 12-foot wide travel lane shall be provided in lieu of a deceleration lane along each intersecting street from which access is allowed, for the length of the property's frontage (but not exceeding 200 feet plus a 50-foot taper).

(2) Nonresidential development projects on corner lots that have frontage on interior residential subdivision streets shall have access only from the main street unless the nonresidential project and the residential subdivision are integral parts of a PUD Planned Unit Development approved by the Board of Commissioners.

(3) The Public Works Director may require a traffic study to determine if a center turn lane, a longer deceleration lane, an acceleration lane or other improvements will be necessary. If the traffic study determines that the traffic generated by the project warrants it, the Public Works Director will require the additional improvements or other mitigating measures.

Sec. 9-23 Deceleration lane construction standards.

(a) A deceleration lane shall consist of a minimum 200-foot long travel lane plus a 50-foot taper.[1] Longer or shorter deceleration lanes may be required based on a traffic analysis prepared by the Public Works Director or a traffic study prepared by a professional engineer, based on sight visibility requirements, projected traffic, site limitations or other criteria, as necessary to assure adequate site access and convenience and safety to the motoring public.

(b) The length of the deceleration lane shall be measured from the intersection of the right-of-way lines or the edge of the driveway.

(c) The width of a deceleration lane shall be no less than 12 feet measured to the back of new curb (or to the outside edge of new asphalt if curbing is waived).

(d) Curb and gutter along all deceleration lanes and tapers are required, unless otherwise waived or modified by the Public Works Director due to site, drainage or continuity considerations.

(e) Associated drainage improvements as deemed necessary by the construction of the deceleration or turn lane shall be required.

(f) Utilities and drain pipes shall be relocated at the developer's expense outside of the deceleration lane if required by the Public Works Director.

Sec. 9-24 Median breaks.

If the road has an existing or proposed median, and the developer is approved by the County or Georgia DOT, as applicable, to construct a median break to serve the development, a

[1] Deceleration and/or acceleration improvements for roads or driveways connecting to a State or US numbered highway shall comply with the requirements of the Georgia DOT in lieu of County requirements.

left turn lane leading to the median break shall be provided by the developer meeting the design standards of the County. Other improvements may be identified by the Public Works Director that are needed to ensure safe and efficient operation of traffic.

ARTICLE VIII. DRIVEWAYS.

Sec. 9-25 Approval required.

(a) No driveways shall be connected to a public street and no curbs or medians on public streets or rights-of-way shall be cut or altered for access without a driveway permit issued by the Public Works Department.

(b) Requirements of the Georgia Department of Transportation (GDOT) shall apply whenever more restrictive than the standards in this Development Code. In particular, any driveway apron located within a GDOT right-of-way shall be paved with concrete meeting the standards of Sec. 9-26 (c) or as otherwise required by GDOT.

Sec. 9-26 Driveway connections.

(a) Vehicular access from properties to streets shall comply with the dimensional requirements, measured at the right-of-way line, shown on Table 9.10.

Table 9.10: Driveway Width Requirements

	Maximum Driveway Width*	Minimum Driveway Width	
		Two-Way	One-Way
Single-Family & Two-Family Residences	25 feet	8 feet	8 feet
Multi-Family Residential, RV and manufactured home parks	36 feet	26 feet	12 feet
Commercial & Industrial Uses	36 feet	30 feet	16 feet

* Includes divided entrances with center islands.

(b) Driveway construction standards.

Driveways on private property that connect to a driveway apron at a street right-of-way line must meet the following construction standards:

(1) For a single-family or two-family (duplex) dwelling, the driveway must be graded and drained, and improved with gravel or an all-weather surface passable by emergency vehicles unless improvement is waived by the Planning Director with the approval of the Fire Department, EMS and Sheriff's Office.

(2) For multi-family projects, RV and manufactured home parks, and commercial and industrial uses, the driveway must be graded and drained, and improved with an all-weather surface (such as concrete or asphalt) passable by emergency vehicles.

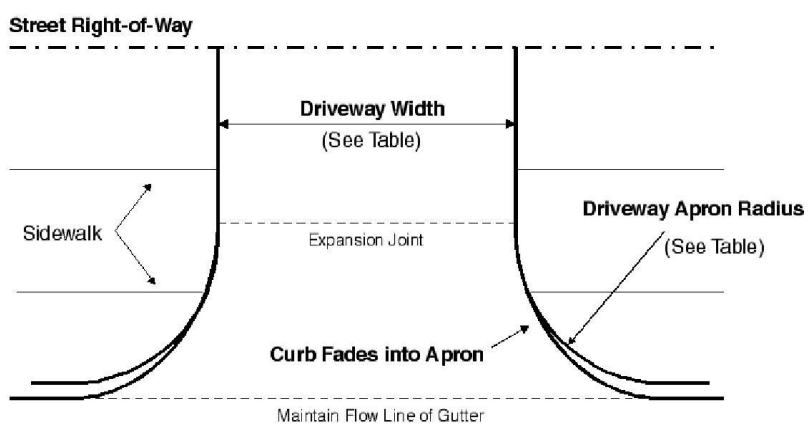
(c) Design requirements for driveway aprons.

(1) Driveway connections shall be provided between the edge of pavement or back of curb to the right-of-way line. No property may be afforded access from a public street except as follows:

Table 9.11: Driveway Apron Radii

Land Use	Minimum Driveway Radius
Single-Family Residential	5 feet
Commercial or Multi-Family	15 feet
Industrial	25 feet

Example—Residential Driveway Apron w/sidewalk and curb & gutter:



(2) All driveway aprons shall have a radius connecting the driveway to the curb line or pavement edge as shown on Table 9.11.

(3) The distance from a driveway to the intersection of two streets, and the distance between driveways along a street, shall be based on the type of street the driveway connects to, in accordance with Table 9.12. All measurements shall be taken along the right-of-way lines.

Table 9.12: Driveway Separations

	Type of Street		
	Arterial	Collector	Local
Intersection: ROW to Edge of Driveway	150'	100'	20'
Between Driveways (edge to edge)	200'	50'	20'

(d) Construction materials for driveway aprons.

(1) A driveway apron connecting to a driveway on a property that has been approved for gravel construction may be provided with a gravel surface connecting to a street or highway that is not subject to GDOT approval. (See Sec. 9-25 (b)).

(2) A driveway apron connecting to an all-weather surface driveway on a property shall be paved as follows:

a. Curb and gutter streets shall be provided with a driveway apron constructed of 3000 psi concrete at least 6 inches thick. Sidewalks, where provided, shall be warped to the driveway apron and are to be identified across the driveway apron by construction joints or control joints.

b. Swale ditch section streets shall be provided with a driveway apron constructed of 3000 psi concrete at least 6 inches thick, or asphaltic concrete of the same thickness and type as the paving course for the street.

(e) Number of driveways limited along major streets.

(1) Along State or U.S. numbered highways, no more than 1 point of vehicular access from a property shall be permitted for each 300 feet of lot frontage, or fraction thereof.

(2) Along major streets other than State or U.S. numbered highways, no more than 2 points of vehicular access from a property to each abutting public street shall be permitted for each 400 feet of lot frontage, or fraction thereof; provided however, that lots with less than 100 feet of frontage shall have no more than one point of access to any one public street. The Planning Department shall determine whether the points of access may be unrestricted or will have to be designed for right-in, right-out traffic flow.

(f) Sight triangle at street and driveway intersections.

(1) A sight visibility triangle shall be located at every street intersection with another street or a private driveway in accordance with the following illustration and Table 9-13.

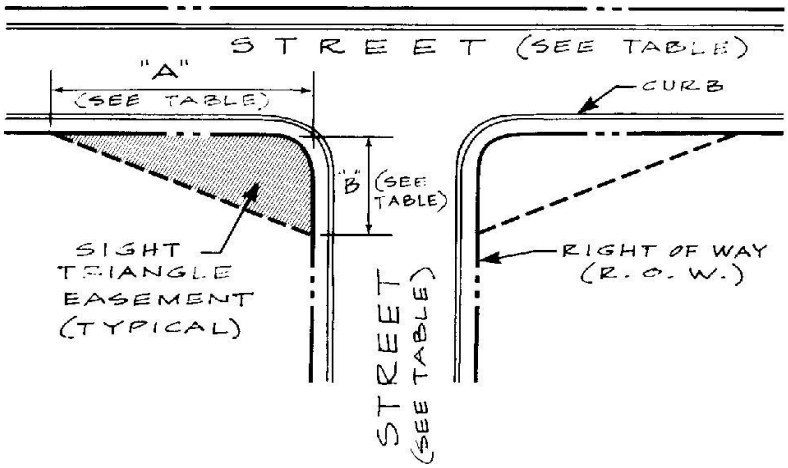


Table 9.13: Sight Visibility Triangle Table

(See Drawing)

		"A" Distance in Feet		
		Local Street	Collector	Arterial
"B" Distance in Feet				
25	Private Drive	25	50	100
30	Local Street	30	100	150
100	Collector	30	100	150
150	Arterial	30	100	150

a. At public street intersections, the sight visibility triangle is delineated by the two intersecting street right-of-way lines and a line connecting the right-of-way lines at the points indicated in the Sight Triangle Table. The connecting points shall be measured from the right-of-way lines extended to their point of intersection.

b. At private driveway intersections with public streets, the edge of the driveway's pavement or back of curb will be used for the sight triangle measurements along the driveway.

c. The planting of trees or other vegetation or the location of structures exceeding 30 inches in height that would obstruct the clear sight across the sight visibility triangle shall be prohibited.

ARTICLE IX. STORM DRAINAGE.

See the County's Flood Damage Prevention Ordinance.

ARTICLE X. PUBLIC UTILITIES.

Sec. 9-27 Sanitary sewerage.

(a) No septic tanks shall be allowed if public sewerage is available from any public agency within 300 feet of the property. The layout and specifications of the system shall be in accordance with the specifications of the providing agency.

(b) When the sewer is located in a street right-of-way and it will be necessary to cut into the street to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot prior to surfacing the street.

(c) Where connection to the sanitary sewerage system is not feasible in the view of the Planning Director, the lot shall contain adequate area for the installation and safe operation of a septic tank and disposal field, as approved by the Health Department.

(d) Prior to the construction of any private community sewerage disposal system, the location, size, plans and specifications of such a facility shall be approved by the Planning Director, the Health Department and the State Department of Natural Resources, Environmental Protection Division.

Sec. 9-28 Public water.

(a) Each major or minor subdivision and each multi-family or nonresidential development shall connect to the County's public water system, and shall provide service to each lot or the development as a whole, as appropriate, at the expense of the developer, unless the County's system is not available to serve the subdivision or development.

(b) If the County's public water system is not available to serve the subdivision or development, as determined by the County Administrator, then the subdivision or development shall be served by a water supply approved by the Health Department and meeting all standards of the Environmental Protection Division of the State DNR. Any community water supply well shall meet all EPD standards regardless of the number of lots or dwellings to be served.

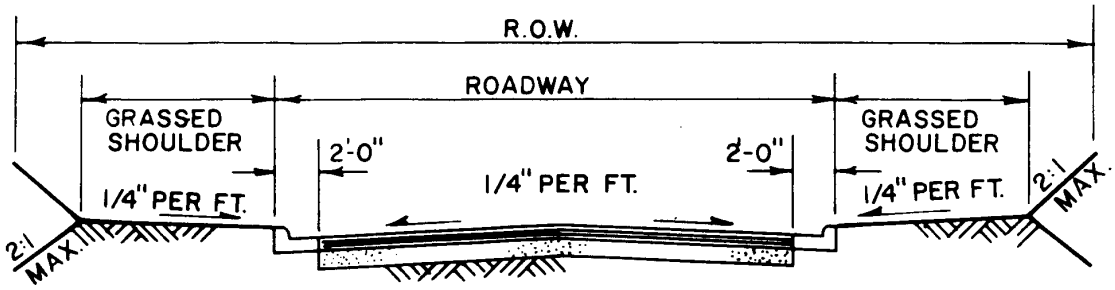
(c) The layout and specifications of the system shall be in accordance with County specifications, and shall be installed by a licensed contractor in accordance with such utility plans as required in Article 2 of this Development Code and approved by the Crisp County Water Works, EPD or other regulatory agency (as applicable).

(d) Fire hydrants in subdivisions shall be spaced no more than 1,000 feet apart, and meet all requirements of the Fire Department.

(e) When the water main is located in the street right-of-way and it will be necessary to cut into the street surface to serve the abutting lot, a connection shall be stubbed out to the property line and a meter box installed to serve each lot prior to surfacing the street. Alternatively, lines may be bored at the builder's expense.

TYPICAL STREET SECTION "A"

RESIDENTIAL CURB & GUTTER STREET



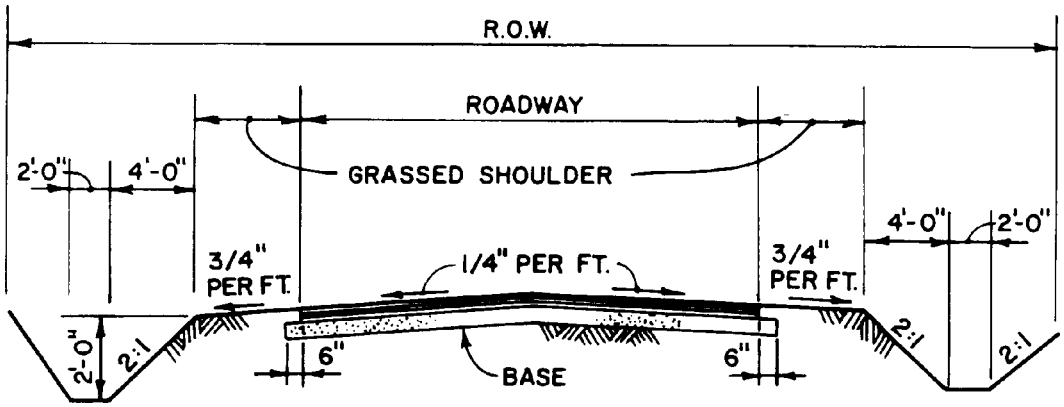
	Collector Street*	Local Residential Street
DESIGN PARAMETERS		
Right-of-Way Width	80 feet	50 feet
Roadway Width	40 feet	28 feet
Grassed Shoulder	6 feet	5 feet
Cul-de-sac Turnaround - R-O-W	N/A	55 foot radius
Cul-de-sac Turnaround – Back of Curb	N/A	44 foot radius
Maximum/Minimum Grade - Street	10 % / 1 %	12 % / 1 %
Maximum Grade – Across Cul-de-sac	N/A	1 ½ %
Minimum Center line Radius	500 feet	275 feet
Minimum Tangent	200 feet	100 feet
Curb Line Radius at Intersections	15 feet	15 feet
Minimum Street Jog Separation	125 feet	125 feet
STREET BASE		
Graded Aggregate Base	8 inches	6 inches
PAVEMENT — Asphaltic Concrete		
— Binder	2½ inches B	N/A**
— Topping	1½ inches E or F	2 inches E or F
— Total	4 inches	2 inches
CURB & GUTTER	6 x 24 inch Vertical	6 x 24 inch Vertical or Rolled

*Per Georgia DOT for State and U.S. numbered highways.

**Two stage paving is permitted with a 1 ½ inch B binder, followed by a 1 inch E or F topping by the end of the one-year maintenance period.

TYPICAL STREET SECTION "B"

RURAL RESIDENTIAL SWALE DITCH SECTION



	Collector Street*	Local Residential Street
DESIGN PARAMETERS		
Right-of-Way Width	80 feet	60 feet
Roadway Width	36 feet	30 feet
Grassed Shoulder	6 feet	5 feet
Cul-de-sac Turnaround - R-O-W	N/A	60 foot radius
Cul-de-sac Turnaround – Back of Curb	N/A	44 foot radius
Maximum/Minimum Grade - Street	10 % / 1 %	12 % / 1 %
Maximum Grade – Across Cul-de-sac	N/A	1 ½ %
Minimum Center line Radius	500 feet	275 feet
Minimum Tangent	200 feet	100 feet
Curb Line Radius at Intersections	15 feet	15 feet
Minimum Street Jog Separation	125 feet	125 feet
STREET BASE		
Graded Aggregate Base	8 inches	6 inches
PAVEMENT — Asphaltic Concrete		
— Binder	2½ inches B	N/A**
— Topping	1½ inches E or F	2 inches E or F
— Total	4 inches	2 inches
CURB & GUTTER	N/A	N/A

*Per Georgia DOT for State and U.S. numbered highways.

**Two stage paving is permitted with a 1 ½ inch B binder, followed by a 1 inch E or F topping by the end of the one-year maintenance period.

CHAPTER 10. LAND DEVELOPMENT ACTIVITIES

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CHAPTER 10. LAND DEVELOPMENT ACTIVITIES

ARTICLE I. PURPOSE OF CHAPTER 10.

This Chapter contains the requirements that apply to carrying out the land development process, including site grading and land disturbance activities; addressing flood hazard areas; the installation of streets, drainage facilities and public utilities; and building construction.

ARTICLE II. OVERVIEW—PROJECT CONSTRUCTION.

Sec. 10-1 Development activity.

(a) Preconstruction activity.

Following the issuance of any permit authorizing clearing and grading of a site, areas required to be undisturbed, such as natural buffers or stream greenways, must be designated by survey stakes, flags, ribbon, or other appropriate markings and shall be inspected and approved by the Planning Department prior to the commencement of any clearing or grading activities.

(b) Grading.

(1) Grading shall be done in accordance with the lines and grades drawn on the approved grading plan.

(2) Required erosion and sedimentation control measures and stormwater drainage facilities are to be installed in accordance with the approved plans as development progresses.

Sec. 10-2 Development phase inspections.

Requests for inspections shall be made by the owner or contractor to the Public Works Department at least 24 hours prior to when the inspection is needed. Inspections shall be made and passed prior to continuation of further activity or proceeding into new phases. Inspections are required of each of the following phases, as applicable to the actual work to be performed under the development permit:

(a) Prior to clearing or clearing and grubbing of the property or any portion included under the development permit, inspection of erosion and sedimentation control measures and protective devices for undisturbed areas. Inspection of erosion and sedimentation control measures will be conducted on a continuing basis.

(b) Upon completion of street grading, inspection and approval shall be required prior to trenching or continuation with subgrade preparation.

(c) Upon installation of storm drainage pipe, detention, or other storm water facilities.

(d) Street curbing and gutter (if provided). Inspection shall be requested after the forms or string line have been set. Street width and vertical and horizontal alignment may be spot checked.

(e) Sub-grade of streets. After compaction and receipt of test reports by the Planning Department. The sub-grade may be roll tested with an 18-ton tandem dump truck and shall pass to the satisfaction of the Public Works Director.

(f) Street base. After receipt of test reports by the Public Works Department, the base may be string-lined for depth and crown. The street base may be roll-tested with an 18-ton tandem dump truck and shall pass to the satisfaction of the Public Works Director.

(g) Paving. A Public Works Department Inspector shall be on site during the paving process to check consistency, depth, and workmanship, as applicable. For asphalt paving, the temperature of the material will be monitored and the street will be cored after completion to check thickness and density. Satisfactory test results of the cores shall be delivered to Public Works Department prior to approval of a final subdivision plat or certificate of occupancy.

Sec. 10-3 As-built surveys.

(a) Upon completion of the development activity as authorized by the development permit and prior to final development inspection of public and private improvements, the owner shall submit to the Public Works Department for review and approval a complete set of record drawings showing "as-built" conditions prepared by a registered land surveyor. These drawings shall show the location, vertical and horizontal alignment, and finished elevations of:

(1) Drainage system pipes and channels.

(2) Storm water detention facilities.

(3) Sanitary sewer system (if any).

(4) Water system.

(5) Streets, including street centerlines showing angles of deflection and standard curve data of intersection, radii, length of tangents and arcs, and degree of curvature with basis of curve data.

(b) The As-Built Surveys shall be certified and sealed by the registered land surveyor, subject to the tolerances of accuracy indicated in the survey certification.

Sec. 10-4 Final development inspection.

(a) Following submission and review of the as-built surveys, the Public Works Department shall conduct a final development inspection of the project.

(b) The owner shall be responsible for correcting any deficiencies identified in the final development inspection prior to approval of a final subdivision plat.

Sec. 10-5 Maintenance warranty.

The owner shall be responsible for the full cost of maintenance of all such public improvements for 1 year from the date of issuance of the certificate of occupancy or final subdivision plat approval, as applicable.

ARTICLE III. SITE CLEARING AND GRADING.

Sec. 10-6 Development permit required.

(a) Clearing and grading shall not proceed until issuance of an approved development permit by the Planning Department. See the Procedures and Permits Chapter of this Development Code for details.

(b) Grading shall be done in accordance with the lines and grades drawn on the approved grading plan.

Sec. 10-7 Erosion and sedimentation control measures

Required erosion and sedimentation control measures must be installed in accordance with the approved soil erosion and sedimentation control plan prior to any major development activity and as development progresses.

Sec. 10-8 Stormwater drainage facilities.

Required stormwater drainage facilities are to be installed in accordance with the approved stormwater management plan as development progresses.

Sec. 10-9 Earthen embankments.

Earthen embankments shall be placed in uniform layers not to exceed a compacted thickness of 6 inches per layer and shall be compacted to a density of 95 percent of the maximum laboratory dry weight per cubic foot as determined by AASHTO Method T-99 in all areas where structures, parking lots and drives, streets, and utilities are to be placed. All other embankments are to be compacted to at least 90 percent. Floodproofing shall be accomplished prior to placement of embankments to detect soft spots.

Sec. 10-10 Slopes.

The maximum slope for all fill or cut slopes shall be as shown on Table 10.1:

The depth of cut referenced in the table shall be construed to be the maximum cut or fill occurring in any one section of cut or fill. The slope on cut or fill shall be uniform throughout for each section of cut or fill. When a cut is made in rock that

Table 10.1: Maximum Cut or Fill Slopes

Depth of Cut or Fill	Slopes (Maximum distance of run to rise)
2 feet or less	4 to 1
2 feet to 5 feet	3 to 1
Over 5 feet	2 to 1

requires blasting, slope may be changed to vertical slope upon the written approval of the Planning Director.

ARTICLE IV. SOIL EROSION AND SEDIMENTATION CONTROL.

See the County's Soil Erosion, Sedimentation and Pollution Control Ordinance.

ARTICLE V. FLOOD DAMAGE PREVENTION.

See the County's Flood Damage Prevention Ordinance.

ARTICLE VI. INSTALLATION OF STORMWATER DRAINAGE FACILITIES.

Sec. 10-11 Timing of installation.

Construction of the stormwater system shall be initiated as part of the grading of the site. Storm water detention facilities shall be constructed prior to the installation of any other site improvements, and may be utilized under proper design as sedimentation basins during development. Installation of all other storm drainage pipes, culverts, headwalls, and ditches, shall be coordinated with the construction of streets and other site improvements, as appropriate.

Sec. 10-12 Maintenance responsibilities.

(a) It shall be the responsibility of the developer to maintain all facilities required by the stormwater management plan during construction and for a one–year maintenance period following approval of the final subdivision plat or issuance of a certificate of occupancy, as applicable. The developer shall be responsible for removing temporary structures or facilities at the completion of the construction.

(b) The owners of the property shall be responsible for maintaining the permanent facilities identified by the stormwater management plan to remain after construction is complete, following the one-year maintenance period.

(c) Should an owner or developer, whichever is the responsible party, fail to maintain the stormwater management facilities in a state of service intended by the stormwater management plan, then the Director of Planning shall notify the responsible party in writing of the deficiencies and specific minimum maintenance requirements to remedy such deficiencies.

(d) If the responsible party fails to perform the required maintenance work within a reasonable period of time (30 days maximum) then the owner shall be in violation of the provisions of this Code.

ARTICLE VII. INSTALLATION OF STREETS AND UTILITIES.

Sec. 10-13 Grading.

(a) All streets shall be graded to their full width by the developer so that pavement extensions or sidewalks, where required or if installed in the future, can be constructed on the same level plane.

(b) Preparation of roadway: Before grading is started the entire area to be paved shall be first cleared of all stumps, roots, brush and other objectionable materials. In all areas to be graded or filled, the developer shall stockpile the topsoil later to be spread in all disturbed areas not paved.

(c) Grading shall be done in accordance with the Site Clearing and Grading Section of this Chapter.

(d) If any sections of the subgrade are composed of unsuitable or unstable material, such material shall be removed to the depth directed by the appropriate Planning Department and replaced with suitable, thoroughly compacted material.

(e) When the street is to be used for construction traffic before the paving work is completed, a layer of No. 5 stone can be laid as a traffic surface if the developer so desires.

  (1) This material shall not be used as part of the base material.

  (2) It may be worked into the subgrade; or it shall be removed before the base course is set up for paving.

  (3) Provision shall be made to drain low points in road construction when the final paving surface is delayed.

(f) Abutting property shall be suitably sloped to the right-of-way line.

Sec. 10-14 Installation of utilities.

(a) After grading is completed and approved, the curb lines or edge of pavement lines, as applicable, shall be staked by the developer's Registered Land Surveyor. Before any base is applied, all of the underground utilities—water mains, sewer mains, gas mains, or any other underground utilities, and all service connections related thereto—shall be installed completely and provided throughout the length of the street and across the flat section. Service connections for sanitary sewer (if required) and water shall be extended to the right-of-way lines.

(b) No private improvements, such as private lawn sprinkler systems, yard lighting, and the like, shall be installed within a public right-of-way except by authorization of the Planning Director. Such authorization, if issued, shall require the owner to assume all repair costs of the owner's facilities should they become damaged.

Sec. 10-15 Street installation.

(a) Preparation of subgrade.

Prior to placement of the street base, the subgrade shall be compacted to 95% density.

(b) Street base, curbing and paving.

Street base, curbing and paving shall be installed by the developer in accordance with the requirements and standards of this Development Code.

Sec. 10-16 Testing requirements.

It is the responsibility of the developer to ensure that all required tests are made and reported to the Planning Department. The cost of all testing and quality control shall be performed at the expense of the developer by qualified testing laboratories.

Table 10.2: Testing Requirements

Type of Test to be Performed	Minimum Number of Tests	Testing Standards
Sub-grade Compaction	Each 500 linear feet of roadway	95% Max Density ASTM-1557 Field Tests ASTM D-1556 F-2922 and D-2167
Base Compaction	Each 500 linear feet of roadway	100% Max Density ASTM-1557 Field Tests ASTM D-1556 F-2922 and D-2167
Asphalt Density	Each 1,000 linear feet of roadway	92% Laboratory Density
Asphalt Thickness	Each 500 linear feet of roadway	Deficient in thickness not more than ¼”

Sec. 10-17 Protection of shoulders.

(a) Immediately after grading and filling and re-spreading of topsoil, all areas of disturbed soil shall be fertilized and seeded (or in steep areas sodded or otherwise appropriately treated) with suitable vegetative cover to retard erosion.

(b) When all construction is completed, all slopes and shoulders shall be cleared of all rubbish and shall have a stand of grass to prevent undue erosion, either by sprigging or seeding.

Sec. 10-18 Traffic control devices and street lights.

(a) Street signs, traffic control signs, and devices such as striping and signalization, shall be provided through payment of fees to Planning Department. Traffic control devices may also be installed by the developer after receiving written approval from the Planning Director.

(b) The installation of all street lighting fixtures within the right-of-way must be approved by the Planning Director prior to such installation.

ARTICLE VIII. BUILDING CONSTRUCTION.

Sec. 10-19 Building permit required.

(a) Building permits for all structures or interior finishes are issued after meeting the applicable requirements of the fire prevention and life safety code and the various health and building codes. A permit is also required for the movement of any house, structure or building.

(b) For any structure served by an on-site sewage disposal system, a permit issued by the Crisp County Health Department shall be required prior to issuance of a Building permit. Said permit may first require approval by the Crisp County Health Department of a plan showing the location of the sewage disposal system and other on-site improvements, in accordance with their regulations.

(c) Building permits shall only be issued on lots of record, as defined in this Development Code.

Sec. 10-20 Building inspection.

(a) Scheduling a building inspection.

Inspections shall be scheduled with the Planning Department at least 48 hours before the inspection is needed. Requests for inspection should include the street address, lot number, building permit number, and type of inspection.

(b) Required inspections:

(1) Foundation. Verify minimum required building setbacks, footing, trenches dug and reinforcing steel in place.

(2) Plumbing Connections. Water supply line and sewer lateral in slab foundation.

(3) Framing. Completion of all rough-ins before insulation is installed.

(4) Interior walls may not be covered until the following inspections are completed:

a. Mechanical. Rough-ins complete with pressure test on gas line.

b. Electrical. Rough-ins with neutral, ground, and service cable wired.

c. Plumbing. Rough-ins complete and all fixtures installed.

(5) Final Inspection. Building is complete and ready to occupy.

Sec. 10-21 Construction in flood hazard area.

Construction of a structure for which a flood area permit was issued shall be governed by the following:

(a) Upon placement of the lowest floor, or floodproofing by whatever construction means, or upon placement of the horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the Planning Director a certification of the elevation of the lowest floor, floodproofed elevation, or the elevation of the lowest portion of the horizontal structural members of the lowest floor, whichever is applicable, as built, in relation to mean sea level.

(b) Certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by such registered land surveyor or professional engineer. When floodproofing is utilized for a particular building, the certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by the professional engineer or architect.

(c) Any work undertaken prior to submission of the certification shall be at the development permit holder's risk.

(d) The Planning Director shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the development permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make the corrections shall be cause to issue a stop-work order for the project.

Sec. 10-22 Certificate of occupancy required.

A Certificate of Occupancy must be issued prior to the occupancy or use of any new or newly renovated building or structure, in accordance with the Procedures and Permits Chapter of this Development Code.

CHAPTER 11. GRANDFATHERED DEVELOPMENT

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CHAPTER 11. GRANDFATHERED DEVELOPMENT

ARTICLE I. PURPOSE OF CHAPTER 11.

This Chapter sets out the provisions that protect uses, structures, lots, and signs that lawfully existed prior to the adoption of this Development Code or a subsequent amendment, but no longer conform to the new regulations. The primary intent of the treatment of nonconformity is to allow continuation of these uses, structures, lots and signs until the end of their useful life, while encouraging conformance to the new regulations when it becomes reasonable.

ARTICLE II. NONCONFORMING DEVELOPMENT; IN GENERAL.

(a) Lawful nonconforming uses, structures, lots, and signs are declared by this Development Code to be incompatible with land uses, structures, lots, and signs that conform to the requirements of the zoning districts in which the nonconformity exists. However, such nonconforming uses, structures, lots, and signs may be "grandfathered" and may continue under the circumstances presented in this Chapter.

(b) For the purpose of this Article, "value" shall be computed from the amount a building or structure, as applicable, is appraised for tax purposes by Crisp County.

(c) Continuation of illegal nonconformity prohibited.

Any use, structure, lot, or sign that did not conform to the applicable codes or ordinances of Crisp County at the time of the creation, construction, or placement of said use, structure, lot, or sign, or became nonconforming as a result of subsequent unauthorized enlargement or expansion of such use, structure, lot, or sign, shall not be considered a lawful nonconforming use, structure, lot, or sign and is prohibited.

ARTICLE III. NONCONFORMING USES.

Sec. 11-1 Nonconforming uses; defined.

A lawful nonconforming use is a use or activity that was lawfully established prior to the adoption, revision, or amendment of this Land Development Code, but which, by reason of such adoption, revision, or amendment, is no longer a use or activity allowed by right or no longer meets or conforms to the requirements of this Land Development Code.

Sec. 11-2 Grandfathered nonconforming uses.

Except as provided under Sec. 11-3 below, to avoid undue hardship, the lawful but nonconforming use of any building, structure, or tract of land existing at the time of the adoption of this Land Development Code or any subsequent amendment may be continued even though the use does not conform to the provisions of this Land Development Code, except that the nonconforming use:

(a) Shall not be changed to another nonconforming use.

(b) Shall not be extended in any way to occupy a greater area of land, either on the same or adjoining property.

(c) Shall not be extended to occupy a greater area of a building or structure unless such additional area of the building or structure existed at the time of the passage or amendment of this Land Development Code and was clearly designed to house the same use as the nonconforming use occupying the other portion of the building or structure.

(d) Shall not be re-established after its discontinuance for 3 months or more, unless leased but unoccupied, regardless of the intent of the owner or occupier to resume the nonconforming use.

(e) Shall not be repaired, rebuilt or altered after damage exceeding 50% of its replacement cost at the time of destruction; provided that allowed reconstruction is to begin within 6 months after damage of 50% or less is incurred.

(f) Shall not be enlarged or altered in a way that increases its nonconformity.

Sec. 11-3 Agricultural exception.

In lieu of the restrictions imposed under Sec. 11-2 above, the following shall apply to the nonconforming use of land and buildings for agricultural activities:

(a) There shall be no time limit within which an agricultural use of open land or a principal building may be re-established on land that was previously used or capable to have been used for agricultural activities but which is no longer allowed under its current zoning, within the following limitations:

(1) For an open land agricultural use, such as crop production, beef cattle ranching, or a horse farm and pasturage, such use may be reestablished on areas previously used for such use or previously prepared and ready for such use (such as cleared land). New fencing may be provided around the property, and accessory structures such as a tractor or equipment shed, barn, or stable may be allowed to be built as an accessory use to support such open land agricultural use. Such newly constructed accessory structures shall be located at least 1,000 feet from any property zoned for residential use other than RR.

(2) For an agricultural use primarily dependent on the occupancy of a principal building, such as a greenhouse, dairy, poultry house, horse breeding stable, or riding academy, the nonconforming use may reoccupy an existing principal building designed and intended for such nonconforming use.

(b) An existing principal agricultural building:

(1) May be renovated or repaired for re-occupancy by a nonconforming agricultural use to the extent of no more than 50% of its replacement cost; but,

(2) May not be enlarged or replaced.

(c) No new principal agricultural buildings, such as a greenhouse, dairy, poultry house, horse breeding stable, or riding academy, may be constructed for a nonconforming agricultural use.

(d) Any agricultural use for which Special Use approval is required in the RR zoning district shall not be re-established as a nonconforming agricultural use except by Special Use approval in the zoning district where such nonconforming use is to be located.

(e) A re-established nonconforming agricultural use of open land or a principal building must comply with the setbacks for agricultural waste disposal areas in Chapter 4 of this Development Code.

Sec. 11-4 Other provisions for nonconforming uses.

(a) If an existing use was lawfully established in a zoning district that is subsequently amended to require Special Use approval for such use, the existing use shall not be subject to the provisions of this Subsection while located within such zoning district.

(b) The strengthening or restoration to a safe condition of any structure or part thereof declared to be unsafe by an official charged with protecting the public safety or health shall be allowed upon order of such official.

(c) Any intended but not yet existing nonconforming use for which a vested right was acquired prior to the adoption of this Code or the adoption of an amendment to it shall be prohibited unless such intended nonconforming use for which a vested right was acquired is actually commenced within one year of the adoption of this Code or the adoption of an amendment to it regardless of the intent or expectation to commence or abandon such nonconforming use.

ARTICLE IV. NONCONFORMING STRUCTURES.

Sec. 11-5 Nonconforming structure; defined.

A lawful nonconforming structure is a structure or building whose size, dimensions, or location on a property were lawful prior to the adoption, revision, or amendment of this Land Development Code, but which, by reason of such adoption, revision, or amendment, no longer meets or conforms to one or more such requirements of this Development Code.

Sec. 11-6 Continuance of nonconforming structures.

(a) A legal nonconforming structure shall be maintained or repaired only in accordance with all pertinent building codes and ordinances.

(b) Change of ownership, tenancy, or management of a nonconforming structure shall not affect its legal, nonconforming status.

(c) Whenever a nonconforming structure is damaged by any means and the extent of the damage is 50% or less of the floor area of the structure or 50% or less of the replacement

value of the structure, as determined by the Planning Director, the structure may be restored, provided its restoration begins within six months.

(d) Whenever a nonconforming structure is damaged by any means and the extent of the damage is more than 50% of the floor area of the structure or 50% or more of the replacement value of the structure, as determined by the Planning Director, the structure shall not be restored unless in conformity with all applicable ordinances and County regulations. Such ordinances and regulations include, but are not limited to, the Flood Damage Protection Ordinance (especially with regard to floor area elevations), the Soil Erosion, Sedimentation and Pollution Control Ordinance, applicable Building Codes, County Health Department regulations, and this Land Development Code.

(e) Without regard to the provisions of Sec. 11-6 (c) and Sec. 11-6 (d), a nonconforming manufactured home may be replaced by another manufactured home in any zoning district, upon approval as a hardship variance.

ARTICLE V. NONCONFORMING LOTS.

Sec. 11-7 Nonconforming lots; defined

A nonconforming lot is a lot of record whose area, frontage, width or other dimensions, or location were lawful prior to the adoption, revision, or amendment of this Land Development Code, and which, by reason of such adoption, revision, or amendment, no longer meets or exceeds one or more such requirements of the applicable zoning district.

Sec. 11-8 Grandfathered nonconforming lots.

(a) Where the owner of a legal lot of record at the time of the adoption of this Development Code does not own sufficient land to conform to the minimum lot size or lot width requirement of this Development Code, such lot may be approved by the planning director to be used as a building site provided that the minimum building setbacks are not reduced below the minimum specified in this Development Code by more than 20%.

(b) Any nonconforming lot requiring a setback reduction of more than 20% of the minimum set forth in this Code in order to allow a reasonable use of the lot may be approved as a special exception variance by the Zoning Board of Appeals, provided that:

(1) Further decreased setback requirements shall conform as closely as possible to the required dimensions; and

(2) Access to a public street is provided directly or through a recorded easement.

ARTICLE VI. NONCONFORMING SIGNS.

Sec. 11-9 Nonconforming signs; defined.

A nonconforming sign is a sign that was lawfully erected and maintained prior to the adoption, revision, or amendment of this Land Development Code, and which by reason of such

adoption, revision, or amendment fails to conform to all applicable regulations and restrictions of this Land Development Code.

Sec. 11-10 Continuance of nonconforming signs.

Any sign that was legally in existence on the effective date of adoption of this Land Development Code or any amendments thereto, and became nonconforming with respect to the requirements of this Land Development Code or any amendments thereto, may continue in existence as long as the size of the sign is not increased beyond that existing size on the effective date of this Code and any change thereto is made in conformance with this Code.

(a) Nonconforming signs; registration.

The burden of proof that an existing sign qualifies as a legal nonconforming sign lies with the owner of the sign. Registration of a nonconforming sign is encouraged to establish its status, but is not required.

(1) Any sign or sign structure that is or has become a nonconforming sign may be registered by the owner with the Planning Department. If the sign was legally erected prior to the effective date of this Code or any amendments thereto, the sign shall be registered and allowed to continue to exist in its pre-existing condition.

(2) The type and extent of the nonconformity shall be documented by the owner of the sign by description, photographic evidence, drawings, or by any other means that fully describes or illustrates the nonconformity being registered.

(3) At the time that a legal nonconforming sign is registered, such registration shall be recognized by the Planning Director in writing.

(b) Nonconforming signs; provisions.

(1) A nonconforming sign shall not be replaced, enlarged, or altered except within the provisions of this Code.

(2) The substitution or interchange of poster panels or painted boards on nonconforming signs shall be allowed provided the size, shape or location of said sign does not change.

(3) Repair and maintenance of nonconforming signs may be performed as necessary unless more than 50% of the sign is repaired, altered, or replaced, as determined by the Planning Director. If more than 50% of the sign is affected, then any legal nonconforming status is lost and the sign must be brought into compliance with the current sign regulations contained in this Land Development Code; provided that signs damaged by fire or act of God may be restored to their original condition.

(c) Relocation of a nonconforming sign.

(1) An existing sign that was legally erected and that becomes nonconforming as to the setback requirements of this Land Development Code due to road widening may be moved to meet the setback requirements of this Code. Such sign shall not be increased in size or changed in any manner except as to become conforming.

(2) Any sign erected to replace a nonconforming sign must meet all requirements and provisions of this Land Development Code.

Sec. 11-11 Temporary signs to be removed.

Any sign that is temporary in nature and not permanently affixed to the ground or to a building, such as a streamer or pennant, shall be removed within 60 days of becoming a nonconforming sign.

CHAPTER 12. ADMINISTRATION AND ENFORCEMENT

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CHAPTER 12. ADMINISTRATION AND ENFORCEMENT

ARTICLE I. PURPOSE OF CHAPTER 12.

This Chapter sets out the structure for administering and enforcing this Development Code, including the creation, powers and duties of the Board of Appeals, and the responsibilities and procedures of the Planning Director in carrying out enforcement activities.

ARTICLE II. SCHEDULES AND FEES.

From time to time, the County Board of Commissioners may adopt fees for the issuance of permits, the submission of applications, and such other activities and authorizations as regulated by this Development Code, and may adopt schedules of dates, times and places as appropriate and necessary to regulate the application, review and hearing processes required by this Development Code.

ARTICLE III. BOARD OF APPEALS.

Sec. 12-1 Establishment.

(a) A Board of Appeals is hereby established. Said Board shall consist of five members, who shall be citizens of the county, none of whom shall hold any other public office or position in the county or any other government or public agency.

(b) The Board of Appeals shall be appointed by the County Commission for overlapping terms of 3 years. Initial appointment shall be as follows: One member for a term of 5 years, two members for a term of 4 years, and two members for a term of 3 years, or thereafter until their successors are appointed.

(c) When a position becomes vacant before the end of a term, the County Commission shall appoint a new member for the duration of the term remaining.

(d) Members shall serve without pay but may be reimbursed for any authorized travel expenses incurred while representing the Board.

(e) A member may be removed from the Board of Appeals by a majority vote of the County Commission for cause, for absenteeism at three successive called meetings, or for other reasons the County Commission may deem appropriate upon written charges and after public hearing.

Sec. 12-2 Proceedings of the Board of Appeals.

(a) The Board of Appeals shall elect a Chair and a Vice-Chair from among its members, who shall serve for one year or until re-elected or until their successor is elected. The Vice-Chair shall preside at meetings in the absence of the Chair.

(b) The Chair or, in their absence, the Vice-Chair or other member designated to conduct an official meeting, may administer oaths and allow the cross-examination of witnesses.

(c) The Board of Appeals may adopt such by-laws, rules or procedures as appropriate and not in conflict with this Development Code.

(d) The Board of Appeals shall meet each month in accordance with its the schedule of meeting dates, times and places unless there is no business to conduct. Other meetings of the Board of Appeals shall be held at the call of the Chairman if there is business to be brought before it, or at such other times as the Board of Appeals may determine. All meetings of the Boards of Appeals shall be open to the public.

(e) All Board of Appeal members attending a meeting shall vote on each matter placed before it. A member may abstain from voting only in the instance of a conflict of interest, the nature of which must be stated for the record.

(f) A majority of the entire Board of Appeals shall constitute a quorum. The affirmative vote of at least 3 members of the Board of Appeals shall be necessary to approve any decision or recommendation.

(g) The Director of Planning shall serve as secretary to the Board of Appeals. The secretary shall cause minutes of its proceedings to be kept, showing the vote of each member on each question, or if absent or failing to vote, indicating such fact, and shall cause records of its examinations and other official actions to be kept, all of which shall be of public record.

(h) On all appeals, applications and matters brought before the Board of Appeals, the Board shall inform in writing all the parties involved of its decisions and the reasons thereof.

(i) The results of each Board of Appeals meeting as to their actions and determinations shall be posted in a public place at the Planning Department's office. The results shall be posted for a period of at least 2 weeks following the Board of Appeals meeting.

Sec. 12-3 Powers and duties of the Board of Appeals.

(a) The Board of Appeals shall have the duty and responsibility to conduct a public hearing and to make a final decision in accordance with the procedures and provisions of this Development Code on each application for an appeal from an adverse administrative action or interpretation, a special exception variance, a hardship variance or a flood protection variance.

(b) The Board, in the execution of the duties for which appointed, may subpoena witnesses and in case of contempt may certify such fact to the Superior Court.

(c) The Board of Appeals shall also have such other powers, duties or responsibilities as assigned to it by the County Commission.

(d) In exercising its powers regarding an appeal of an administrative decision, the Board of Appeals may, in conformity with the provisions of this Development Code, reverse or affirm, wholly or partly, or may modify the order, requirements, decisions or determination of the administrative official, and to that end shall have the power to direct issuance of a permit.

ARTICLE IV. INSPECTION AND ENFORCEMENT.

Sec. 12-4 Enforcement officer.

(a) The Director of Planning shall have the power to conduct such investigations as may reasonably be deemed necessary to assure or compel compliance with the requirements and provisions of this Development Code, and for this purpose to enter at reasonable times upon any property for the purpose of investigation and inspection.

(b) No person shall refuse entry or access to any authorized representative or agent of the County, the Georgia Soil & Water Conservation Commission, the Soil 8v Water Conservation District, or the Georgia Environmental Protection Division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.

Sec. 12-5 Land development activities.

(a) Periodic inspections.

The Director of Planning will periodically inspect the sites of land-disturbing activities for which development permits have been issued to determine if the activities are being conducted in accordance with the erosion and sediment control plan and if the measures required in the plan are effective in controlling erosion and sedimentation. If, through inspection, it is deemed that a person engaged in land-disturbing activities as defined herein has failed to comply with the approved erosion and sediment control plan, with development permit conditions, or with any other provisions relating to land development activities of this Development Code, a written notice to comply shall be served upon that person (which notice may consist of a stop-work order). The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this Development Code.

(b) Stop-work orders.

Upon notice from the Planning Director, land development activity on any project that is being done in a dangerous or unsafe manner, shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property, his authorized agent or the person or persons in charge of the activity on the property, and shall state the conditions under which work may be resumed. Where in the opinion of the Planning Director an emergency exists, no written notice shall be required.

Sec. 12-6 Land use and other provisions.

(a) Inspection.

If the Planning Director finds that a provision of this Development Code is being violated relating to the use or occupancy of land or structures, lot standards, landscaping, buffers, tree conservation, parking, signage or any other standard or provision (other than land development activities as may be authorized by a development permit), or relating to a condition of approval established in connection with a grant of variance or zoning change, he shall notify the person responsible for such violation in writing (which notification may consist of an order to cease and desist the violation). The notification shall indicate the nature of the violation and order the action necessary to correct it. Upon continuing noncompliance, or initially in the case of an immediate threat to the public health or safety, the Planning Director shall have authority to prosecute violations in court.

(b) Cease and desist orders.

The Planning Director shall order discontinuance of illegal use of land, buildings or structures; removal or relocation of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of illegal work being done; or shall take any other appropriate or necessary action to ensure compliance with or to prevent violation of the provisions of this Development Code.

ARTICLE V. VIOLATION AND PENALTIES.

Sec. 12-7 Violation a misdemeanor.

Violation of any provision of this Development Code, including violation of conditions of approval established in connection with grants of variance or zoning changes, shall constitute a misdemeanor.

Sec. 12-8 Failure to obtain a development permit for land-disturbing activity.

If any person commences any land-disturbing activity requiring a development permit as prescribed in this Development Code without first obtaining said development permit, the person shall be subject to revocation of his business license, work permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the County.

Sec. 12-9 Bond forfeiture.

If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved erosion and sediment control plan, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time which would reasonably allow such measures to be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this Development Code and, in addition to other penalties, shall be deemed to have forfeited his performance bond, if required to post one under the provisions of this Development Code. The Planning Director may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.

Sec. 12-10 Penalties for violation.

Any person found guilty of violating the provisions of this Development Code shall, upon conviction, be fined not more than $1,000.00, or imprisoned for not more than 6 months, or sentenced to community service as appropriate, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

Sec. 12-11 Additional remedies.

Nothing contained in this section shall prevent the County from taking such other lawful actions as are necessary to prevent or remedy any violation, such as injunction, mandamus or other appropriate action.

ARTICLE VI. SEVERABILITY.

This ordinance and each chapter and each provision of said chapter hereunder, are hereby declared to be independent divisions and subdivisions and, not withstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provisions of said chapter, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or provisions and the application of such sections and provisions to any person or circumstances other than those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and provisions would have been passed independently of such section or provision so known to be invalid. Should any procedural aspect of this ordinance be invalidated, such invalidation shall not affect the enforceability of the substantive aspects of this ordinance.

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CHAPTER 13. GLOSSARY OF DEFINITIONS

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CHAPTER 13. GLOSSARY OF DEFINITIONS

The following is a glossary of all definitions specifically used in the text of this Development Code. Refer also to Article III of Chapter 1 regarding the interpretation of figures, words and phrases as used in this Code.

A

Abandoned Cemetery: A cemetery which shows signs of neglect including, without limitation, the unchecked growth of vegetation, repeated and unchecked acts of vandalism, or the disintegration of grave markers or boundaries and for which no person can be found who is legally responsible and financially capable of the upkeep of such cemetery.

Academic School: See under "School."

Access: A way or means of approach to provide physical entrance to a property.

Accessory Farm Structure: Any building or other structure commonly used for agricultural purposes in relation to an active farming operation, such as a barn or stable, poultry house, silo, water tank, farm equipment storage shed, or irrigation system.

Accessory Structure Setback Line: A line delineating the minimum allowable distance between an accessory structure or other structure or building (other than a principal building or principal structure) and a property line or the right-of-way line of an abutting street. See also "Principal Building Setback Line."

Accessory Use or Structure: A use of land or a structure that is permitted on a property in conjunction with a principal use. An accessory use is incidental to, supportive of, and functionally dependent on the principal use and would not normally exist independent of the principal use. Depending on the type of principal use, some examples of accessory uses include a detached garage, tool shed, doghouse, play equipment, a swimming pool, a cabana, a patio, customer parking, drive-in order kiosk, and outdoor storage for vehicles, lumber, materials, or other products produced or for sale on the property.

Adult Arcade: Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are characterized by their emphasis upon matter exhibiting "specified sexual activities" or "specified anatomical areas."

Adult Bookstore or Adult Video Store: A commercial establishment which, as one of its principal purposes, offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of "specified sexual activities" or "specified anatomical areas."

A "principal purpose" means that the commercial establishment:

(1) has a substantial portion of its displayed merchandise which consists of said items; or,

(2) has a substantial portion of the wholesale value of its displayed merchandise which consists of said items; or,

(3) has a substantial portion of the retail value of its displayed merchandise which consists of said items; or,

(4) derives a substantial portion of its revenues from the sale or rental, for any form of consideration of said items; or,

(5) maintains a substantial section of its interior business space or floor area for the sale or rental of said items.

Adult Cabaret: A nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features persons who appear semi-nude.

Adult Motel: A motel, hotel, or similar commercial establishment which:

(1) offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, other photographic reproductions, or live performances which are characterized by the display of "specified sexual activities" or "specified anatomical areas"; and which advertises the availability of such material by means of a sign visible from the public right-of-way, or by means of any on or off-premises advertising, including but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; or,

(2) offers a sleeping room for rent for a period of time that is less than 10 hours; or,

(3) allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than 10 hours.

Adult Motion Picture Theater: A commercial establishment where films, motion pictures, videocassettes, slides, or similar photographic reproductions which are characterized by their emphasis upon the display of "specified sexual activities" or "specified anatomical areas" are regularly shown to more than five persons for any form of consideration.

Agricultural Activities: 1. good-faith commercial production from the land or on the land of agricultural products, including horticultural, floricultural, dairy, livestock, poultry, and apiarian products, but not including forestry products (see "Tree farming" herein); and 2. clearing trees for the purpose of planting crops, providing pasture for livestock, or constructing buildings accessory to production of agricultural products.

AG Telecommunications Tower: A specialized telecommunications tower erected, intended and used solely in support of agricultural activities, which are:

(1) The establishment of a global positioning system for the purpose of coordinating and controlling precision agricultural services, such as row guidance for tractors and other

agricultural cultivation or harvesting machinery, autosteer positioning control and field preparation.; and,

(2) Weather monitoring for the transmission of weather information to farmers in order to best schedule spraying, spreading and irrigation activities.

Alternate Fuel Production: The conversion of organic materials, such as corn, cellulose or food and beverage residuals, into fuel products that supplement or replace gasoline or other petroleum-based fuels.

Alternative Tower Structure: Man-made trees, clock towers, bell steeples, light poles, and similar alternative-design mounting structures.

Amusement or Recreational Attraction: A business establishment offering leisure time activities such as a billiard or pool hall, bingo parlor, go-cart track, miniature golf, golf driving range, judo or karate instruction, softball field, batting cage or skating rink.

Amusement Park: A business establishment that groups together a number of leisure time activities such as mechanical rides, amusement devices, refreshment stands and picnic grounds.

Amusement Parlor: A business establishment providing leisure entertainment utilizing video games, pinball machines or other coin-operated amusement devices.

Antenna: Any exterior apparatus designed for telephonic, radio, or television communications through the sending and/or receiving of electromagnetic waves.

Applicant: A property owner or their authorized representative who has petitioned the County for approval of a zoning change, development permit, building permit, hardship variance, special exception, or appeal, or any other authorization for the use or development of their property under the requirements of this Development Code.

Application: A petition for approval of a zoning change, development permit, building permit, hardship variance, special exception, or appeal, or any other authorization for the use or development of a property under the requirements of this Development Code.

Aquifer: An underground reservoir of groundwater from which water can be drawn by a well or natural spring.

Archeologist: Any person who is:

(1) A member of or meets the criteria for membership in the Society of Professional Archaeologists and can demonstrate experience in the excavation and interpretation of human graves; or

(2) Employed on July 1, 1991, by the state or by any county or municipal governing authority as an archeologist.

As-Built Survey Drawings: Drawings specifying the dimensions, location, capacities, and operational capabilities of structures and facilities as they have been constructed.

Assisted Living Community: A personal care home with a minimum of 25 beds that is licensed as an assisted living community by the State of Georgia to provide assisted living care.

Assisted Living Care: Services provided in an assisted living community, including:

(1) Personal services, which includes, but is not limited to, individual assistance with or supervision of self-administered medication and essential activities of daily living such as eating, bathing, grooming, dressing, and toileting;

(2) The administration of medications by a medication aide in accordance with State law; and

(3) The provision of assisted self-preservation, which is the capacity of a resident to be evacuated from an assisted living community, to a designated point of safety and within an established period of time as determined by the Georgia Office of the Safety Fire Commissioner. Assisted self-preservation is a function of all of the following:

a. The condition of the individual;

b. The assistance that is available to be provided to the individual by the staff of the assisted living community; and

c. The construction of the building in which the assisted living community is housed, including whether such building meets the state fire safety requirements applicable to an existing health care occupancy.

Automobile Parking Lot, Commercial: An area or structure dedicated to the temporary storage of automobiles or other vehicles for periods of less than 24 hours for a fee, operated as the principal use of the property or structure. Includes public or private lots.

Automobile Sales and Service: The use of any building or premises for the display and sale of new or used automobiles, panel trucks, vans or busses, and which may include any repair service conducted as an accessory use. See also "Boat Dealers," "Motorcycle Sales and Service," and "Recreational Vehicle Dealer."

Automobile Service Station: Buildings and premises where gasoline or diesel fuel is dispensed at retail for automobiles, recreation vehicles and motorcycles, and where in addition at least one of the following services is rendered:

(1) Sale, replacement, or servicing of spark plugs, oil, water hoses, brake fluids, batteries, distributors, tires, carburetors, brakes, fuel pumps, or similar service items.

(2) Uses permissible at an automobile service station shall not include major mechanical and bodywork, straightening of body parts, painting, welding, or storage of automobiles not in mechanically operable condition. See "Automotive Repair Shop" where major mechanical and bodywork activities are allowed.

Automotive Repair Shop: The use of a building or premises for the repair of automobiles or other motorized vehicles, or the installation or repair of equipment or parts on motorized vehicles such as mufflers, brakes, tires, radios, transmissions, glass, and engines or engine parts. Automotive Repair Shops also include:

Automotive Paint or Body Shop: The use of a building or premises for the repair of automotive bodies and/or major mechanical works, straightening of body parts, painting, welding, or storage of automobiles not in operable condition.

Tire Sales or Repair Shop: The use of a building or premises for the selling or repairing of automotive tires.

Automotive Tune-Up Service (excluding Repair): The use of a building or premises for the servicing of motorized vehicles, such as oil and transmission fluid changes, emissions or diagnostic testing, where repairs are not performed nor mechanical parts replaced (except for windshield wipers, air or oil filters, and automotive fluids).

Awning: A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway, walkway, or window from the elements. Awnings are often made of fabric or flexible plastic supported by a rigid frame, and may be retracted into the face of the building.

Awning Sign: See "Building Sign."

B

Bank, Savings and Loan or Credit Union: A financial depository institution or related banking facility that accepts money for deposit into accounts from the general public or other financial institutions, and may include personal or business loans, wire transfers and safe deposit boxes as accessory uses.

Banner: A sign other than an official flag, made of paper, cloth, thin plastic, or similar lightweight material and usually containing a message or logo.

Bar or Tavern: An establishment primarily engaged in the retail sale of alcoholic drinks, such as beer, ale, wine and liquor, for consumption on the premises, and which may also serve food as a substantial portion of its business.

Bed and Breakfast Inn: A business establishment operated within a dwelling by the owner-occupant, offering temporary lodging and one or more meals to the traveling public while away from their normal places of residence. See also "Hotel or Motel."

Beef Cattle Feedlot: An agricultural use in which cattle are located on a property for the primary purpose of fattening for sale or slaughter, in contrast to a cattle ranch or farm.

Beef Cattle Ranch or Farm: An agricultural establishment primarily engaged in raising cattle, including cattle for dairy herd replacements.

Berm: A mound of earth, or the act of pushing earth into a mound.

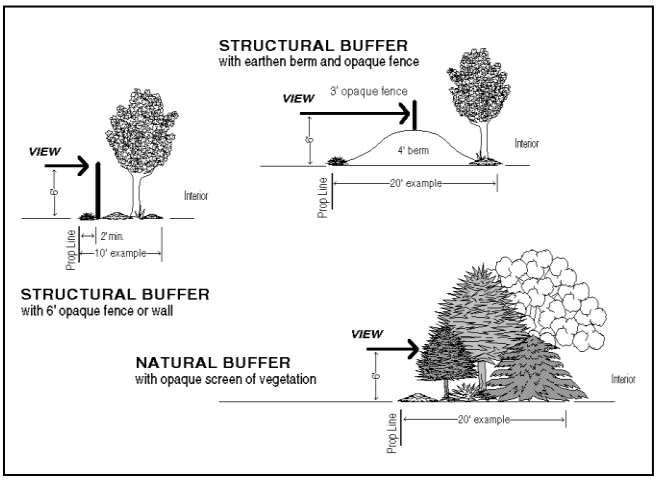
Block: An area of land surrounded by streets.

Boarder: An individual who lives in a part of a dwelling unit at the behest of the resident family and is provided lodging or lodging and meals for pay or other consideration on a temporary basis.

Boarding House: See "Rooming or Boarding House."

Boat Dealer: The use of any building or premises for the display and sale of new or used motorboats or other watercraft, and which may include the sale of marine supplies or outboard motors and repair service conducted as accessory uses.

Buffer, Zoning: An area of natural vegetation or man-made construction, which is intended to provide a visual and dimensional separation between dissimilar land uses.



(1) *Natural Buffer:* A visual screen created by vegetation of such density so as to present an opaque visual separation when viewed from one side to the other throughout the year.

(2) *Structural Buffer:* A visual screen created through construction of a solid wooden fence, decorative masonry wall, earthen berm, or combination of fence or wall with an earthen berm, which may be supplemented with vegetation, so as to present an opaque visual separation when viewed from one side to the other throughout the year.

Buildable Area of Lot: That portion of a lot bounded by and interior to the required rear, side, and front building setback lines.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

Building Code: The technical codes approved for enforcement or otherwise adopted or adopted as amended by the County under the Georgia Uniform Codes Act, which regulate the construction of buildings and structures.

Building Floor Area: The total floor area of all heated spaces within a building as measured within the outside of the exterior walls, exclusive of uncovered porches, terraces, and unheated stairwells, storage areas, garages and loading docks.

Building Height: The vertical distance measured to the highest point of a building from the average finished grade across those sides of a building that face a street. See also “Tower Height” and “Structure Height.”

Building Materials Sales: An establishment offering lumber or other construction materials used in buildings for sale to contractors or the general public.

Building Sign: A sign that in any manner is fastened to, projects from, or is placed or painted upon the exterior wall, window, door, or roof of a building. The term “building sign” includes but is not limited to the following:

(1) *Awning Sign.* A sign imposed or painted upon an awning.

(2) *Building Marker:* A sign composed of concrete, bronze, or other permanent material which is built into the surface of the building at the time of its construction.

(3) *Canopy Sign:* A sign imposed, mounted or painted upon a canopy, as defined herein.

(4) *Facade or Wall Sign:* A sign that is fastened directly to or is placed or painted directly upon the exterior wall of a building and extends from the surface of the wall no more than 18 inches.

(5) *Mansard Sign:* A sign imposed, mounted or painted upon the fascia portion of a mansard roof.

(6) *Marquee Sign.* Any sign attached flat against the marquee or permanent sidewalk canopy of a building and not extending above the roof line.

(7) *Projecting Sign:* A sign affixed to a wall and extending more than 18 inches from the surface of such wall, usually perpendicular to the wall surface.

(8) *Roof Sign:* A sign that is mounted on, applied to, or otherwise structurally supported by the roof of a building (other than the fascia portion of a mansard roof).

(9) *Under Canopy Sign.* A display attached to the underside of a marquee or canopy and protruding over public or private sidewalks or right-of-way.

(10) *Window Sign:* A sign that is placed on or behind a window pane and intended to be viewed from outside the building.

Burial Ground: An area dedicated to and used for interment of human remains. The term shall include privately owned burial plots, individually and collectively, once human remains have been buried therein. The fact that the area was used for burial purposes shall be evidence that it was set aside for burial purposes.

Burial Object: Any item reasonably believed to have been intentionally placed with the human remains at the time of burial or interment or any memorial, tombstone, grave marker, or shrine that may have been added subsequent to interment. Such term also means any inscribed or uninscribed marker, coping, curbing, enclosure, fencing, pavement, shelter, wall, stoneware, pottery, or other grave object erected or deposited incident to or subsequent to interment.

Business or Vocational School: See under “School.”

Business, Professional or Trade Association: See under “Membership Organization.”

Business Service: The use of a building or premises primarily for rendering a service to other business establishments on a contract or fee basis, such as advertising, credit reporting, computer programming, photocopying, and employment services.

(1) *Miscellaneous Business Service Establishment:* An establishment offering such business services as private security, photofinishing, appraisals, map drafting, paralegal, press clipping, recording studio, repossession, and telephone answering.

C

Caliper: The diameter of a tree (usually nursery stock) measured at a point 6 inches above the ground or top of root ball for up to and including 4-inch caliper trees, and at a point 12 inches above the ground or top of root ball for larger sizes.

Campground: See "RV Park or Campground" and "Wilderness Campground."

Camp Space: A specific and designated portion of the land in an RV park or campground intended for the placement of a single recreational vehicle or tent for the exclusive use of its occupants.

Canopy:

(1) *Building Canopy:* A permanent roof-like structure projecting from a building and open on at least one side for the purpose of shielding a pedestrian walkway from the elements.

(2) *Freestanding Canopy:* A freestanding roof-like structure supported by columns intended to shield a vehicular driveway or service area from the elements.

Canopy Tree: A species of tree that normally reaches a height at maturity in excess of 40 feet and is used primarily for shade, such as red oak, shumark oak, Chinese elm, river birch, white oak, water oak, American elm, trident maple, pin oak, American beech, pecan, southern magnolia, sweetgum and willow oak.

Carnival: See "Special Outdoor Event."

Carwash: The use of a building or premises primarily for washing automobiles, recreation vehicles and motorcycles, whether by hand or mechanical means.

Cellular Tower or Antenna: See "Telecommunications Tower."

Cemetery: In relation to the use of land, a facility for the burial of deceased human beings or animals.

Cemetery or Cemeteries: In relation to the disturbance of an abandoned cemetery, any land or structure dedicated to and used for interment of human remains. It may be either a burial park for earth interments or a mausoleum for vault or crypt interments or a combination of one or more thereof.

Center Line: That line connecting the succession of midpoints between the identifiable limits of any improvements on the ground or of any easement.

Channeled Letter Signs:

(1) *Internally Channeled Letters:* Letters or other symbols cut into a sign face and located above a recessed background surface, often designed for the background surface to be illuminated by an artificial light source.

(2) *Reverse Channeled Letters:* Letters or other symbols raised above a background surface designed to be illuminated from behind and within the letters or symbols by an artificial light source.

Characterized by: Describing the essential character or quality of an item. As applied in this ordinance, no business shall be classified as a sexually oriented business by virtue of showing, selling, or renting materials rated NC-17 or R by the Motion Picture Association of America.

Church or Place of Worship: See under "Membership Organization."

Civic, Social or Fraternal Association: See under "Membership Organization."

Clinic: An establishment where medical or dental patients, who are not lodged overnight, are admitted for examination or treatment requiring less than an hour recovery time.

Commercial Speech:

(3) The expression of an idea, opinion, or message that directs or attracts attention to a business operated for profit; or to a product, commodity or service for sale, trade, barter, swap or lease; or to any other commercial interest or activity; or,

(4) The solicitation for financial contributions or personal support for (a) any nonprofit organization, institution, committee, club or association of a social, political, religious, or charitable nature, or (b) for any nonprofit organization representing the opinions, viewpoint or interests of a particular group.

Common Open Space: See "Open Space."

Comprehensive Plan: The adopted Comprehensive Plan for Crisp County, as amended from time to time.

Condition of Zoning Approval: A requirement adopted by the County Commission at the time of approval of a rezoning or special use, placing greater or additional requirements or restrictions on the property than provided in this Development Code in order to reduce an adverse impact of the rezoning or special use and to further the protection of the public health, safety, or general welfare.

Condominium: A multiple unit dwelling in which each dwelling unit is owned or financed by the occupant, but in which halls, entrance ways, common areas, and underlying lands are owned jointly.

Condominium Plan: A drawing that is required to be recorded prior to the first conveyance of a condominium unit, including, but not limited to, a condominium floor plan, condominium plot plan, or condominium site plan.

Congregate Personal Care Home: See under "Personal Care Home."

Construction Contractor: An establishment engaged in the construction of buildings, engaged in heavy construction (such as streets, bridges or utilities), or specialized in such construction trades as plumbing, heating and air-conditioning, electrical wiring, masonry, roofing or gutters, well drilling, or house painting.

Convalescent Home: See under "Assisted Living Community."

Convenience Gas Station: A building or premises where gasoline, diesel fuel and oil may be dispensed at retail with no automobile repair facilities. Uses permissible also include the sale of cold drinks, packaged foods, tobacco and similar household convenience goods for station customers.

Critical Root Zone: The land area circular in shape and centered on the trunk of a tree, the radius of which circle is determined by the farthest extent of the drip line from the trunk.

Cul-de-Sac: A dead-end street that terminates in a permanent turnaround and not intended for future extension.

Custom Service Restaurant: See under "Restaurant, Custom Service."

D

Day Care Facility: The use of a building or premises for the care and supervision of children or elderly adults who do not reside on the property, for periods of less than 24 hours.

Days: The term "days" shall mean working days exclusive of holidays authorized by the Board of Commissioners and weekends, unless the term is stated as "calendar days" or the context implies otherwise.

Dead-End Street: A street connected to another street at only one end.

Deflection Angle: The angle between a deviation in the direction of the center line of a street and the extension of the center line along a straight course from the point from which the center line changed direction.

Descendant: A person or group of persons related to a deceased human by blood or adoption in accordance with the meaning of the term as used in Title 19 of the Official Code of Georgia.

Developer: The person, corporation or other legal entity that undertakes the subdivision of property, the alteration of land or vegetation in preparation for construction activity, or the construction of streets, utilities, buildings or other improvements required for the habitation or use of property.

Development: (1) A land development project involving the construction of streets, utilities, buildings, or other improvements required for the habitation or use of property, such as a residential neighborhood, an apartment complex, a store, or a shopping center; (2) any manmade

change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials; (3) the act of constructing or carrying out a land development project, including the alteration of land or vegetation in preparation for construction activity.

Development Permit: The authorization necessary to initiate and conduct a land-disturbing activity and to carry out the planned development of land and structures.

Development Site: That portion of a tract of land that will be dedicated to a proposed development, including the land containing trees that will be counted toward satisfying the requirements of these provisions.

Diameter Breast Height (DBH): The diameter of a tree trunk (usually a mature tree) measured at a height of $4^1/_2$ feet above the ground. If a tree splits into multiple trunks below $4^1/_2$ feet, the trunk is measured at its most narrow point beneath the split.

Double-Faced Sign: A sign structure with two sign faces that are parallel (back-to-back) or that form an angle to one another of no more than 60 degrees, where each sign face is de-signed to be seen from a different direction and the two sign faces are separated from each other at their nearest point by no more than three feet. Sign faces on a single sign structure that are separated by more than three feet are treated as separate signs.

Drip Line: A perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

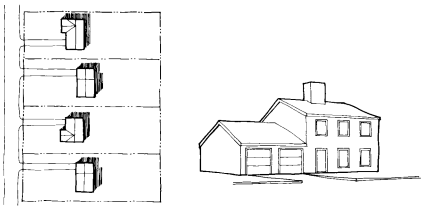
Drive-in Motion Picture Theater: See under "Theater."

Duplex: A two-family dwelling (see under "Dwelling, Two-Family Dwelling").

Dwelling: A building or portion of a building arranged or designed to provide living quarters for one or more families on a permanent or long-term basis. Under no circumstances shall a recreational vehicle be used as or considered a dwelling, whether temporary or otherwise.

(1) *Single-Family* Detached *Dwelling:* A residential building designed for occupancy by one family.

(2) *Site-Built Single-Family Detached Dwelling:* A single-family detached dwelling either constructed on the building site from basic materials delivered to the site or a one-family industrialized home, and which meets or exceeds the applicable Standards for Site Built Single-Family and Two-Family Dwellings under the Restrictions on Particular Uses Chapter of this Code. A "moved-in home" as defined in this Development Code is considered a site-built single-family detached dwelling.



DWELLING, SINGLE-FAMILY DETACHED

(3) *Class A Single-Family Detached Dwelling:* A one-family double-wide manufactured home that meets or exceeds the applicable Standards for Single-Family and Two-Family Dwellings under the Restrictions on Particular Uses Chapter of this Code.

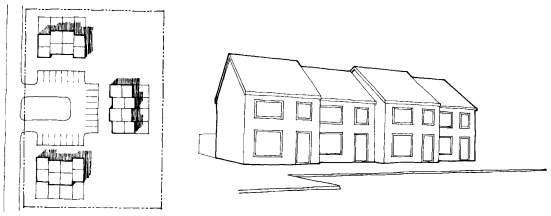
(4) *Class B Single-Family Detached Dwelling:* A one-family single-wide manufactured home that meets the applicable Standards for Single-Family and Two-Family Dwellings under the Restrictions on Particular Uses Chapter of this Code.

(5) *Two-Family Dwelling:* A residential building designed exclusively for occupancy by two families in separate dwelling units living independently of each other, either constructed on the building site from basic materials delivered to the site or a two-family industrialized home, and which meets or exceeds the applicable Standards for Site-Built Single-Family and Two-Family Dwellings under the Restrictions on Particular Uses Chapter of this Code.

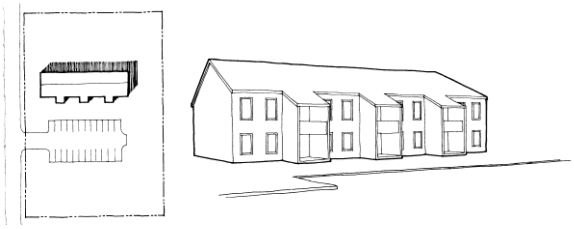
(6) *Multi-Family Dwelling:* A residential building designed exclusively for occupancy by three or more families in separate dwelling units living independently of each other.

a. *Multi-Family Attached:* A multi-family dwelling in which the dwelling units may adjoin one another only at the vertical walls and no dwelling unit may be located above another, such as in a townhouse dwelling.

b. *Multi-Family Apartment Building:* A multi-family dwelling in which a dwelling unit may be located above another, such as in a garden apartment building.



DWELLING, TOWNHOUSE



DWELLING, GARDEN APARTMENT

Dwelling Unit: One or more rooms connected together and constituting a separate, independent housekeeping establishment with complete provisions for cooking, eating, sleeping, bathing and personal hygiene, and physically set apart from any other dwelling unit in the same structure.

E

Easement: A strip of land on which the property owner has granted to another entity the right to use such land for specific purposes.

Electronic Message Board: A type of sign that presents its message through illumination of flashing, intermittent, or moving lights forming the letters, numbers, or symbols of the message, whether or not the message appears to move across the sign face.

Event Facility: A property containing a building or other permanent structure that is intended to host temporary events such as but not limited to any of the following: graduation parties or other celebrations, weddings or wedding receptions, trade shows or exhibitions, business receptions or meetings, conferences, luncheons or other meals for gatherings, banquets, dances, or performances. On-site parking and the placement of temporary structures related to a temporary event may also be located on the property.

F

Façade: The exterior vertical surfaces of a building that comprise the front, side or rear wall.

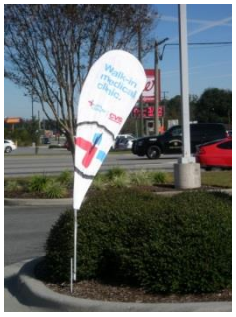
Family: An individual or two or more persons living together as a household.

Family Restaurant: See under "Restaurant, Custom Service."

Farm Equipment Sales and Service: The use of a building or premises primarily for the retail sale of vehicles and equipment used in agriculture, such as tractors, combines, brooders or thrashers, and which may include the sale of seed and feed or any farm equipment repair service conducted as an accessory use.

Fast Food Restaurant: See "Restaurant, Fast Food."

Feather Banner: A banner mounted on a pole, such as the examples shown to the right. Such signs may be wind activated (see "sign, animated") or rigidly mounted in a stationary position. Feather banners are a type of "portable sign", as defined herein.



Examples of Feather Banners

Feedlot: A confined area or structure, pen, or corral, used to fatten livestock prior to final shipment. See also "Beef Cattle Feedlot."

Fence: An artificially constructed barrier of wood, wire, wire mesh, or decorative metal erected to enclose, screen, or separate portions of a lot.

Festoons: Strings of light bulbs and strings of ribbons, tinsel, small flags, pennants, streamers, pinwheels or other similar devices designed to move in the wind.

Fitness Center: A business that provides facilities for aerobic exercises, such as running and jogging tracks, exercise equipment, game courts, gymnasium, or swimming facilities.

Flag: A sign made of paper, woven natural or synthetic fabric, thin plastic or similar lightweight pliable material that is normally displayed by flying from a pole as a wind-activated device, but is not otherwise defined herein as a banner, pennant, or feather banner.

Floor Area, Building: See "Building Floor Area."

Floor Area, Gross: See "Gross Floor Area."

Fluorescent Color: A color that is intense, brilliantly colored and apparently giving off light, such as day glow (day-glo) colors.

Freestanding Sign: A sign permanently attached to the ground which is wholly independent of any building or other structure. The term "freestanding sign" includes but is not limited to the following:

(1) *Pole Sign:* A sign that is mounted on one or more freestanding poles or columns or similar support such that the bottom of the sign face is at least 6 feet above the ground and such supporting poles or similar support are each less than 10% of the width of the sign body.

(2) *Column Sign:* A sign that is mounted on one or more freestanding stanchions or columns, in which the bottom of the sign face is less than 6 feet above the ground but not directly in contact with the ground, and at least one of the supporting stanchions or columns is 10% of the width of the sign body or more.

(3) *Monument Sign:* A freestanding sign in which the entire bottom of the sign face is in contact with the ground, providing a solid and continuous background for the sign face from the ground to the top of the sign structure; the base of which is as wide as or wider than the total width of the sign body plus any supporting columns.

(4) *Hybrid Monument Sign:* A freestanding sign in which the entire bottom of the base of the sign structure is in contact with the ground, but a solid and continuous background for the sign from the ground to the top of the sign structure is not provided; the base of which is as wide as or wider than the total width of the sign body plus any supporting columns.

Freight Agency or Shipping Coordinator: An establishment primarily engaged in the remote arrangement of freight or cargo transportation, and not located where the freight or cargo is handled, stored or transported.

Frontage or Street Frontage: The width in linear feet of a lot where it abuts the right-of-way of any street from which access may be directly gained.

Funeral Home: A building used for the preparation of deceased human beings for burial or cremation and for conducting funeral ceremonies, and where cremations may be conducted as an accessory use.

Furniture or Equipment Rental Establishment: A business establishment that rents or leases items of personal property such as furniture, tools, medical equipment, appliances and construction equipment to the general public, but not including automobiles or trucks.

G

Garden Apartment Building: See under "Dwelling."

Garment Services: A business establishment engaged primarily in such activities as linen supply, dressmaking, custom tailoring, or fur cleaning and storage.

Genealogist: A person who traces or studies the descent of persons or families and prepares a probative record of such descent.

General Business Office: See under "Office."

General Merchandise Store: A retail establishment that sells a number of lines of merchandise, such as dry goods, apparel, furniture, small wares, hardware and boutique foods. Such stores are also known as "department stores," "variety stores" and "country general stores."

Geodetic Control Monuments: Those survey monuments which are established by federal, state, local, and private agencies, the position of which monuments on the earth's surface has been fixed by high-order surveying and computation for use by surveyors and engineers in the extension of geodetic position to property corners, improvements to property, utility systems, streets and highways, and such other objects and things as may be located by surveying. Such monuments may be in the form of metal disks set in concrete, rock, metal, or some other fixed permanent object, the position thereof having been published by the agency which established the monument and made available to the public as well as to land surveyors and engineers for public use.

Georgia Stormwater Management Manual, Volume 2: Technical Handbook, produced as a result of a collaborative effort between the Atlanta Regional Commission (ARC), the Georgia Department of Natural Resources-Environmental Protection Division (EPD), and 35 cities and counties from across Georgia that provides guidance on the techniques and measures that can be implemented to meet a set of stormwater management minimum standards for new development and redevelopment, as amended from time to time.

Golf Course, Commercial: A golf course and its normal accessory uses (such as a country club, snack bar or pro shop) operated as a principal use on a property and not a part of a larger residential or mixed-use development.

Golf Course, Community: A golf course and its normal accessory uses (such as a country club, snack bar or pro shop) operated as an integral part of, and accessory to, a larger residential or mixed-use development.

Greenhouse: A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants for subsequent sale or for personal enjoyment.

Gross Floor Area: The total area of all floors of a building, measured from the outside planes of the exterior walls.

Ground Cover: A low growing plant, other than turf grass, which forms a continuous cover over the ground surface.

Groundwater Recharge Area: The land area where the water that eventually seeps down into an aquifer first enters the ground.

Group Home for the Elderly: See "Retirement Community."

Group Personal Care Home: See under "Personal Care Home."

Guest House: An accessory use to a dwelling designed and intended for the temporary housing of visitors to a property at the behest of the property residents for no fee or other consideration, and meeting or exceeding the Standards for Single-Family and Two-Family Dwellings under the Restrictions on Particular Uses Chapter of this Code.

H

Hazardous Waste: Solid or liquid waste material resulting from the manufacture or use of pesticides and drugs (other than normal household use); pathological wastes; highly flammable or explosive wastes; toxic wastes; sewage sludge; and other waste material that may be a hazard to the public health, safety or environment.

Health Services Facility: An establishment primarily engaged in outpatient health services and counseling, such as a kidney dialysis center, blood bank, alcohol or drug treatment center, or childbirth preparation center.

Health Spa: See "Spa or Health Spa."

Holiday or Seasonal Event: A day established as a legal holiday by federal, state, or local law; a nationally recognized holiday such as Halloween or Mother's Day; a religious day or term of days such as Easter, Yom Kippur or Christmas, or Lent, Ramadan or Hanukah.

Home Occupation: Any activity carried out for profit by the resident and conducted as an accessory use in the resident's dwelling unit.

(1) *Home Office:* A home occupation that is limited to an office use and does not involve visits or access by the public, suppliers or customers.

(2) *Residential Business:* A home occupation that is limited to the office use of a practicing professional, an artist, a commercial representative or family day care home, and may involve very limited visits or access by clients or customers.

Hospital: The use of a building or premises for the provision of diagnostic health services and medical or surgical care to inpatients and out-patients suffering from illness, disease, injury, deformity and other physical or mental afflictions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

Host Home: A private residence in a residential area under a contract with the State of Georgia or a State designated community provider, in which the occupant owner or lessee provides housing and provides or arranges for the provision of food, one or more personal services, supports, care, or treatment exclusively for one or two persons who are not related to the occupant owner or lessee by blood or marriage.

Hotel or Motel: A business establishment offering temporary lodging to the traveling public while away from their normal places of residence, and often including a restaurant as an accessory use. See also "Bed and Breakfast Inn."

Household: An individual living alone or a group of individuals living together in a single dwelling unit, sharing common use of and access to all living and eating areas, bathrooms, and food preparation areas, who mutually combine their efforts and share responsibilities for

domestic chores such as child rearing, cleaning and cooking in a permanent and long-term relationship, as contrasted to one in a transient relationship who pays for lodging such as a boarder.

Human Remains: The bodies of deceased human beings in any stage of decomposition, including cremated remains.

I

Illuminated signs:

(1) *Internally-illuminated sign*. Any sign that is illuminated by an artificial light source from within the sign structure over any or all of its sign face.

(2) *Externally-illuminated sign.* Any sign that is partially or completely illuminated at any time by an artificial light source that directly or indirectly illuminates the face of the sign from outside the sign structure.

Impermeable: Something that water cannot pass through or be absorbed by, such as a layer of rock.

Impervious Surface: A surface that rainwater cannot penetrate or be absorbed by, such as a parking lot, paved road or building.

Improvements: The physical addition and changes to land that may be necessary to produce usable, desirable and acceptable lots or building sites.

Incidental Sign: A small sign, emblem or decal no larger than one square foot. Such signs are normally located on doors, windows and gas pumps, or in parking lots or loading areas, may be freestanding or building signs, and are generally not readily visible or legible from public rights-of-way.

Industrialized Home: A dwelling manufactured in accordance with the Georgia Industrialized Building Act (O.C.G.A. Title 8, Chapter 2, Chapter 2, Part 1) and the Rules of the Commissioner of the Georgia Department of Community Affairs issued pursuant thereto. State approved buildings meet the State Building and Construction Codes and bear an insignia of Approval issued by the Commissioner.

Inflatable Sign: A sign that is either expanded to its full or intended dimensions through mechanical means of an air blower or supported by gasses contained within the sign, or sign parts, at a pressure greater than atmospheric pressure.

Internally Channeled Letters: See under “Channeled Letter Signs.”

Intersection: (1) the place where two streets cross; (2) the point at which the centerline of a street intersects the center line of another street or railway.

J

Jurisdiction: That area over which the governing body has authority for planning, zoning and development permitting under the Constitution of the State of Georgia.

Junkyard or Salvage Yard: A building or premises used primarily for the collecting, and either the outdoor storage or the on-site retail or wholesale sale of waste paper, rags, scrap metal or other discarded material; or for the collecting, dismantling, storage, or salvage of machinery or vehicles not in running condition, or for the on-site retail or wholesale sale of parts thereof.

K

Kennel: A shelter where dogs or cats are bred, raised, trained or boarded as a business.

Kiosk: A freestanding sign structure, often cylindrical in shape, intended to be viewed from all sides and erected for the purpose of posting signs, notices or other public announcements. Kiosks that are composed of flat faces are treated as multi-faced signs.

L

Landscape Materials: Any combination of living plant materials and nonliving materials (such as rocks, pebbles, wood chips, mulch and pavers) and decorative features such as sculpture, patterned walks, fountains, and pools. This definition includes synthetic landscaping materials that are visually indistinguishable from natural materials.

Landscaping: Landscaping shall consist of shrubs, vines, turf, ground cover and other landscape materials which are utilized to enhance the aesthetic and functional qualities of a site.

Leased Sign: An agreement by which a property owner conveys, usually for a specified rent, to other persons, permission to erect and maintain a sign upon their property.

LED Sign: Any sign or portion thereof that uses light emitting diode technology or other similar semiconductor technology to produce an illuminated image, picture, or message of any kind whether the image, picture, or message is moving or stationary. This type of sign includes any sign that uses LED technology of any kind, whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro polymer (OEL), or any other similar technology. An LED sign is considered to be a form of electronic changeable copy sign (see under “sign, changeable copy”).

Licensed Day-Care Center: A facility licensed by the State of Georgia, whether situated within the County or not, that provides care, training, education, custody, treatment or supervision for more than 12 children under 14 years of age, where such children are not related by blood, marriage or adoption to the owner or operator of the facility, for less than 24 hours a day, regardless of whether or not the facility is operated for a profit or charges for the services it offers.

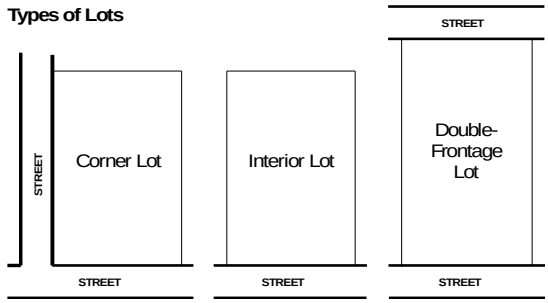
Livestock: Animals used for the production of food or products, such as cattle, sheep, goats, hogs or poultry.

Lot: A parcel or tract of land held in single ownership.

(1) *Corner Lot:* Any lot bounded by 2 streets at their intersection.

(2) *Double-Frontage Lot:* A lot bounding on 2 or intersection, so that it is not a corner lot.

(3) *Interior Lot:* A lot having frontage on only one street.



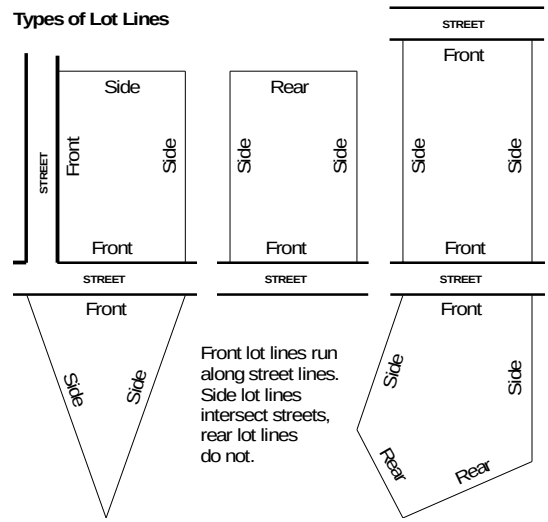
Lot Area: The total horizontal area included within lot lines.

Lot Line: The boundary dividing a given lot from the street or adjacent lots; the boundary defining the limit of ownership of a property.

(1) *Front Lot Line:* Any boundary line of a lot that abuts a street right-of-way line. A lot adjacent to more than one street will have more than one front lot line.

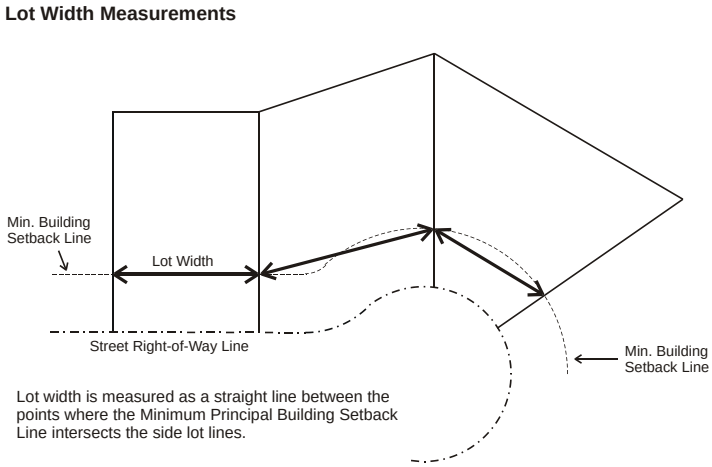
(2) *Rear Lot Line:* Any boundary line of a lot that does not intersect with a street right-of-way line and is not a front lot line.

(3) *Side Lot Line:* Any boundary line of a lot that intersects with a street right-of-way line and is not a front lot line.



Lot of Record: A lot which is part of a subdivision recorded in the office of the Clerk to Superior Court, or a lot described by metes and bounds, the description of which has been so recorded.

Lot Width: The distance measured along the front principal building setback line between intersecting lot lines. The lot width shall be measured along a straight line between such points of intersection.



M

Major Street or Major Thoroughfare: An arterial or collector street (see "Street Classifications.")

Major subdivision: See "Subdivision, major."

Mansard: A steeply sloped, roof-like façade architecturally similar to a building wall.

Manufactured Home: A dwelling fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying that it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401, *et seq*.), which first became effective on June 15, 1976. The term "manufactured home" includes a structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term includes any structure which meets all the requirements of this definition except the size requirement and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401, *et seq*.

Manufactured Home Park: Any lot or parcel under single ownership on which 2 or more manufactured homes are to be located or intended to be located for purposes of residential occupancy.

Manufactured Home Sales Lot: A premises on which manufactured homes are displayed for sale.

Manufacturing: The creation of finished goods from raw materials or intermediate component parts.

(1) *Heavy Manufacturing:* The extraction of natural resources or the transformation of raw materials through mechanical or chemical means into basic products for subsequent assembly, fabrication or use in the production of finished goods.

(2) *Light Manufacturing:* The finishing, fabrication or assembly of previously manufactured parts into a final product or component products ready for retail sale. Light manufacturing is characterized by no emissions of noxious odors, dust, fumes, gas, noise, or vibration outside of any building.

Marquee sign. See under "Building Sign."

Massage Parlor: An establishment that offers massage therapy by a licensed massage therapist.

Massage Therapist: A person licensed by the State of Georgia who administers or teaches massage or massage therapy for compensation, or a person issued a valid provisional permit to practice massage therapy by the State.

Massage Therapy: The application of a system of structured touch, pressure, movement, and holding to the soft tissue of the body in which the primary intent is to enhance or restore health and well-being. The term includes complementary methods, including without limitation

cupping therapy, taping techniques, the external application of water, superficial heat, superficial cold, lubricants, salt scrubs, or other topical preparations and the use of commercially available electromechanical devices which do not require the use of transcutaneous electrodes and which mimic or enhance the actions possible by the hands; the term also includes determining whether massage therapy is appropriate or contraindicated, or whether referral to another health care provider is appropriate. Massage therapy shall not include the use of ultrasound, fluidotherapy, laser, and other methods of deep thermal modalities.

Massage Therapy Business: An entity where the practice of or engagement in massage therapy is performed by a licensed massage therapist. See also "Massage Parlor".

Medical or Dental Office: See under "Office."

Membership Dwelling: A dwelling occupied by several unrelated persons as their normal place of residence, but in which separate cooking facilities are not provided for such resident persons. The term "membership dwelling" includes but is not limited to the terms "fraternity house" and "sorority house." A retirement community, nursing home, personal care home, hotel or motel, rooming or boarding house, or bed and breakfast inn shall not be deemed to be a membership dwelling as herein defined.

Membership Organization: An organization that operates on a membership basis for the promotion of the members' interests.

(1) *Business, Professional or Trade Association:* A private organization that promotes the interests of business groups, such as the Chamber of Commerce; professions, such as the Bar Association; or members of a trade, such as a labor union.

(2) *Church or Place of Worship:* A religious organization operated for worship, religious training or study, and including convents, monasteries, shrines and temples.

(3) *Civic, Social or Fraternal Association:* An organization dedicated to public activities of a civic and non-profit nature, such as an alumni association, American Legion, Hibernian Society, Masonic Lodge or Oddfellows.

(4) *Political Organization:* An organization established to promote the interests of a local, State or national political party or candidate.

Microcell: A telecommunication facility composed of no more than four antennas and no more than two equipment boxes. Microcell antennas may be either of a panel design having dimensions of approximately one foot in width and five feet in length, or of an omni (whip) design having dimensions of approximately four inches in diameter and six feet in length. Dimensions of such antennas may vary from operator to operator and as industry standards and designs are modified or revised.

Mini-Warehouse: A structure containing separate storage spaces of varying sizes leased or rented on an individual basis to the general public.

Minor subdivision: See "Subdivision, minor."

Miscellaneous Building Sign: A building sign (as defined herein), other than a principal building sign, a temporary event sign or an incidental sign, commonly found on the wall of a nonresidential use property.

Miscellaneous Business Service Establishment: See under "Business Service." *Miscellaneous Personal Service:* See under "Personal Service Establishment." *Miscellaneous Retail Stores:* See under "Retail Store."

Miscellaneous Freestanding Sign: A freestanding sign, other than a freestanding principal sign, temporary event sign or incidental sign, commonly found on multi-family and nonresidential use properties located at entrance and exit driveways, drive-through windows, internal driving lanes, parking lots, designated handicap parking spaces, etc.

Mobile Home: A dwelling manufactured prior to June 15, 1976, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

Mobile Sign: See "Sign, Portable".

Monument sign. See under "Freestanding Sign."

Motion Picture Theater: See under "Theater."

Motor Freight Truck Terminal: A building or premises where trucks load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation.

Motor Vehicle: Every vehicle which is self-propelled by a motor or engine and is authorized to operate on public streets and highways.

Motor Vehicle Dealers, Miscellaneous: A business establishment primarily engaged in the sale of motorized vehicles and related equipment other than automobiles, motorboats, motorcycles or recreation vehicles, such as aircraft, dune buggies, go-carts, snowmobiles and utility trailers, and which may include a repair service conducted as an accessory use.

Motorcycle Sales and Service: The use of any building or premises for the display and sale of new or used motorcycles, scooters or mopeds, and which may include any repair service conducted as an accessory use.

Moved-in Home: A site-built single-family detached dwelling that is relocated to a new site.

Multi-faced sign: A sign structure that contains two sign faces (see "double-faced sign") or three or more sign faces that are located on different sides of the structure and are separated from each other at their nearest point by no more than three feet. Sign faces on a single sign structure that are separated by more than three feet are treated as separate signs.

Multi-Tenant Nonresidential Development: A single office, commercial or industrial property that is designed or intended for occupancy by two or more businesses.

N

Nonconforming Lot: A lot of record whose area, frontage, width or other dimensions, or location were lawful prior to the adoption, revision or amendment of this Development Code, and which, by reason of such adoption, revision or amendment, no longer meets or exceeds one or more such requirements of the applicable zoning district.

Nonconforming Sign: A sign that was lawfully erected and maintained prior to the adoption, revision or amendment of this Development Code, and which by reason of such adoption, revision or amendment fails to conform to all applicable regulations and restrictions of this Development Code.

Nonconforming Structure: A structure or building whose size, dimensions or location on a property were lawful prior to the adoption, revision or amendment of this Development Code, but which, by reason of such adoption, revision or amendment, no longer meets or conforms to one or more such requirements of this Development Code.

Nonconforming Use: A use or activity that was lawfully established prior to the adoption, revision or amendment of this Development Code, but which, by reason of such adoption, revision or amendment, is no longer a use or activity permitted by right or no longer meets or conforms to the requirements of this Development Code.

Nudity or a State of Nudity: The showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any part of the nipple and areola.

Nursery School: See "Day Care Facility."

Nursing Home: A skilled nursing care facility primarily engaged in providing full-time convalescent or rehabilitative care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves and require continuous care under the direction of a physician. See in contrast "Assisted Living Facility."

O

Office: The use of any building or premises primarily for conducting the affairs of a business, profession, service, industry, or government, and generally furnished with desks, tables, files, and communication equipment.

(1) *General Business Office:* An office used primarily for the administrative or legal affairs of a company.

(2) *Medical or Dental Office:* An office occupied and maintained for the provision of services by a person licensed by the State of Georgia to practice in the healing arts for humans, such as a physician, surgeon, dentist, or optometrist.

(3) *Professional Office:* An office occupied by a member of a recognized profession and maintained for the provision of professional services, such as a lawyer, architect, city planner, landscape architect, interior designer, or engineer.

Opaque: Impenetrable to view, or so obscuring to view that features, buildings, structures, and uses become visually indistinguishable.

Open Space: An area of land or water that is permanently set aside through dedication, designation or reservation to remain in a natural and unimproved state or that may be improved only for active or passive recreation or enjoyment.

(1) *Common Open Space:* Land or water areas within a development project that are available to or benefit all occupants of the development on a continuing and permanent basis, such as walking trails, community centers or clubhouses, golf courses and other recreation areas, protected flood plains or wetlands, and fishing or boating lakes. Common open space does not include any streets or public rights-of-way, or yard areas or landscape areas located on private property.

(2) *Public Open Space:* Land reserved for preservation, leisure or recreational use but dedicated in fee simple to a governing body or agency to be responsible for operation and maintenance. Public open space may not be reserved for or dedicated to the exclusive use of the residents of a particular development.

Outdoor Display Area: A portion of a property outside of any building where merchandise, goods or other items are placed in public view for the purpose of direct sale or lease to customers.

Outdoor Storage: The keeping within an unroofed and unenclosed area of any goods, material, merchandise or vehicles in the same place for more than 24 hours.

Outparcel: A lot deeded separately from a larger tract for individual development, but generally sharing access with the larger tract. Outparcels are most generally associated with shopping centers.

Overlay Zone: A geographical area that encompasses one or more underlying zoning districts and that imposes additional requirements above that required by the underlying zone.

Owner: A person having or controlling a majority fee simple interest in a property, or their authorized representative.

P

Parapet Wall: A building façade that extends above the eave line or edge of a roof.

A Parapet Wall

Parking Area: Any public or private area at grade or within a structure used for the express purpose of temporarily parking automobiles and other vehicles otherwise in operation for personal or business use.

Parking Bay: Three or more parking spaces adjacent to one another and aligned side-by-side.

Parking Garage: An accessory building or portion of a principal building used only for the private storage of motor vehicles as an accessory use. See also "Automobile Parking Lot, Commercial."

Parking Space: A space identified and set aside for the temporary parking of an automobile or other motor vehicle.

Pawn Shop: A type of used merchandise store in which merchandise is offered as collateral for obtaining loans and wherein such merchandise is offered for sale in recompense for default of loan repayment.

Pennant: Any lightweight plastic, fabric, or similar material, suspended from a rope, wire, or string, usually in series, designed to move in the wind. The term "pennant" shall not include a "banner" or a "flag" as de-fined herein.

Performing Arts Theater: See under "Theater."

Person: An individual, proprietorship, partnership, corporation, association, or other legal entity.

Personal Care Home: A dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service and one or more personal care services for two or more adults who are not related to the owner or administrator by blood or marriage. The term does not include a "host home" as defined herein. For the purpose of regulation, this Land Development Code defines three types of personal care home as follows:

(1) *Family Personal Care Home:* A personal care home in a family type residence, noninstitutional in character, that offers care for 2 to 6 adults.

(2) *Group Personal Care Home:* A personal care home in a residence or other type of building that is noninstitutional in character and offers care for 7 to 15 adults.

(3) *Congregate Personal Care Home:* A personal care home that offers care to 16 or more adults.

Personal Care Services: Individual assistance with or supervision of self-administered medication and essential activities of daily living such as eating, bathing, grooming, dressing and toileting.

Personal Enrichment School: See under "School."

Personal Service Establishment: A business primarily engaged in providing a service generally to individuals, such as a laundry, portrait photographic studio, or beauty or barber shop.

(1) *Miscellaneous Personal Service:* An establishment offering such personal services as tax return preparation, clothing or costume rental, dating service, hair removal or replacement, or tanning salon.

Personal (Noncommercial) Speech: The expression of an idea, opinion, or message that does not direct or attract attention to a business operated for profit; or to a product, commodity or service for sale, trade, barter, swap or lease; or to any other commercial interest or activity.

Pet: An animal most commonly kept for personal enjoyment or companionship, such as a dog or a cat.

Petroleum Refining: The processing of crude oil into gasoline, diesel fuel or other petroleum end products suitable for consumer use.

Photovoltaic (PV) System: A solar energy system that produces electricity by the use of semiconductor devices, called photovoltaic cells, that generate electricity whenever light strikes them. Included in a PV system are solar energy generation mechanisms (e.g., panels or other assemblies of solar electric cells), inverters (devices that convert Direct Current electricity produced by the system to usable Alternating Current), batteries and battery systems that store electrical energy from the PV system for future use, meters, and electric transmission wires and conduits that facilitate connections with users and/or the local power grid.

Planned Center: A single office, medical, commercial, or industrial property that is designed or intended for occupancy by two or more principal businesses that are separately owned and have no corporate relationship. A planned center may consist of a single building, such as a shopping center, or multiple buildings, such as an office condominium center.

Plant Materials: Living plants, such as trees, shrubs, ground cover, grasses and perennial flowering plants, turf, and vines that are suitable for ornamental and/or functional use.

Plant Nursery: Land or greenhouses used to raise flowers, shrubs, trees, and other plants for sale to distributors or for subsequent replanting by the owner, a landscape company or others.

Plat: A drawing prepared by a land surveyor that describes and depicts real property boundaries, including, but not limited to, a map, condominium plat, subdivision plat, as-built survey, easement survey, or retracement survey.

Political Organization: See under "Membership Organization."

Premises: An area of land with its appurtenances and buildings which, because of its unity of use, is one unit of real estate.

Premises of a Sexually Oriented Business: The real property upon which the sexually oriented business is located, and all appurtenances thereto and buildings thereon, including, but not limited to, the sexually oriented business, the grounds, private walkways, and parking lots and/or parking garages adjacent thereto, under the ownership, control, or supervision of the license holder.

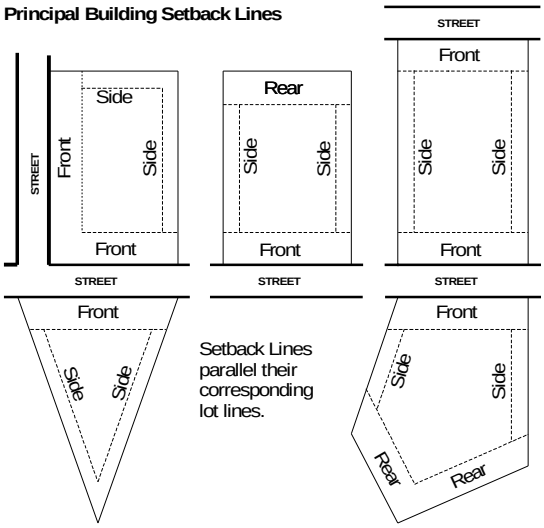
Preserve and Protect a cemetery or burial ground: To keep safe from destruction, peril, or other adversity and may include the placement of signs, markers, fencing, or other such appropriate features so as to identify the site as a cemetery or burial ground and may also include the cleaning, maintenance, and upkeep of the site so as to aid in its preservation and protection.

Principal Building or Principal Structure: The building or structure in which is conducted the principal use of the parcel on which it is located. Parcels with multiple principal uses may have multiple principal buildings or structures, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings or structures.

Principal Building Setback Line: A line delineating the minimum allowable distance between a property line or the right-of-way line of an abutting street, and a principal building or principal structure on a lot.

(1) *Front Building Setback:* The minimum allowable distance between the right-of-way line of any abutting street and any part of a principal building or principal structure on a lot. The front setback distance is applied along the full length of the right-of-way line and is parallel to it.

(2) *Rear Building Setback:* The minimum allowable distance between a rear lot line and any part of a principal building or principal structure on a lot. The rear building setback extends along and parallel to the full length of the rear lot line.



(3) *Side Building Setback:* The minimum allowable distance between a side lot line and any part of a principal building or principal structure on a lot. The side building setback extends along and parallel to the side lot line between the front building setback and a rear building setback (if any).

Principal Sign: The main, most prominent or largest freestanding or building sign on a property's street frontage or principal building, other than a project entrance sign as defined in this Article. Such signs are of permanent construction and not placed as temporary signage.

Principal Use: The specific, primary purpose for which land is used or occupied.

Professional Engineer: An engineer licensed and registered to perform the duties of a professional engineer (P.E.) by the State of Georgia.

Professional Office: See under "Office."

Prohibited Use: A use that is not permitted in a zoning district by right, as an accessory use, or as a conditional use.

Project: The entire proposed development project regardless of the size of the area of land to be disturbed.

Project Entrance Sign: A sign located at a discernible entrance into a particular subdivision, development, or office or industrial park. Designs for project entrance signs are classified as three types:

(1) *Single Sign, Double Faced:* A project entrance sign designed as a single sign structure with two back-to-back faces, oriented to be seen from both directions on the road adjacent to the development.

(2) *Single Sign, Single-Faced:* A project entrance sign designed as a single-faced sign structure, oriented parallel to and directly facing the road adjacent to the development.

(3) *Dual Signage:* Project entrance signage designed as two single-faced sign structures, one located on each side of the project entrance, with each sign oriented toward the intersection so as to be viewed from only one direction on the road adjacent to the development.

Projecting Sign: See "Building Sign."

Property or Parcel of Land: See "Lot."

Property Corner Monuments: Those survey monuments that are established to identify property corners, the location and description of which are made a part of any plat or any instrument pertaining to real property filed in the office of the Clerk of the Superior Court.

Public Improvement: The construction, enlargement, extension, or other construction of a facility intended for dedication to the public, including but not limited to a street, curb and gutter, sidewalk, cross drain, catch basin, traffic control, and street name sign, or other roadway appurtenance other than a driveway apron connection; domestic water supply system main, fire hydrant, valve, or other appurtenance other than a supply line to a building; or sanitary sewerage main or outfall, lift station, force main, manhole, or other appurtenance other than a drain line from a building.

Public Open Space: See under "Open Space."

Public Utility: A utility owned and operated by a government or public authority.

(1) *Public Sewerage System:* A sanitary sewerage system for the collection of water-borne wastes complete with a sewage treatment plant that is owned and operated by a public agency or authority.

(2) *Public Water System:* A system for the intake, treatment and distribution of potable water that is owned and operated by a public agency or authority.

Publicly Dedicated: Land or improvements that has or have been transferred by plat or deeded to and accepted by the appropriate government or public authority for public use and maintenance.

Q

Quality Restaurant: See under "Restaurant, Custom Service."

R

Record and Video Tape Sales: A business establishment primarily engaged in the retail sale (but not rental) of prerecorded music, movies or other audio or video programs. See also "Video Tape Rental Store."

Recreation Facility, Community: A swimming pool, tennis court, or other recreation facility owned by or provided for the use of the residents of a subdivision, apartment project, or other residential development.

Recreation Facility, Private: An accessory use to a dwelling designed and equipped for the conduct of personal leisure time activities such as a swimming pool, tennis court, deck, or patio. See also "Community Recreation Facility."

Recreational Vehicle: A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use which either has its own motive power or is mounted on or towed by another vehicle. Any of the following and similar vehicles are "recreational vehicles":

(1) *Travel Trailer:* A vehicular, self-propelled or portable structure built on a chassis, so designed or constructed as to permit occupancy for dwelling or sleeping purposes.

a. *Dependent Trailer:* A travel trailer that is dependent upon a service building housing toilet facilities.

b. *Independent Trailer:* A travel trailer that has its own holding tank for waste and/or can be connected directly to a sewer connection.

(2) *House Trailer:* A trailer or semitrailer that is designed, constructed and equipped as a temporary dwelling and is equipped to be towed as a conveyance on streets and highways.

(3) *Motor Home:* Every motor vehicle designed, used or maintained primarily for temporary or transient occupancy for travel, recreation and vacation.

(4) *Truck Camper: A*ny structure designed, used or maintained primarily to be loaded on or affixed to a motor vehicle for temporary or transient occupancy for travel, recreation and vacation.

(5) *Camping Trailer:* A canvas or folding structure mounted on wheels and designed for travel, recreation and vacation.

(6) *RV:* Recreational vehicle.

Recreational Vehicle Dealer: The use of any building or premises for the display and sale of new or used recreational vehicles, and which may include any repair service conducted as an accessory use.

Recycling Center: A use operated for the collection and temporary storage of used paper, corrugated packaging, glass, metal, plastic or similar waste materials; and for the separation or reprocessing of such waste materials; which are transported elsewhere for disposal, sale or delivery to wholesale customers.

Recycling Collection Site: See "Solid Waste Transfer Station."

Registered Land Surveyor: A land surveyor licensed and registered to perform the duties of a registered land surveyor (R.L.S.) by the State of Georgia.

Regularly: Refers to the consistent and repeated doing of the act so described.

Relative: A person related by blood, marriage or adoption, but extending in lineage no more than two generations (grandparent, parent, child or grandchild) or laterally no farther than brother, sister, niece or nephew.

Repair Shop, Miscellaneous: A business establishment primarily engaged in specialized repair services such as bicycle repair, leather goods repair, lock and gun repair, musical instrument repair, septic tank cleaning, furnace cleaning and taxidermists.

Reserve Strip: A separately owned strip of land between a public or private street right-of-way and a property line of an adjacent property that has the effect of controlling or limiting access from said adjacent property to the street.

Residential Business: See under "Home Occupation."

Restaurant, Custom Service: An establishment where food and drink are prepared to individual order, ordered and served at the table, and consumed primarily within the principal building or in established outdoor dining areas, as contrasted to a fast food restaurant.

(1) *Restaurant, Family:* A Custom Service Restaurant primarily oriented to sit-down service, occasionally with take-out service but no drive-in or drive-through facilities, and having an average turnover rate generally of less than 1 hour. Family restaurants are usually moderately priced and frequently belong to chains such as Denny's, Pizza Hut and Shoney's.

(2) *Restaurant, Quality:* A Custom Service Restaurant primarily oriented to fine dining and often associated with a particular cuisine. Quality restaurants are characterized by table settings of better silverware, china, glassware and cloth tablecloths, and have average turnover rates generally of 1 hour or more.

Restaurant, Fast Food: Any establishment, building or structure where food or drink are served for consumption, either on or off the premises, by order from or service to persons either over an interior counter, outside the structure or from an outdoor service window or automobile service window, or by delivery. This definition shall not include otherwise permitted restaurants where outdoor table service is provided to customers in established outdoor dining areas or where drive-through or take-out service is provided incidental to a Custom Service Restaurant.

Retail Store: An establishment principally engaged in offering a category of similar goods or products for sale to the general public, such as a grocery store, hardware store, pharmacy, clothing shop, home furnishings store, office supplies store, and the like.

(3) *Miscellaneous Retail Stores:* Retail stores such as florists, tobacco stores or newsstands, optical goods stores, artists' supplies, stamp and coin shops, pet stores, telephone stores, and home swimming pool or hot tub stores.

Retirement Community: See Assisted Living Facility.

Reverse Channeled Letters: See under "Channeled Letter Signs."

Right-of-Way: Land reserved for and immediately available for use as a street or other public purpose.

Roadbed: That portion of a street improved for vehicular travel, including the curbs and shoulders.

Roadway: The paved portion of a street improved for vehicular travel, measured from back of curb to back of curb, or from edge of pavement to edge of pavement for swale ditch roads.

Roadway Drainage Structure: A device such as a bridge, culvert or ditch, composed of a

Roof Sign: See "Building Sign."

Rooming or Boarding House: A dwelling within which a resident family or manager offers lodging or lodging and meals to two or more persons not under the resident's parental or protective care in exchange for monetary compensation or other consideration.

RV: Recreational vehicle.

RV Park or Campground: Any privately owned parcel of land that is accessible by motor vehicles and designed, maintained, intended or used for the purpose of supplying temporary accommodations to transients for overnight use by recreational vehicles and/or tents, and permanently designated as a developed camp area set aside for temporary camping purposes for two or more recreational vehicles or tents.

S

School: A facility used for education or instruction in any branch of knowledge.

(1) *Academic School:* A private educational facility offering instruction following the same curriculum used in a public kindergarten, elementary, secondary, trade or technical, or higher education facility, and accredited to award diplomas as such.

(2) *Business or Vocational School:* A business establishment offering courses of instruction oriented to improving business skills or securing employment in a specific field, such as data processing, secretarial or office services, banking, commercial art, nursing, real estate, truck driving, or other trade or vocation.

(3) *Personal Enrichment School:* A business establishment offering courses in the arts or personal skills, not necessarily related to employment, such as automobile driving, drama, ceramics, cooking, diction, languages, modeling, music, public speaking or reading.

Screen: Natural vegetation or a decorative structure that creates an opaque visual block or obscures an unattractive view. Screening may consist of any combination of the following, as approved by the Director:

(1) Fencing constructed of cedar, redwood, treated wood, or other suitable all-weather material.

(2) Masonry walls.

(3) Plant materials or natural vegetation.

(4) Earthen berms.

For the purpose of this ordinance, a screen is opaque to a height of 6 feet above the ground surface or, for a screen of plant materials, has the maximum opacity obtainable with the approved arrangement and species of plant materials, to a height of 6 feet.

Semi-Nude or State of Semi-Nudity: The showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at that point, or the showing of the male or female buttocks. This definition shall include the lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breasts exhibited by a dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part.

Semi-Nude Model Studio: A place where persons regularly appear in a state of semi-nudity for money or any form of consideration in order to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons.

This definition does not apply to any place where persons appearing in a state of semi-nudity did so in a modeling class operated:

(1) By a college, junior college, or university supported entirely or partly by taxation;

(2) By a private college or university which maintains and operates educational programs in which credited are transferable to college, junior college, or university supported entirely or partly by taxation; or:

(3) In a structure:

a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and

b. Where, in order to participate in a class a student must enroll at least three days in advance of the class.

Semi-Public Use: A use owned or operated by a nonprofit, religious, or eleemosynary institution for the purpose of providing educational, cultural, recreational, religious, or social services to the general public.

Setback: The shortest straight-line distance between a street right-of-way or lot line and the nearest point of a structure, building, or projection therefrom (excluding roof overhangs of 18 inches or less).

Setback, Minimum: The shortest distance allowed between a street right-of-way line or any other lot line and any building or structure on a lot. Minimum setback requirements for buildings and structures are associated with the type of lot line from which the setback is taken (for instance, a “side yard setback” is measured from a side lot line) and the type of structure (such as a principal building or structure, an accessory building or structure, or other building or structure).

Sexual Device: Designed or marketed as useful primarily for the stimulation of human genital organs. This definition shall include devices commonly known as dildos, vibrators, penis pumps, and physical representations of the human genital organs. Nothing in this definition shall

be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy.

Sexual Device Shop: A commercial establishment that regularly features sexual devices. Nothing in this definition shall be construed to include any pharmacy, drug store, medical clinic, or any establishment primarily dedicated to providing medical or healthcare products or services, nor shall this definition be construed to include commercial establishments which do not restrict access to any portion of their premises by reason of age.

Sexual Encounter Center: A business or commercial enterprise that, as one of its principal business purposes, purports to offer for any form of consideration, physical contact in the form of wrestling or tumbling between persons of the opposite sex when one or more of the persons is semi-nude.

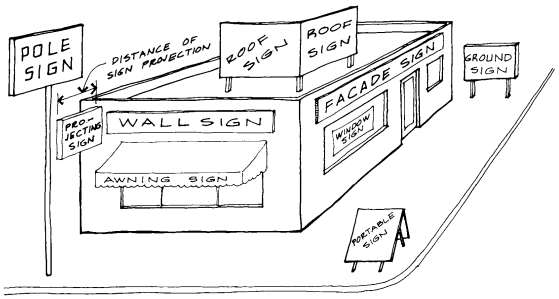
Sexually Oriented Business: An "adult arcade," an "adult bookstore or adult video store," an "adult cabaret," an "adult motel," an "adult motion picture theater," a "semi-nude model studio," a "sexual device shop," or a "sexual encounter center."

Shade Tree: A broadleaf tree having an average height at maturity of at least 20 feet and having a broad spread relative to its height (excluding trees with pyramidal, conical, or columnar crowns) and a dense canopy, so as to provide shade to structures or parking areas in the summer months.

Shopping Center: A commercial development containing at least three retail sales or services establishments located in one building, the total gross floor area of which is 25,000 square feet or greater.

Shrub: A self-supporting woody plant that normally reaches a height of less than 15 feet.

Sign: Any structure, display, or device that is used or is intended to be used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, colors, movement or illumination, and that is placed in such a way, whether out of doors or inside or near a window, as to be in the view of the general public from the exterior of any building on the property.



SIGN TYPES

Sign, A-Frame, Sidewalk or Sandwich: A temporary, movable sign not secured or attached to the ground or surface upon which it is located. This type of sign is typically "A" shaped or in some variation thereof and which is usually double sided. This includes a sign displayed on an easel. A-Frame, sidewalk and sandwich signs are a type of "portable sign", as defined herein.

Sign, Aggregate Area: The combined sign area of all sign faces of a particular category on a single parcel. For example, the aggregate sign area of all freestanding signs on a parcel is the sum total of the sign face areas of all freestanding signs on such parcel.

Sign, Animated: A sign that has moving parts or includes action, motion, or color changes, or the optical illusion of action, motion, or color changes, including signs using electronic ink, signs set in motion by wind or by mechanical means such as the blowing of air or motorized parts, or made up of a series of sections that turn, including any type of screen using animated or scrolling displays such as an LED (light emitting diode) screen or any other type of video display.

Sign, Awning: See under "Building Sign".

Sign, Banner: A sign of fabric, thin plastic or similar lightweight material that is mounted to a pole or a building at one or more edges and is intended or displayed as commercial speech. Flags displaying noncommercial speech shall not be considered to be banners.

Sign, Billboard: Any monument sign erected on undeveloped property.

Sign Body: That portion of a sign structure that is intended or designed primarily to support or display the sign face, exclusive of the sign's base or decorative cap, if any.

Sign, Building Marker: See under "Building Sign".

Sign, Canopy: See under "Building Sign".

Sign, Changeable Copy: A type of animated sign that is capable of changing the position or format of word messages or other displays on the sign face or change the visible display of words, numbers, symbols and graphics by the use of a matrix of electric lamps, movable discs, movable panels, light apertures or other methods, provided these changes are actuated by either a control mechanism or manually on the face of the sign. Changeable copy signs include the following types:

(1) *Manually Activated:* A sign whose alphabetic, pictographic, or symbolic informational content can be changed or altered by placing such letters or other message elements directly on the sign face by hand.

(2) *Electronic:* A sign whose alphabetic, pictographic, or symbolic informational content can be changed and is displayed electrically or electronically. See also "LED sign".

Sign, Channeled Letter: See under "Channeled Letter Signs".

Sign, Column: See under "Freestanding Signs".

Sign Copy: The words, letters, figures, symbols, logos, fixtures, colors or other design elements that are to convey the message, idea or intent for which a sign has been erected or placed.

Sign, Dilapidated/Deteriorated: A sign that is structurally unsound, has defective parts, or is in need of painting or other maintenance.

Sign, Double-Faced: See "Double-Faced Sign".

Sign, Façade: See under "Building Sign".

Sign Face: That portion of the surface of a sign structure where words, letters, figures, symbols, logos, fixtures, colors, or other design elements are or may be located in order to convey the message, idea, or intent for which the sign has been erected or placed. The sign face may be composed of two or more modules on the same surface that are separated or surrounded by portions of a sign structure not intended to contain any advertising message or idea and are purely structural or decorative in nature.

Sign Face Module: Each portion or unit of a sign face that is clearly separable from other such units by virtue of the expression of a complete thought, message, logo, or idea.

Sign Height: The vertical distance to the highest point of a sign structure, as measured from the average grade at the base of the structure or directly below a projecting structure.

Sign, Hybrid Monument: See under "Freestanding Sign".

Sign, Illuminated: See "Illuminated Signs".

Sign, Incidental: See "Incidental Sign".

Sign, Inflatable: See "Inflatable Sign".

Sign, Kiosk: See "kiosk".

Sign, Mansard: See under "Building Sign".

Sign, Marquee: See under "Building Sign".

Sign Module: Each portion or unit of a sign face that is clearly separable from other such units by virtue of its individual or independent construction or framing.

Sign, Monument: See under "Freestanding Sign".

Sign, Multi-Faced: See "Multi-Faced Sign".

Sign, Neon: An illuminated sign containing a glass tube filled with neon or phosphors, which is bent to form letters, symbols or other shapes, or otherwise used to highlight, decorate or outline the sign.

Sign, Nonconforming: A sign legally existing at the time of its placement or erection that could not have been approved under the terms of this Chapter.

Sign, Permanent: Any sign that is securely affixed to the ground or to a building and not readily removable. Temporary signs are not considered to be permanent signs.

Sign, Pole: See under "Freestanding Sign".

Sign, Portable: A sign whose principal supporting structure is intended, by design and construction, to be used by resting upon the ground or another structure for support and may be easily moved or relocated for reuse. Portable signs include, but are not limited to, signs mounted upon a trailer, wheeled carrier, or other non-motorized mobile structure with or without wheels. See also "Feather Banner; Sign, A-Frame, Sidewalk or Sandwich"; and "Vehicular Sign", which are types of portable signs**.**

Sign, Pre-Permanent: A temporary sign used for signage by a new business until their permanent sign is installed.

Sign, Principal: See "Principal Sign".

Sign, Prohibited: Any sign, other than a non-conforming sign, not conforming to this Chapter.

Sign, Project Entrance: See "Project Entrance Sign".

Sign, Projecting: See under "Building Sign".

Sign, Roof: See under "Building Sign".

Sign Structure: All elements of a freestanding sign, including the sign face, background or decorative elements related to the presentation of the sign's message, and the structural supports.

Sign, Temporary: Any sign, the use of which is short-term in nature, that is affixed to or placed on the ground or to a building but is readily removable and not intended for permanent installation.

Sign, Under Canopy. See under "Building Sign".

Sign, Wall: See under "Building Sign".

Sign, Window: See under "Building Sign".

Significant Tree. A tree in fair or better condition that has been determined to be of a high value by a knowledgeable person because of its species, size, age or other professional criteria shall be considered a significant tree.

(1) A tree is considered in fair or better condition if:

a. its life expectancy is greater than 15 years;

b. it has a relatively sound and solid trunk with no extensive decay or hollow and less than 29 percent radial tip die-back; and,

c. it has no major insect or pathological problems.

(2) Hardwood trees such as oaks and hickories and soft-wood trees such as pines and cedars whose diameters are 18 inches DBH or more, and small hardwoods such as dogwoods, redbuds or sourwoods whose diameters are 8 inches DBH or more, shall be considered significant trees due to size.

(3) A tree of lesser size than the preceding shall be significant if it is a rare or unusual species or is of historical significance or is specifically used by design as a landscape focal point of the project.

Single-Family Detached Dwelling: See under "Dwelling."

Solar Array: A number of photovoltaic modules or panels that generate solar electricity, assembled or connected together to provide a single electrical output.

Solar Array, Tracking: A solar array that follows the path of the sun to optimize the amount of solar radiation received by the device. A tracking solar array may be ground mounted or building mounted.

Solar Access Easement: A recorded easement, the purpose of which is to secure the right to receive sunlight across real property of another for continued access to sunlight necessary to operate a solar energy system.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector or solar energy system.

Solar Energy Facility: The area of land devoted to solar energy system installation. A solar energy facility may include an interconnection with the local utility power grid for distribution to more than one property or consumer in the electricity market as a commercial venture. Includes the term "solar farm."

Solar Energy System: The components and subsystems required to convert solar energy into electric or thermal energy suitable for use. The term applies, but is not limited to, photovoltaic (solar electric) systems and thermal solar energy systems.

Solar Energy System, Building Mounted: A solar energy system, which may include solar thermal panels, solar hot water system panels, and photovoltaic panels, which are mounted to a building or structure, to provide energy primarily for on-site use. Building-mounted solar panels may be flush mounted (i.e., flush to the surface of a building roof or building façade in a manner that the panel cannot be angled or raised), or as one or more modules fixed to frames which can be tilted or automatically adjusted at an optimal angle for sun exposure. A mounted solar energy system is accessory to the building or structure.

Solar Energy System, Ground-Mounted: A solar energy system that is directly installed on (mounted to) the ground and is not attached or affixed to any structure.

Solar Energy System, Thermal: A solar energy system that directly heats water or other liquid using sunlight, including the use of heated liquid for such purpose as space heating and cooling, domestic hot water, and heating pool water.

Solar Farm: A solar energy facility, typically with multiple solar arrays, designed and used for the purpose of generating electric energy via a photovoltaic system.

Solid Waste Transfer Station: A facility where refuse and garbage (but no hazardous waste) is delivered for compaction, separation or aggregation and loaded on trucks for shipment to a remote recycling center, landfill or other disposal facility.

Spa or Health Spa: An establishment that provides, as one of its primary purposes, services or facilities which are purported to assist patrons to improve their physical condition or appearance through change in weight, weight control, treatment, dieting, or exercise. The term includes an establishment designated as a "reducing salon," "health spa," "spa," "exercise gym," "health studio," "health club," or by other terms of similar import. A health spa shall not include any of the following:

(1) Any nonprofit organization;

(2) Any facility wholly owned and operated by a licensed physician or physicians at which such physician or physicians are engaged in the actual practice of medicine; or

(3) Any such establishment operated by a health care facility, hospital, intermediate care facility, or skilled nursing care facility.

Specified Anatomical Areas means and includes:

(1) Less than completely and opaquely covered: human genitals, pubic region; buttock; and female breast below a point immediately above the top of the areola; and,

(2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activity means any of the following:

(1) intercourse, oral copulation, masturbation or sodomy; or

(2) excretory functions as a part of or in connection with any of the activities described in (a) above.

Special Outdoor Event: A festival, carnival, or exhibition that is conducted in the open air or within a tent or other temporary structure and is produced for a limited time by or on behalf of a for-profit or non-profit organization or in conjunction with special promotional activities of a business. See also "Temporary Event" and "Event Facility."

Sports Facility, Commercial: The use of any building, structure or premises for the conduct of a professional or semi-professional sport, such as a boxing pavilion, racetrack, stadium or sports field where admission is charged in order to pay the players or fund a prize purse.

SSWC Commission: The State Soil & Water Conservation Commission.

SSWC District: The Middle South Georgia Conservation District.

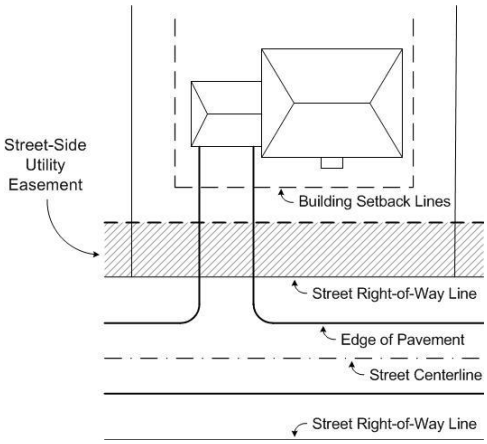
Storage: The placement, keeping, or retention of vehicles, equipment, materials, goods, or products on a temporary basis for intermittent use or subsequent distribution or transfer.

Street: An improved way for the conveyance of motor driven, rubber-tired vehicles, such as automobiles and trucks.

Street Classifications: Streets and roads are classified in accordance with the Georgia Department of Transportation's *Functional Classification Map* for Crisp County, latest edition.

Street Jog: the incidence where 2 streets or 2 portions of a single street are separated by a relatively short distance, usually at their intersection with another street.

Street-Side Utility Easement: An easement granted to Crisp County along the right-of-way of a public street or along a private street wherein public and private utilities (such as water lines and meters, underground power and telephone lines, and cable TV) are to be located.



Structure: Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground and may or may not have a permanent roof. Among other things, structures include but are not limited to buildings, driveways, at-grade parking lots, walls, fences, signs, swimming pools, patios and other paved surfaces.

Structure Height: For all structures other than buildings, the vertical distance to the highest point of a structure, as measured from the average grade at the base of the structure or directly below a projecting structure. See also "Building Height" and "Tower Height."

Subdivision: (1) The division of a property or tract of land into two or more tracts or lots; (2) a land development project in which two or more lots are created, along with the streets and utilities needed to support construction of buildings on the lots.

Subdivision, Major: The division of land into 2 or more lots that will require the construction or extension of public streets, water, or other public facilities (other than the direct connection of buildings to existing facilities).

Subdivision, Minor: The division of land into 2 or more lots, each of which will be adequately served by existing public streets, water, and other public facilities.

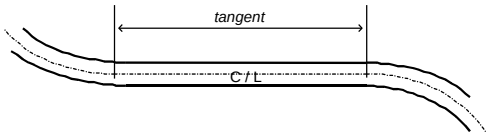
Substantial: With regard to a sexually oriented business, at least ten percent (10%) of the item(s) so modified.

Substantially Improved Existing Manufactured Home Parks or Subdivisions: Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, rehabilitation or improvement commenced.

Subtenant means a natural person, business, or other entity that subleases or is otherwise allowed to occupy a portion of land or a building, the majority of which is also occupied by a tenant. For the purposes of these regulations, a subtenant is not treated as a "tenant" as defined herein.

T

Tangent: the straight-line distance between the ending of one curve of a line (center line of a street) and the beginning of another curve of the same line (center line).



Telecommunications Satellite Station: An installation of equipment and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellites.

Telecommunications Satellite Station Lease Area: A portion of a larger parcel of land that is leased to a telecommunications company for the installation and maintenance of a telecommunications satellite station.

Telecommunications Tower: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas including self-supporting lattice, guy towers or mono-pole towers. The term shall include, but not be limited to, the following: radio and television transmission towers, microwave towers, comm-carrier towers and cellular towers. See also, in contrast, "AG Tower."

Temporary event. An activity, other than a special event as defined under this Code, having a specific duration or the end of which is related to a specific action, usually lasting for only a few days or months at a time. Temporary events, as contrasted to special events, include such activities as:

(1) An election, political campaign, referendum or ballot proposition put to the voters as part of county, state or federal governance.

(2) A special business promotion, such as a "grand opening," "close-out sale," or seasonal sale event.

(3) A yard sale.

(4) The construction of a building or development project, or the rehabilitation, remodeling or renovation of a building.

Temporary Use: A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Tenant: A natural person, business, or other entity that possesses or occupies land or buildings by title, under a lease, through payment of rent, or at will; the primary occupant, inhabitant, or dweller of a place. See also "subtenant".

Tenant Frontage: The horizontal distance in feet between the walls that delimit an exterior façade of a tenant space. A "tenant space" may be a stand-alone building with a single occupant, or a portion of a planned center that is separated from all other tenant spaces for occupancy by a single tenant.

Tent: A portable shelter of canvas or strong cloth stretched and sustained by poles or ropes.

Theater: A building or premises devoted to showing motion pictures, or for live dramatic or musical performances.

(1) Drive-In Motion Picture Theater: An open lot with its appurtenant facilities devoted primarily to the showing of motion pictures or other prerecorded productions to patrons seated in automobiles.

(2) Motion Picture Theater: A building primarily used for the exhibition of movies or other prerecorded productions to the general public in an indoor setting.

(3) Performing Arts Theater: A building primarily used for the presentation of live performances of plays or music.

Tire Sales or Repair Shop: See under "Automotive Repair Shop."

Tower Height: When referring to a transmission tower, the distance measured from ground level to the highest point on the tower, even if the highest point is an antenna. See also "Building Height" and "Structure Height."

Townhouse: See under "Dwelling."

Trailer, dependent: See under "Recreation Vehicle."

Trailer, independent: See under "Recreation Vehicle."

Transient: A temporary occupant of living quarters (such as a motel room, recreational vehicle or tent) while away from their permanent place of residence.

Travel Trailer: See under "Recreational Vehicle."

Tree: A self-supporting woody plant that normally reaches a mature height of at least 15 feet.

Tree Farming: The planting, cultivating and harvesting of trees in a continuous cycle as a regular practice on a tract of land; not including the removal of trees for purposes of development or the removal of trees without replanting.

Truck Loading Docks: A portion of a building designed for the loading and unloading of trucks.

Truck Terminal: See "Motor Freight Truck Terminal."

Turf: Ground cover composed of one or more species of perennial grass that is grown as a permanent lawn.

Two-Family Dwelling: See under "Dwelling."

U

Under canopy sign. See "Building Sign."

Uniform Sign Plan: Coordinated drawings and specifications that establish a unified design concept with regard to the location, materials, size, letter style, and color of all signs to be placed on a property.

Use: The purpose for which land or a building or other structure is designed or arranged, or for which it is occupied. See also "Principal Use" and "Accessory Use or Structure."

Use, Nonresidential: A principal use that is a business engaged in the sale of goods or the provision of personal, professional, business, entertainment or other services; an institutional or nonprofit organization; a business engaged in the fabrication, manufacture or production of durable or non-durable goods; an activity for the administration or support of a business or organization; or a place of lodging for the travelling public, such as a hotel, motel or bed and breakfast.

Use, Residential: A principal use that is intended for occupancy by an owner or lessee as their permanent place of abode.

Used Merchandise Store: The use of a building or premises primarily for the retail sale of used merchandise or secondhand goods, such as used clothes, antiques, secondhand books or rare manuscripts, or items of architectural salvage, but not including used cars or other motorized vehicles. A pawn shop is a type of used merchandise store.

Utility Company: A private business providing electricity, natural gas, telephone, or other services under the regulation of the Georgia Public Services Commission.

Utility Company Substation: A facility used for the transmission or distribution of services provided by a utility company, such as an electrical transformer station, telephone junction box, cable television box or natural gas regulator station.

V

Vehicular Sign: Any sign placed, mounted, painted on, or affixed to a motor vehicle or to a freight, flat-bed or storage trailer or other conveyance, whether motorized or drawn. Vehicular signs are a type of "portable sign", as defined herein.

Veterinarian: A hospital or clinic providing medical care and treatment for livestock or pets.

Video Tape Rental Store: An establishment primarily engaged in renting movies or other entertainment programs prerecorded on tape, disks or other media, to the general public for personal or household use.

W

Wall Sign: See "Façade or Wall Sign" under "Building Sign."

Warehouse or Indoor Storage Facility: A building used primarily for the storage of goods and materials. See also "Mini-Warehouse."

Waste Recovery Center: See "Recycling Center."

Wetlands: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

Wholesale Trade Establishment: A place of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Wilderness campground: Any privately owned parcel of land that is designed, maintained, intended or used for temporary primitive tent-camping purposes. Wilderness campgrounds are generally not directly accessible by motor vehicles, have limited facilities such as fire pits and picnic tables, often have no public water supply or sanitary facilities, and may contain a camping shelter for common use.

Window Sign: See "Building Sign."

X

Y

Yard: An area that lies between the principal building on a lot and the nearest lot line.

(1) *Front Yard:* A yard situated along any public street right-of-way or private street easement.

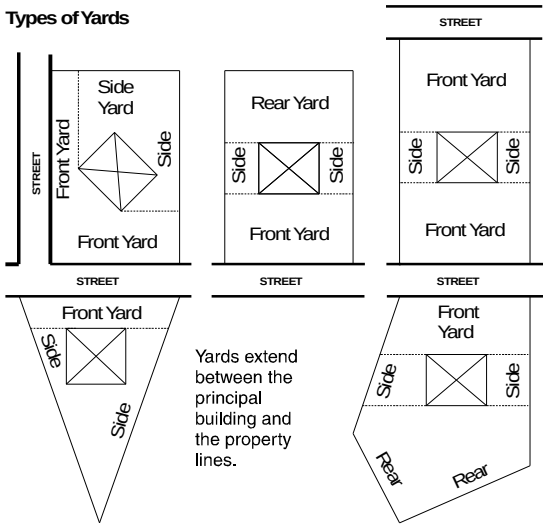
(2) *Rear Yard:* A yard situated along a rear lot line.

(3) *Side Yard:* A yard situated along a side lot line, but not extending into a front or rear yard.

Z

Zoning Buffer: See "Buffer, Zoning."

Zoning Change: An amendment to the Zoning Map (rezoning), approval of a special use, or approval of a change in the conditions of approval associated with a rezoning or special use.



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