The Zoning Ordinance

for

Greene County, Georgia

Adopted by the
Greene County Commissioners
Effective February 14, 2013

PREFACE

The following analysis entitled Zoning Ordinance, Greene County, Georgia, is designed to provide the governing authority or authorities of Greene County with a regulatory measure designed to meet present-day and anticipated future needs for the promotion of the health, safety, morals, convenience, order, prosperity or general welfare of the county by the control of such matters as the location, height, bulk, number of stories and size of buildings and other structures, the percentage of a lot which may be occupied, the sizes of yards, courts, and other open spaces, the density and distribution of population, and the uses of buildings, structures, and land for trade, industry, residence, recreation, agriculture, forestry, conservation, water supply, sanitation, protection against floods, public activities, and other purposes.

This ordinance is made in accordance with a comprehensive plan and shall be designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

Said ordinance is made with reasonable consideration, among other things of the character of the district and its peculiar suitability for particular uses, and with a view to promoting desirable living conditions and the sustained stability of neighborhoods, protecting property against blight and depreciation, securing economy in governmental expenditures, conserving the value of buildings and encouraging the most appropriate use of land and other buildings and structures throughout Greene County.

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ARTICLE I: PURPOSE AND ENACTMENT

1.1 Objectives

This ordinance is for the purpose of setting forth standards and permissible uses designed to conserve and protect the natural, economic and scenic resources of Greene County; health, aesthetics, morals, convenience, order, prosperity and general welfare; to provide adequate light and air; to prevent the over crowding of land; to promote desirable living conditions and stability of neighborhoods; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements by dividing Greene County into districts of such size and shapes as may be best suited to carry out the purposes of the legislative act and of this ordinance.

1.2 Legislative Authority

The Board of Commissioners of Greene County, Georgia under the authority of Article IX, Section 2, Paragraph 4 of the Constitution of the State of Georgia and Chapter 66, Title 36 of the Official Code of Georgia Annotated, and for the purpose of promoting the health, safety, morals, convenience, order, prosperity, or the general welfare of the county and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to avoid undue concentration of population; ordains and enacts into law the Official Zoning Ordinance for unincorporated Greene County, (for planning, zoning and subdivision control purposes).

1.3 Method of Regulation

The Board of Commissioners of Greene County, Georgia, as authorized by the Constitution of the State of Georgia, adopts zoning regulations for the following purposes: to define certain words used therein; to create zoning districts; to regulate the location of trades, professions, businesses, and industries; to regulate the density in distribution of population; to provide for the gradual elimination of nonconforming uses of land, buildings and structures; to provide for the method of administration, amendment and enforcement; to provide for the imposition of penalties for violations; repeal conflicting ordinances and resolutions; and for other purposes.

1.4 Jurisdiction

This zoning ordinance shall govern the use of all land and development within the unincorporated limits of Greene County, Georgia and within the limits of any inactive municipality in accordance with O.C.G.A. §36-70-5.

ARTICLE II: SHORT TITLE

This ordinance shall be known and may be cited as "The Zoning Ordinance for Greene County, Georgia".

ARTICLE III: DEFINITION OF TERMS

3.1 Definitions

Except as otherwise provided herein, all words shall have their customary dictionary meaning. The present tense includes the future tense. The singular number includes the plural and the plural includes the singular. The word "person" includes a firm, corporation, association, organization, trust or partnership. The word "lot" includes "plot" or "parcel". The word "building" includes "structure". The word "shall" is always mandatory. 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". The term "erected" shall be deemed also to include "constructed", "reconstructed", "altered", "placed", or "moved". The word "land use" and "use of land" shall be deemed also to include "building use" and "use of building". The word "adjacent" means "nearby" and not necessarily "contiguous". The word "map" means the "Official Zoning Map of Greene County, Georgia", dated 1986, and as may be amended.

When used in this Ordinance, the following words and phrases shall have the meaning given in this Section.

ACCESSORY BUILDING: A subordinate building, the use of which is incidental to, and reasonably related to, a main building on the same lot or to the primary use of the property. The accessory building shall be of a size and nature customarily incidental and subordinate to the principal. Accessory buildings shall include solid roofs open air structures such gazebos and pavilions. Signs and fences are not to be considered as accessory buildings. A "detached" accessory building shall be one that does not have a common wall or roof connection with the main building on the same lot.

ACCESSORY STRUCTURE: Any structure subordinate to the principal building on a lot which are open in nature such as a deck, fence, landscape wall, trellis (open roof), swimming pool, or other similar structures. Pools and spas are also considered to be accessory structures for zoning purposes.

ACCESSORY USE: A use on the same lot with, and of a nature customarily incidental and subordinate to the principal use.

AGRICULTURE or AGRICULTURAL: A parcel used primarily for soil-dependent cultivation of agricultural crop production, the raising of livestock or poultry, growth of a field, or forestry.

AIRPORT: An area of land designed and set aside for landing and take-off of aircraft, including all necessary facilities for the housing and maintenance of aircraft.

ALLEY: A platted service way providing a secondary means of access to abutting properties.

ALTERATION: Any change in the supporting member of a building, any modification or change in construction, any addition which increases the area or height, any change in use of or moving of a building from one location to another, or any increase in the amount or volume of space used for any activity.

ANIMAL SHELTER: A public or private facility exclusively for the temporary housing of stray or unwanted domestic animals.

ANIMAL UNITS: The number of all such animals or fowl allowed on a non-commercial lot shall be limited to the square footage of the animal or fowl confinement area, less the lot square footage devoted to yard setbacks and the house, divided by the total minimum area required per animal or fowl. Total minimum area required per animal or fowl shall be as follows: horses - 43,560 square feet (one (1) acre), cow - 43,560 square feet, sheep or goat - 20,000 square feet, fowl - twenty (20) per 43,560 square feet. (Area requirements are based on minimum acreage averages for grazing such animals in the State of Georgia.) Total minimum area required per animal or fowl shall be a yearly average. Fluctuations in herd or flock size associated with general farming practices shall be permissible under this provision.

APARTMENT: A suite of 2 or more rooms and a bath which is designed according to the Standard Building Code and designed or intended for occupancy by 1 family or 1 person doing its cooking therein. For zoning purposes, an apartment is regarded as a dwelling unit. A structure containing two 2 apartments is a duplex. A structure containing 3 or more apartments is a multi-family dwelling.

APPLICANT: Any person who applies for a rezoning action, variance, conditional use permit, sign permit, or building permit, and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action.

ASSISTED LIVING HOME: See Personal Care Home.

AUTOMOBILE SALES LOT: A premises designed or used for storage and display for sale of automobiles, motorcycles, recreational vehicles, or other motorized vehicles. Motorized vehicles for sale will typically be stored outside. All other activities must be in an enclosed building.

AUTOMOBILE SERVICE STATION: Any area of land, including structures thereon, used for the retail sale of gasoline or oil, automobile accessories and incidental services including facilities for lubricating, hand or automatic washing and

cleaning, or otherwise servicing automobiles, but excluding painting or major repairs.
BED AND BREAKFAST: A dwelling unit, other than a hotel, motel or boarding house, or portion thereof, where short-term lodging rooms and meals are provided to registered guests for compensation. The operator of the Bed and Breakfast must live on the premises.

BLOCK: A contiguous piece or parcel of land entirely surrounded by public highways or streets, but excluding alleys.

BOARD OF COMMISSIONERS: Greene County Board of Commissioners.

BOARDING HOUSE: A building other than a hotel where lodging and meals are provided for compensation or by pre-arrangement for at least 3 and not more that 20 persons at any one time. A building other than a hotel is not considered a boarding house by reason of a contribution to or a expense sharing arrangement with the owner or tenant occupying the dwelling by a person related by blood or marriage.

BORROW PIT: An extracted area where naturally occurring earthen materials are to be removed for use as ordinary fill at another location.

BUFFER AREA: A landscaped or naturalized area used to separate and partially obstruct the view of a development from adjacent or contiguous development. This area shall be in addition to any required area, yard, and height requirements for the zoning district as specified in Article VIII.

BUILDING: Any structure, either permanent or temporary, above or below ground having roof or other covering, designed, built or used as a shelter or enclosure for persons, animals, or property of any kind.

BUILDING, HEIGHT OF: The vertical distance to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the average height between the eaves and the ridge for gable, hip, and gambrel roofs, measured from the average grade of the house plan, front to back and end to end.

BUILDING INSPECTOR: Greene County Building Inspector.

BUILDING LINE: A line, parallel to the street line, beyond which the foundation wall and any roofed porch, vestibule or other such portion of a building shall not project.

BUILDING, PRINCIPAL: A building, in which the primary use of the lot on which the building is located is conducted.

BUSINESS ENTITY: Any corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust.

CAMPAIGN CONTRIBUTION: A contribution as defined in paragraph (6) of O.C.G.A. §21-5-3.

CAMPGROUND: An area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, and major recreational equipment, and which is primarily used for recreational purposes and retains an open air or natural character.

CARETAKER DWELLING OR EMPLOYEE RESIDENCE: An accessory single-family dwelling placed on an occupied tract for use by a farm worker or other tract owned by the same owner of the agricultural activity and that is a part of the same farming operation.

CEMETERY, RELIGIOUS INSTITUTION: A plot of ground, building, mausoleum, or other enclosure owned by a religious institution and used for the burial of deceased persons who are generally members of that religious institution.

CEMETERY, PRIVATE: Any plot of ground, building, mausoleum, or other enclosure used for the burial of deceased persons of one collateral line of descent.

CEMETERY, PUBLIC: A plot of ground, building, mausoleum, or other enclosure not located on property owned by a religious institution but used for the burial of deceased persons.

CHURCH: See "Religious Institution."

CLINIC: A building where human patients, who are not lodged overnight, are admitted for examination and treatment.

CLUB: Buildings and facilities owned or operated by a corporation, association, or persons for social, educational or recreational purposes, but not primarily for profit or to render a service that is generally carried on as a business.

COMMERCIAL USE: An occupation, employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.

COMMUNITY CENTER: A place, structure, area, or other facility used for and providing religious, fraternal, social, and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of

the community.

COMPREHENSIVE PLAN: The "Comprehensive Plan for Greene County and the cities of Greensboro, Siloam, Union Point, White Plains, and Woodville, adopted August, 1994," and as may be amended.
CONDITIONAL USE: A use which is not permitted inherently but which may be permitted within a zoning district subject to approval by the Board of Commissioners.

CONDITIONAL USE PERMIT: The permit issued by the County following approval of the conditional use by the Board of Commissioners.

CONDOMINIUM: An estate in real property consisting of an undivided interest with other purchasers in the common grounds together with a separate interest in a dwelling unit located on the common grounds.

CONSERVATION AREAS: Environmentally sensitive and valuable lands protected from any activity that would significantly alter their ecological integrity, balance, or character, except in cases of overriding public interest. Conservation areas include groundwater recharge areas, watersheds, wetlands, and river corridors.

CONTIGUOUS PROPERTY: Two or more parcels of land with a common boundary or separated solely by a pubic or private roadway, or other public or private right of way.

CONVENIENCE CENTER: A location provided by the County government for the use of the citizens of Greene County to dispose of household waste in the proper provided receptacles.

CONVENIENCE STORE: A one-story, retail store containing less than 2,000 square feet of gross floor area that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a supermarket). It is designed to attract and depends upon a large volume of stop-and-go traffic. Illustrative examples of convenience stores are those operated by "7-11" and "Golden Pantry."

COUNTY: Greene County, Georgia.

COUNTY OFFICIAL: Any member of the Greene County Board of Commissioners or Greene County Planning Commission.

DAY CARE CENTER: A building operated by a person, society, agency, corporation, institution, or group, that receives for group care fewer than twenty-four (24) hours per day without transfer of legal custody, children under eighteen

(18) years of age.

DAY CARE HOME: A private dwelling operated by any person who receives pay for supervision and care, fewer than 24 hours per day, without transfer of legal custody, 3 but not more than 6 children under 18 years of age who are not related to such person and whose parents or guardians are not residents in the same private dwelling.

DENSITY: The number of dwelling units permitted per net acre of land. (Net acre equals gross acre less streets, easements, water, open space, etc.)

DISTRICT: A section of Greene County, Georgia where the zoning ordinance is uniform.

DRY CLEANERS: A business that provides laundry cleaning, excluding self service, and contains on the premises, equipment necessary for laundry processing.

DWELLING, MULTI-FAMILY: A building containing at least 3 dwelling units designed for residential use by 3 or more families living independently of each other. This includes apartments but not group homes, row houses, condominiums, or townhouses.

DWELLING, SINGLE-FAMILY: A structure including site built, modular, manufactured homes, and mobile homes that contain one (1) dwelling unit designed for residential use that is surrounded by open space on the same lot. "Dwelling, Single-family" does not include "Dwelling, Single-Family, Detached."

DWELLING, SINGLE-FAMILY, DETACHED: A structure including a site built or modular home that contains one (1) dwelling unit designed for residential use that is surrounded by open space on the same lot, which meets or exceeds the following standards:

1. Minimum width in excess of sixteen (16) feet.

2. Minimum square footage required by the zone in which located.

3. The roof shall have a minimum roof pitch greater than 2:12 and shall have a surface of wood shakes, asphalt composition, wood shingles, concrete, fiberglass or metal tiles, slate, built up gravel materials. The roof overhang must be at least 1 foot when measured from the vertical side.

4. The exterior siding materials shall consist of wood, masonry, concrete, stucco, masonite, metal or vinyl lap.

5. Be attached to a permanent foundation.

6. Be constructed according to standards established either by the State Minimum Standard Codes as amended from time to time or the Standard Building Code.

DWELLING, TWO-FAMILY (DUPLEX): A structure containing 2 dwelling units designed and arranged for residential use by 2 families living independently of each other.

DWELLING UNIT: An enclosure containing sleeping, kitchen, and bathroom facilities designed for and used or held ready for use as a permanent residence by one family.

EASEMENT: A grant of 1 or more property rights by the owner to, or for the use by, the public, a corporation, or another person or entity.

FAMILY: One (1) or more individuals permanently occupying a dwelling unit and living as a single housekeeping unit, as distinguished from persons occupying a boarding house, group home, or hotel, as defined in this ordinance.

FINANCIAL INTEREST: All direct ownership interests of the total assets or capital stock of a business entity where such ownership interest is 10 percent or more.

FLEA MARKET: An occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage sales.

FLOOR AREA: The sum of the gross horizontal areas of the total number of floors of a building measured from the exterior faces of the exterior walls or from the centerline of the walls separating two buildings, including stairwells and elevator shafts, but not including: attic space providing headroom for less than six (6) feet six (6) inches, unusable basement or cellar space not used for retailing, uncovered steps or fire escape, open porches, accessory water or cooling towers, accessory off-street parking spaces, or accessory off-street loading berths.

FRONTAGE: The distance for which the front boundary line of the lot and the street line are coincident. For the purpose of corner lots, all sides of a lot adjacent to streets shall be considered frontage.

FRONTAGE STREET: The street coincident to the front boundary line of the parcel.

GARAGE, PARKING: A building or portion thereof designed or used for storage of motor-driven vehicles, and at which motor fuels and oils may be sold, and in connection with which general automotive servicing may be performed as distinguished from automotive repairs.

GARAGE, PRIVATE: An accessory building or a portion of a principal use building used for parking or storage of motor vehicles of the principal building's occupants. A carport is considered a private garage.

GARAGE, REPAIR: A building and premises designed or used for the purpose of service or commercial repair of motor vehicles. All body work and painting shall be conducted within fully enclosed buildings. The storage of junk, wrecked vehicles, dismantled parts or supplies shall be solely for the purpose of repairing motor vehicles and not as a salvage or junkyard business. The storage of junk, wrecked or unclaimed vehicles, dismantled parts or supplies shall not be visible beyond the premises.

GARAGE APARTMENT: A dwelling unit for 1 family erected above a private garage detached from the principal dwelling.

GROSS FLOOR AREA: The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

GROUP HOME: A residence under the ownership and supervision of a public, educational, or governmental institution occupied or intended for occupancy by several unrelated persons or families but where separate cooking facilities are not provided for such resident persons or families.

GUEST HOUSE: A lodging unit for temporary guests in a building accessory to a detached, single-family dwelling unit, and which is not rented or otherwise used or occupied as a separate dwelling. A guest house is an accessory use to a detached, single-family dwelling.

HEALTH DEPARTMENT: Greene County Health Department.

HOME OCCUPATION, RESIDENTIAL: An occupation or profession conducted in accordance with §9.7 of this ordinance and for financial gain, which is clearly subordinate to the use of the dwelling and which does not change the character thereof.

HOME OCCUPATION, RURAL: An occupation or profession conducted entirely within a dwelling unit or accessory building and for financial gain, which is clearly subordinate to the principal use of the parcel and which does not change the character thereof.

HOME OFFICE: An office use conducted entirely within a dwelling unit, which is carried on solely by the unit's occupant and is incidental and secondary to the principal use of the dwelling. The office may be for the purpose of service or trade

workers who customarily work at various locations, such as electricians, plumbers, appraisers, real estate salespersons, or individuals who work at home, such as writers or computer programmers. "Home Office" shall not include any business that involves the sale, manufacture or repair of merchandise on the premises. Home Offices shall also not include any business requiring access by the public, including, but not limited to, customers, clients or vendors.

HOME INDUSTRY: The manufacture of products of a light industrial nature, primarily involving the assembly of previously manufactured items by members of a family residing on the parcel of land on which the industry is located. Home industry includes the repair of automobiles, small motors, and appliances. No more than three (3) non-family related employee may be employed on the premises and all home industry activity, including repair and storage, must occur in an enclosed building and no pollution or excess noise shall be involved.

HOTEL: A building or group of buildings (single or multiple ownership) offering transient lodging accommodations for more than 20 persons on a daily rate which may provide additional services such as restaurants, meeting rooms, and recreational facilities.

INDUSTRIAL PARK: A tract of land subdivided and developed according to a comprehensive development plan in a manner that provides a park setting for industrial establishments.

INDUSTRIALIZED BUILDING: A factory fabricated transportable building consisting of units designed for incorporation into a permanent structure at a building site on a permanent foundation to be used for residential purposes. A modular home shall be certified by the manufacturer to meet the approval of the State Building Administration Board (SAAB) to meet the same requirements as a site built home within Greene County.

INSTITUTION: A non-profit corporation or a non-profit establishment.

JUNK: Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris or waste, junked, dismantled, or wrecked automobiles, or parts thereof, or iron, steel, and old scrap ferrous or nonferrous metal.

JUNK YARD: A lot, land or building, or part thereof, used primarily for the collection, storage, and sale of waste paper, rags, scrap metal, or discarded material, or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition, or for the sale of parts thereof.

JUNKED VEHICLE: Any wrecked, dismantled, or non-operating motorized vehicle that does not bear a current license plate. Also includes non-operational farm

equipment and farm implements.

KENNELS: Any location where, for commercial purposes, 4 or more adult dogs, cats, rabbits or other domestic animals are kept for the purpose of boarding, caring for, raising, grooming, breeding, training or sale.

KINDERGARTEN: A school for pre-elementary school children ranging in age from 4 through 6 years, which operates for less than 4 hours per day.

LAUNDROMAT: A business that provides home-type washing, drying, ironing machines or coin operated dry cleaning machines for hire and use by customers on the premises.

LAUNDRY AND DRY CLEANING PICK-UP: A business that provides only for the convenience of taking and picking up laundry and which does not have any on-site equipment for processing laundry.

LODGING HOUSE: See "Boarding House".

LOADING SPACE: A space within the principal use or on the same lot that provides for standing, loading or unloading of trucks and other carriers.

LOT: A portion of, or parcel of land separated from other portions or parcels by description, metes and bounds, intended for transfer of ownership or for building development and having a separate tax parcel reference number designated in the office of Greene County Tax Commissioner or Greene County Tax Assessor.

LOT, CORNER: A lot abutting 2 or more public streets or county maintained roads at their intersection.

LOT, DOUBLE FRONTAGE or THROUGH LOT: A lot with frontage on 2 public streets and/or county maintained roads that do not intersect at a point abutting the property.

LOT, INTERIOR: A lot other than a corner lot.

LOT LINE, REAR: The rear lot line is generally opposite the front lot line. If the rear lot line is less than 10 feet in length or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a line parallel to the front lot line, not less than 10 feet long, and lying wholly within the lot and farthest from the front lot line.

LOT OF RECORD: A lot whose existence, location, and dimensions have been legally recorded or registered in a deed or on a plat in the office of the Clerk of the Superior Court of Greene County.

LOT WIDTH: The horizontal distance between one side lot line and the other side lot line measured at the minimum front setback line.

LUNCH COUNTER: A retail establishment where the preparation and serving of food is not the principal business of the retail establishment, defined as not generating the largest percentage of gross sales or occupying the largest percentage of the retail floor area. Food served in the establishment shall be unpackaged, in individual servings, and in a ready-to-consume state. Customers shall be served while seated at tables or counters located within the building.

MANUFACTURED HOME: A structure defined by and constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended, 42 U.S.C. §5401, et seq. The definition at the date of adoption of this part is as follows:

"Manufactured Home" means a structure, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, 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 shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary and complies with the standards established under this title.

MANUFACTURED HOME SPACE: Land within a manufactured home park that is reserved or leased for the placement of an individual manufactured home, accessory structures and the exclusive use of its occupants.

MANUFACTURED HOME PARK: A tract of land that is used, designated, maintained, or held out for rent to accommodate 3 or more manufactured homes. Manufactured homes located in a manufactured home park are used only to provide living and sleeping accommodations. A manufactured home park does not include an automobile or manufactured home sales lot on which unoccupied manufactured homes are parked for inspection or sale.

MANUFACTURING, PROCESSING AND ASSEMBLING: The mechanical or chemical transformation of materials or substances into new products. The land uses engaged in these activities are usually described as plants, factories or mills and characteristically use power driven machines and materials handling equipment.

Establishments engaged in assembling component parts of manufactured products are also considered under this definition if the new product is neither a fixed structure nor other fixed improvement. Also included is the blending of materials such as lubricating oils, plastic resins or liquors.

MARINA: A facility for storing, servicing, fueling, berthing, and securing and launching of private pleasure craft that may include the sale of fuel and incidental supplies for the boat owners, crews, and guests.

MEMBER OF THE FAMILY: The spouse, mother, father, brother, sister, son, or daughter of a county official. This definition applies to Article XIV only.

MINE DEVELOPMENT: The preparation of a surface or subsurface area for commercial mining including non-commercial extraction of ore bearing or non-ore bearing rock, excavation for open pit, declines, adits, drifts, shaft construction, or any surface construction or excavation.

MINING: The removal from the earth of materials, minerals and other solid matter that will be further processed, refined, cleaned or altered in any way and then incorporated into manufactured products either in the County or other commercial markets. Water acquired for personal or commercial uses and earthwork necessary for normal grading operations are exempted from this definition.

MINI-WAREHOUSE: A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors supplies.

MOBILE HOME: A transportable, factory-built structure designed to be used as a year-round residential dwelling and built prior to the enactment of the Federal Manufactured Housing Act of 1974, which became effective June 15, 1976.

MODULAR HOME: See “Industrialized Building.”

MOTEL: A building or a group of buildings designed and used primarily for offering transient lodging accommodations and having a parking place adjacent to each sleeping room and having separate outside entrances for each guest room. A motel is used primarily for automobile transients and includes such terms as "auto court" and "motor lodge" but not "boarding house" as defined in this section.

NON-CONFORMING BUILDING OR STRUCTURE: Any lawfully existing building or structure which does not conform to these ordinances governing the type, bulk, location, height or size of buildings or structures permitted in the district prior to the adoption of this ordinance but which is in full compliance with all applicable

federal, state and local laws, rules and ordinances, and for which all required federal, state and local permits have been issued.

NON-CONFORMING LOT: A lot, the area, width, or other characteristics of which fails to comply with applicable ordinances and which was of record and in full compliance with all applicable federal, state and local laws, rules and ordinances prior to the enactment of these or other ordinances, but which does not comply with the requirements of this ordinance.

NON-CONFORMING USE: A lawful use of land that does not comply with the use ordinance for its zoning district but which complied with applicable ordinances at the time the use was established.

NURSING HOME: A facility for 3 or more unrelated ill or aged persons not operating as the functional equivalent of a family, that provides food, shelter, and 24 hour medical care for compensation in addition to meeting the physical, emotional, and social needs of the unrelated aged or ill persons.

OFF STREET PARKING: An area exclusive of a public or private thoroughfare where motor vehicles may be stored for the purposes of temporary, daily, or overnight parking. Parking within the road or street right of way is not Off Street Parking.

OPEN SPACE: Land used for recreation, resource protection, amenity, or buffers. In no event must any area of a privately owned lot nor any part of an existing or future road, right-of-way, off street parking, loading space, or area immediately underneath electrical transmission lines be counted as open space.

OPPONENT: Any person who opposes a rezoning action or any attorney or other person representing or acting on behalf of a person who opposes a rezoning action.

OPPOSE: To appear before, discuss with, or contact, either orally or in writing, a Greene County official and argue against a rezoning action.

OVERBURDEN: means all of the earth and other materials which lie above natural deposits of ores or minerals, and includes all earth and other materials disturbed from their natural state in the process of surface mining.

PERMITTED USE: Any use by right that is specifically authorized in a particular zoning district.

PERSON: An individual, partnership, committee, association, corporation, labor organization, or any other organization or group of persons.

PERSONAL CARE HOME: A building or group of buildings, 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 services for 2 or more adults who are not related by blood or marriage to the owner or administrator of the home. The facility must meet all requirements of Article 9.21 of this ordinance must comply with all regulations and requirements of the State of Georgia Department of Human Resources and of the Federal Government. Personal services 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. This term does not include buildings that are devoted to independent living units that include kitchen facilities where residents have the option of preparing and serving some or all of their own meals or boarding facilities which do not provide personal care.

Personal Care Homes are categorized as follows:

Family Personal Care Home means a home for adults in a family-type residence, non-institutional in character, which offers care to 2 through 6 persons.

Group Personal Care Home means a home for adults in a residence or other type building(s), non-institutional in character, which offers care to 7 through 15 persons.

Congregate Personal Care Home means a home for adults offering care to 16 or more persons.

Memory Care Unit or Home means the specialized unit within any personal care home or home that either holds itself out as providing additional or specialized care to persons with diagnoses of probable Alzheimer's Disease or other dementia who may be at risk of engaging in unsafe wandering activities outside the unit or home (eloping) or charges rates in excess of those charged other residents because of cognitive deficits which may place the residents at risk of eloping. Any personal home containing memory care unit or units must be located in a district that designates memory care units or homes as a permitted or conditional use.

PLANNING COMMISSION: Greene County Planning Commission.

PLAT: A sketch, map or survey of a lot, tract or parcel of land including lot lines, street rights-of-way and easements, with the dimensions of these features inscribed thereon.

PLAY SCHOOL: A school for pre-kindergarten children ranging in age from 3 to 4 years of age.

PRINCIPAL USE: The primary purpose for which land or a building is used.

PROFESSIONAL: When used in connection with "use" and "occupancy", a use or occupancy by persons generally engaged in rendering personal, executive, sales, or administrative services or activities, including accountants, architects, professional engineers and land surveyors, doctors, lawyers, insurance offices, real estate offices, religious organizations, stock brokers and administrative agencies considered professional in character. The term, however, does not include repairs or sales of tangible personal property stored or located within the building nor any use that would create any loud noise or noxious odors within Greene County.

PROPERTY INTEREST: The direct ownership of real property, including any percentage of ownership less than total ownership.

PUBLIC UTILITY: Any structure or facilities (other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities) owned by a governmental entity, a nonprofit organization, a corporation, or any entity defined as a public utility for any purpose by the Georgia Public Service Commission and used in connection with the production, generation, transmission, delivery, collection, or storage of water ,sewage, electricity, gas, oil, or electronic signals.

REAL PROPERTY: Any tract or parcel of land and, if developed, any buildings or structures located on the land.

RECLAMATION: means the reconditioning or rehabilitation of affected land under an approved mining land use plan.

RECREATIONAL CAMPGROUNDS: Any public or private property that is used on a continuing basis for camping, or camping in conjunction with fishing or hunting shall be considered a recreational campground.

RECREATIONAL VEHICLE: A vehicular type unit primarily designed for recreation, camping, travel or seasonal use that has its own motor power or is mounted on or towed by another vehicle. The basic entities are: travel trailer, folding camping trailer, park trailer, truck camper, motor home, and custom van conversions.

RECREATIONAL VEHICLE PARK: Any parcel where 2 or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles or tents, as temporary living quarters by the general public for recreation or vacation purposes.

RECREATIONAL VEHICLE SITE: A plot of ground within a recreational vehicle park

intended for the accommodation of either a recreational vehicle, tent, or other individual camping unit on a temporary basis. Sites shall be rented by the day or week only, and the occupant of the space and his/her vehicle, tent or camper shall not remain in the same recreational vehicle park for more than 30 days in a 60 days period.

RECYCLING CENTER: A facility designed and operated to receive, store, or process recyclable materials that has been separated from residual solid waste. Materials may include, but are not limited to: newspaper, corrugated cardboard, aluminum, glass, metal, plastic, motor oil and batteries.

RELIGIOUS INSTITUTION: A religious institution that has been granted 501-C tax exempt status by the Internal Revenue Service and whose property is deemed tax exempt by the Greene County Tax Assessor.

REMOVAL: means the actual process of digging or otherwise removing the substance being moved.

RESTAURANT: An establishment where food and beverages is sold for consumption on the premises. A snack bar or refreshment stand at a public or non-profit community swimming pool, playground, or park operated solely for the convenience of patrons of the facility is not a restaurant.

RESTAURANT, DRIVE-IN: An eating or drinking establishment that caters to motor-driven vehicle business where the person being served consumes his food or drink while sitting in a motor driven vehicle, as opposed to a restaurant serving exclusively inside an enclosed building.

RESTAURANT, FAMILY: Establishment, privately owned and operated where food & beverage are sold primarily for consumption on the premises and is not part of a chain restaurant or franchise.

RESTAURANT, FAST-FOOD: An establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried, or griddled quickly, or heated in a device such as a microwave oven. Orders are not generally taken at the customer's table and food is generally served in disposable wrapping or containers.

REZONING ACTION: An action by the Board of Commissioners adopting an amendment to the zoning map that has the effect of rezoning real property from one zoning district to another.

RIGHT-OF-WAY: That area, distinguished from an easement, for the present or future use of roads, streets, highways and utilities, together with its drainage

facilities and other supporting uses and structures.

RIGHT-OF-WAY LINE: Designated limits of a right-of-way, whether such right-of-way is established by usage, recorded easement, deed, dedication or by an official right-of-way map of Greene County, Georgia.

ROOMING HOUSE: A building other than a hotel where lodging for 3 but not more than 20 persons is provided for compensation or by pre-arrangement but no meals are served.

SCHOOL: A public or private facility that provides a curriculum of elementary and secondary academic instruction including kindergartens and pre-kindergartens.

SCREENING: A method where a view of one site is shielded, concealed, or hidden from another site. Screening techniques include fences, walls, berms, densely planted vegetation, natural vegetation or other features. Screening must provide a visual and acoustical barrier that is of such nature and density that it provides year-round maximum shielding, concealment or hiding from the ground to a height of at least eight (8) feet or from view from the normal level of a first story window on an abutting lot.

SELF-STORAGE FACILITY: See "mini-warehouses."

SETBACK: The minimum horizontal distance between the lot or property right-of-way line and the nearest front, side or rear line of the building, including terraces or any covered projections but excluding steps.

SHOPPING CENTER: A group of retail business and service uses on a single site planned and developed as a unit, with common off-street parking facilities.

SIGN: A structure or device designed or intended to convey information to the public in written or pictorial form.

SIGN AREA: The area within a continuous perimeter enclosing the limits of writing, representation, emblem or any figure or similar character, together with any frame of other material or color forming an integral part of the display or used to differentiate this sign from the background against which it is placed, excluding the necessary supports or uprights on which this sign is placed, provided, however, that any open space contained within the outer limits of the display face of a sign, or between any component, panel, strip or fixture of any kind composing the display face shall be included in the computation of the area of the sign whether this open space is enclosed or not by a frame or border.

SIGN FACE: The surface of the sign upon, against or through which the message of

the sign is exhibited.

SIGN HEIGHT: The vertical measurement from the highest part of a sign, including all support structures, to the average ground level. Any earth berm or elevated foundation that supports a sign, sign post, or sign support is included in the height of the sign.

SIGN STRUCTURE: Any construction used or designed to support a sign.

SITE BUILT: A building constructed on-site with approved building materials, inspected periodically during construction, and constructed according to locally adopted building codes.

SOLID FENCE: An artificially constructed barrier of any material or combination of materials generally manufactured for fencing, erected to enclose or screen areas of land in a manner where the area inside the fencing is not readily visible at any distance.

SOLID WALL: A wall constructed in such a manner to prohibit viewing of land, materials, buildings, etc., located behind the wall, from an individual standing outside and parallel to the wall.

SOLID WASTE LANDFILL: Any disposal facility where any amount of municipal solid waste, as defined in O.C.G.A. §12-8-22, as amended, occurs, whether or not mixed with or including other waste allowed under Subtitle D of the Federal Resource Conservation and Recovery Act of 1976, as amended, is deposited by means of placing an approved cover thereon.

SPECIAL EVENTS: Circuses, fairs, carnivals, festivals, or other types of special events that (1) run for longer than one day but not longer than two weeks, (2) are intended to or likely to attract substantial crowds, and (3) are unlike the customary or usual activities generally associated with the property where the special event is to be located.

STORAGE TRAILER: A prefabricated portable storage building commonly attached to a cab or chassis for transportation.

STORY: That portion of a building, other than a cellar, included between the surface of the floor and the ceiling above it.

STREET: A public or private thoroughfare which affords the principal means of ingress and egress to abutting property and is classified as follows. See §6.5 for street classifications.

STREET, PUBLIC: A street that is titled by description or deed and vested in Greene County.

STREET LINE: The legal line between street right-of-way and abutting property.

STRUCTURE: Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on the ground. Structures include, but are not limited to the following: site built buildings, manufactured, mobile and modular homes, swimming pools, and signs.

SUBDIVISION: The division of a tract, lot or parcel into 3 or more lots, building sites, or other divisions for the immediate or future purpose of sale, lease, offer or development. Also see Greene County Subdivision Ordinance.

SUBDIVISION ORDINANCE: Greene County Subdivision Ordinances dated April 1989 and as may be amended.

TEMPORARY STRUCTURE: Any structure used in conjunction with construction work which may not be used as a residence, and must be removed immediately upon completion of construction.

TEMPORARY RESIDENCE: A manufactured home used as a temporary residence during reconstruction of a permanent home that has been destroyed by fire, natural disaster, or condemnation. A temporary residence must be removed immediately upon completion of construction or no later than 30 days after the issuance of a certificate of occupancy.

THEATER: An indoor commercial facility used for the sole purpose of showing commercially produced movies to a paying audience. Generally theaters contain a concession facility.

TOWER: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and the like.

TOWNHOUSE: A single-family attached dwelling unit that is erected in a row as part of a single building, on adjoining lots, each separated from the adjoining unit or units by approved fire resistant party wall or walls extending from the basement or cellar floor to the roof along the dividing lot line. Each unit shall have its own front door, which opens to the outdoors, and shall have a minimum of 2 floors. There is no access between adjoining units.

TRADITIONAL NEIGHBORHOOD DEVELOPMENT: A compact, mixed-use neighborhood where residential, commercial and civic buildings are within close proximity to each other.

TRANSFER STATION: A facility used to transfer solid waste from one transportation vehicle to another for transport to a disposal facility or processing operation. The purpose of this type facility is to allow consolidation of smaller loads into larger vehicles, thereby reducing overall community truck traffic. A transfer station must comply with the Rules of the Georgia Department of Natural Resources, Environmental Protection Division, §391-3-4, Solid Waste Management, effective June 27, 1993, and as amended.

VARIANCE: A minimal relaxation or modification of the strict terms of the height, area, placement, setback, yard, buffer, landscape strip, parking and loading ordinances as applied to specific property when, because of particular physical surroundings, shape, or topographical condition of the property, not due to the fault of the owner of said property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make a profit.

YARD: An open space on the same lot with a principal use, unoccupied and unobstructed by buildings or structures from ground to sky except where projections and accessory buildings are expressly permitted in these ordinances.

YARD, FRONT: An open, unoccupied space on the same lot with the principal use, extending the full width of the lot and situated between the right-of-way line and the building line projected to the side lines of the lot. Covered porches, whether enclosed or unenclosed, are considered part of the principal use and shall not project into a required front yard. On corner lots, the front yard is considered parallel to the street upon which the lot has its largest dimension.

YARD, REAR: A yard extending across the full width of the lot and lying between the rear lot line and the nearest line of the building. Rear yard depth shall be measured at right angles to the rear line of the lot.

YARD, SIDE: A yard lying between the side line of the lot and the nearest line of the building and extending from the front yard to the rear yard, or in the absence of either of such front or rear yards, to the front or rear lot lines. Side yard width shall be measured at right angles to side lines of the lot.

ZONING ACTION: A request for any action under the Zoning Ordinance, including, but not limited to, rezoning, variance, conditional use permits, tower ordinances, and sign ordinance.

ZONING ADMINISTRATOR: The individual or his/her designated representative, who is vested with the duty of administrating land use regulations within the unincorporated areas of Greene County.

ARTICLE IV: ESTABLISHMENT OF DISTRICTS

4.1 Establishment of Districts

For the purpose of this ordinance, unincorporated Greene County, Georgia is divided into zoning districts as follows:

A1 Agricultural District (Intensive Farming)
A2 Agricultural-Residential District
B1 Neighborhood Convenience Commercial District
B2 General Commercial Highway Oriented District
C3 Heavy Commercial District
CPUD Commercial Planned Unit Development District
LI Light Industrial District
HI Heavy Industrial District
OI Office-Institutional District
PUD Planned Unit Development District
R1 Low-Density Residential District
R2 Medium-Density Residential District
RM Multi-Family Residential District
LR1 Lakeshore Single-Family Residential/Recreation District
LR2 Lakeshore Multi-Family Residential/Recreation District
LC Lakeshore Commercial District
LP Lakeshore Park District
AP Airport Corridor District

4.2 Zoning Map

The boundaries of these districts are hereby established as shown in the "The Official Zoning Map of Greene County, Georgia". Said map is hereby made a part of this Ordinance. As evidence of its authenticity, the official zoning map shall be signed by the Chairman of Greene County Board of Commissioners and attested to by the Clerk of County Commissioners. A copy of the Official Zoning Map shall be available for public inspection in the office of the Greene County Zoning Administrator as well as copies for sale.

4.3 Map Amendment

If, in accordance with provisions of this Ordinance, changes are made in the boundaries or other information portrayed in the Official Zoning Map, such changes must be made on the Official Zoning Map within 30 days after the amendment has been approved by the Board of Commissioners together with a numerical entry on the Official Zoning Map referring to the application on file which states the date of the official action and the brief description of the nature

of the changes. No amendment to this Ordinance that involves a matter portrayed on the Official Zoning Map is effective until after such change and entry is made on the map. All changes made to the official zoning map or matters shown thereon must be in conformity with the procedures set forth in this zoning ordinance. Any unauthorized change by any person is considered a violation of this Ordinance and punishable as provided by law and this ordinance.

4.4 Rules for Determining Boundaries

The following rules apply where uncertainty exists with respect to the boundaries of any of the zoning districts shown on the Official Zoning Map for Greene County, Georgia.

4.4.1 Unless otherwise indicated, the district boundaries are indicated as approximately following property lines, land lot lines, center lines of streets, highways, alleys or railroads, center lines of streams, reservoirs, or other bodies of water, or civil boundaries, and they shall be construed to follow such lines.

4.4.2 Where district boundaries are approximately parallel to or extend to the center lines of streets, highways, railroads, including their rights-of-way, or the center lines of streams, reservoirs, or other bodies of water, district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the Official Zoning Map. If no distance is given, dimensions shall be determined by the scale shown on the Official Zoning Map.

4.4.3 Where a district boundary line divides a lot that is under single ownership at the time of enactment of this Ordinance, the use classification of a larger portion may be extended by the Board of Commissioners to the remainder without recourse to the amendment procedure.

4.4.4 Where a public road, street or alley is officially abandoned, the ordinances applicable to the parcel to which it reverts shall apply.

4.4.5 In case the exact location of a boundary cannot be determined by the foregoing methods, the Board of Commissioners shall, upon application, determine the location of the boundary.

ARTICLE V: APPLICATION OF ORDINANCES

5.1 Use

No building, structure, premises, or land shall be used or occupied and no building or part thereof shall be erected, extended, enlarged, constructed, moved, or altered except in conformity with these ordinances for the district in which it is, or will be, located.

5.2 Building Height

No building or structure shall be erected, constructed or altered that exceeds the height limit for the district in which it is located.

5.3 Lot Area and Lot Size

Unless acquired for public use, no lot shall be reduced in size so that it does not comply with the applicable provision of this ordinance.

5.4 Yards

No part of a yard or lot required for one building shall be included as part of a yard or lot similarly required for another building. Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, cornices, buttresses, ornamental features, chimneys, flues, and eaves, provided such projections do not extend more than 2 feet into the yard area requirements.

5.5 Corner Lots

Minimum side yard requirements for corner lots shall not be less than the minimum front yard requirements for such lots.

5.6 Principal Buildings

In all Commercial, Industrial, and Office-Institutional zones, more than 1 principal building containing a permitted or conditional use may be erected on a single lot or tract of land provided that all yard and other space requirements of this Ordinance are met for each structure as though it were on an individual lot. In the Agricultural zones, more than one principal building housing a permitted single-family residential use may be erected on a single-family residential lot or tract of land provided all yard and other space requirements of this Ordinance are met for each structure and each building shall be located on a lot or parcel which abuts a public street or road or has access to a public street or road by means of a recorded easement.

The owner must record a plat of subdivision of the lot(s) with the Clerk of the Superior Court before a building permit can be issued. A parcel of land divided into 3 or more lots for sale or legacy may be subjected to the Greene County Subdivision Regulations.

5.7 Minimum Distance Between Buildings

The following minimum distances between structures are required unless otherwise specified within this Ordinance.

5.7. 1 There shall be a distance of not less than 20 feet between a principal and accessory building located on the same lot or parcel.

5.7. 2 No building or accessory building shall be located closer than 10 feet to any lot line in any district, with the exception of well houses.

5.8 Temporary Structures

Temporary structures used in conjunction with construction work only may be permitted in any district and shall be removed within seven (7) days of the issuance of a Certificate of Occupancy.

ARTICLE VI: GENERAL CONDITIONS

6.1 Non-Conforming Buildings and Uses

The elimination of existing buildings and structures or uses that do not conform with this Ordinance is as much a subject of health, safety and general welfare as is the prevention of the establishment of new uses that would violate the provisions of this Ordinance. It is also the intent of this Ordinance to administer the elimination of non-conforming uses, buildings, and structures so as to avoid any unreasonable invasion of established private property rights.

Any structure or use of land lawfully existing at the time of the enactment of this Ordinance and its amendments, but not in conformity with its use ordinances and provisions is "grand-fathered" and may be continued subject to the following provisions.

6.1.1 Unsafe Structures Any structure or portion thereof declared unsafe by an appropriate governing authority may be restored to a safe condition, provided the requirements of Section 6.1 are met.

6.1.2 Alterations Any change in a lawfully existing non-conforming building, use, building site or yard area is subject to the following:

6.1.2.1 No lawfully existing non-conforming building, can be structurally altered, except repairs on the building or installation of plumbing fixtures required by law, the changing of interior partitions, and interior remodeling. Structurally altering a lawfully existing non-conforming building shall not exceed 50 percent of the value of the building as determined by the Building Inspector. Restorations and remodeling of existing non-conforming agricultural buildings is permitted.

6.1.2.2 No lawfully existing non-conforming building or lands, except those residential dwellings needing repairs on the building or installation of plumbing fixtures as required by law, can be substantially added to, moved, or extended in any manner unless such building or land is changed to conform with the provisions of this Ordinance.

6.1.2.3 If a lawfully existing non-conforming building is moved, all non-conforming minimum yard requirements, as defined in Article VIII or elsewhere in this ordinance, must be eliminated.

6.1.2.4 Whenever an owner of a lawfully existing residential dwelling must make repairs on or installation of plumbing fixtures which will force the location of the future addition of the dwelling nearer the lot line, the

addition to the dwelling shall be allowed to extend to the existing building line but no nearer the property line than any existing portion of the dwelling.

6.1.3 Extension. A lawfully existing non-conforming use is restricted to the lot occupied by such use as of the effective date of this Ordinance. A non-conforming use must not be extended to include either additional building or land, except as permitted in §6.1.2.4, or unless the owner applies for and is granted a variance.

6.1.4 Restoration of Damaged Buildings. Unless otherwise specified, a lawfully existing non-conforming structure that is destroyed (damage equals or exceeds 50 per cent of the structures' replacement value, as determined by the Building Inspector), through no intent of the owner, may not be reconstructed or restored to the same non-conforming use except upon approval of the County Building Inspector. This does not apply to damage due to wind storms, i.e., tornados.

6.1.5 Discontinuance. A lawfully existing non-conforming use that has been discontinued for a continuous period of, five (5) years shall not be reestablished and any future use shall be in conformance with this Ordinance. Where government action impedes access to land, the time of any resulting discontinuance of a non-conforming use shall not be counted towards the time periods of this section.

6.2 Off-Street Automobile Parking

Within Greene County, Georgia, off-street automobile storage or parking space shall be provided on every lot on which any permitted or conditional use is established in accordance with this ordinance.

6.2.1 General Requirements. For the purpose of this Ordinance the following general requirements are specified:

The term "Parking Space" means a space for parking vehicles that meets the following dimensional requirements:

Parking Dimensions

A	B	C	D	E	F
Angle	Stall Width	Stall to Curb	Aisle Width	Curb Length	Overhang (See Note)
0^0	8'	8'	12'	22'	0'
30^0	10'	17.7'	14'	20'	1'
45^0	10'	19.8'	14'	14.1'	1.5'
60^0	10'	20.6'	18'	11.5'	1.5'
90^0	10'	18'	24'	10'	1.5'

Note: Overhang (Dimension "F") may be utilized to reduce parking length if a solid

curb is installed and the overhang is landscaped with plant material that does not exceed 12 inches mature height. If an attached sidewalk and curb are proposed as a wheel stop, the sidewalk must be a minimum of 4' wide plus the overhang width.

6.2.1.1 Credit for "Off-street Parking Space" requirements may be given in the following zoning districts; PUD, CPUD, LR2 and RM. The amount of off-street parking required shall be reduced by one off-street parking space for every on-street parking space directly abutting and on the same side of the street as the development. On-street parking spaces that are not directly abutting the development site may be counted towards the minimum parking space requirements only if specifically authorized by the Zoning Administrator. The following constitutes an on-street parking space;

a. On-street parking spaces are located outside of the road travel lanes.

b. On-street parking spaces credited for a non-residential use may not be used exclusively by that use, but shall be available for general public use at all times.

c. On-street parking shall follow the established configuration of existing on-street parking within the block. 90-degree (perpendicular parking) on-street parking is only permitted on local streets. 45-degree diagonal parking may be allowed with the approval of the Zoning Administrator, taking into account traffic flows and street design.

6.2.1.2 Tandem parking for off-street parking – where one vehicle is parking in front of another and effectively blocked from moving without first moving the other – is permissible only for residential uses.

Subject to the approval of the Zoning Administrator, tandem parking is permissible for non-residential uses where valet parking, or fleet parking or other similar attended parking use is provided. If approved, it shall be a continuing condition of the permit authorizing development on such lot that should the valet parking discontinue, then the permit-holder is obligated to provide the required "off-street" parking.

6.2.1.3 If an off-street parking space cannot be reasonably provided on the same lot on which the principal use is conducted, the County Building Inspector may permit such space to be provided on other off-street property, provided such space lies within 600 feet of the property line of the principal use. The parking space shall be associated with the permitted use

and shall not thereafter be reduced or encroached upon in any manner.

6.2.1.4 The required number of parking spaces for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use at the same time.

6.2.1.5 Area reserved for off-street parking in accordance with the requirements of this Ordinance shall not be reduced in area or changed to any other use unless the permitted use which it serves is discontinued or modified, and unless equivalent parking space is provided to the satisfaction of the County Building Inspection Office.

Off-Street parking existing at the effective date of this Ordinance in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or use.

6.2.2 Parking Space Requirements for All Districts.

6.2.2.1 Without limiting the generality of the foregoing, the Zoning Administrator may allow deviations from the parking requirements above when it finds;

a. A residential development is irrevocably oriented toward the elderly or other demographic group that , due to the driving characteristics of the group, requires fewer or more parking stalls than the general populace, or

b. A sole business(not part of a larger mall) is primarily oriented to walk-in trade.

6.2.2.2 Off-street automobile storage or parking space shall be provided with vehicular access to a street or alley, and shall be equal to the minimum requirements for the specific land use set forth.

	Land Use	Parking Requirements
1.	One and Two Family Dwellings	2 spaces for each dwelling unit.
2.	Multi-family Dwellings	1½ space per dwelling unit except for efficiency apartments for which one space per dwelling unit shall be provided.

	Land Use	Parking Requirements
3.	Hotels/Motels	1 space for each lodging accommodation plus 1 additional space for each 5 employees on the largest work shift, plus 50 percent of the spaces otherwise required for accessory uses (e.g. restaurants and bars.)
4.	Recreational Vehicle Parks	1 space for each recreational vehicle, plus 1 additional space for a resident manager or owner.
5.	Boarding and Rooming Houses, Bed & Breakfast, and Dormitories	1 space for each guest bedroom plus 1 space for every 3 employees on the largest work shift.
Public Assembly:		
1.	Religious institutions and other Places of Worship	One (1) space for each three (3) seats in the main auditorium or sanctuary.
2.	Community Center.	1 space for each five (5) active members.
3.	Theaters, Auditoriums Stadiums and similar Places of Assembly.	1 space for each 4 seats.
4.	Libraries, Museums	1 space for each 500 square feet of gross floor area.

	Land Use	Parking Requirements
5.	Schools, including Kindergarten, Play schools and Day care Centers	1 space for each 4 seats in assembly hall, or 1 space for each employee, including teachers and administrators, whichever is greater, plus 5 spaces per classroom for high school and colleges.
6.	Skating Rinks, Dance Halls, Pool Rooms and Other Places of Amusement or Assembly without Fixed Seating Arrangements.	1 space for each 4 persons based on occupancy load calculated by the Building Code
7.	Bowling Alleys	4 spaces for each alley or lane.
Health Facilities:		
1.	Hospitals, Sanitariums, Nursing Homes, Homes for the Aged and Similar Institutional Uses	1 space for each 4 beds (not including bassinets), plus 1 space for each staff or visiting doctor, plus 1 space for each 4 employees, including nurses, plus 1 space for each hospital vehicle.
2.	Kennels and Animal Hospitals	A parking area equal to 25 percent of the total enclosed or cover area.
3.	Medical, Dental and Health Offices and Clinics	1 space for each 200 square feet of floor area used for offices and similar purposes.
4.	Mortuaries and Funeral Parlors	5 spaces per parlor or chapel unit, or 1 space per 4 seats, whichever is greater.
Businesses:		
1.	Automobile Repair Establishments	1 space for each regular employee plus 1 space for each 250 square feet of floor area.
	Food Stores (including	

	Land Use	Parking Requirements
	convenience and grocery store)	1 space for each 200 square feet of floor area designated for retail sales only.
3.	Restaurants, including Bars, Grills, Diners, Cafes, Taverns, Night Clubs, Lunch Counters and similar Dining and/or Drinking Establishments	1 space for each 4 seats provided for patron use, plus 1 space for each 75 square feet of floor area provided for patron use but not containing seats.
4.	Office Buildings, including Banks, Business, Commercial and Professional Offices and Buildings but excluding Medical, Dental and Health Offices and Clinics	1 space for each 350 square feet of ground floor area, plus 1 for each 500 square feet of upper floor area.
5.	General Business, Commercial or Personal Service Establishment Catering to the Retail Trade, but Excluding Food stores.	1 space for each 350 square feet of floor area designated for retail sales only.
6.	Shopping Centers	2.8 spaces for each 1,000 square feet of floor area designated for retail sales only.
7.	Furniture Stores	1 for each 1,000 square feet of gross floor area.
8.	Automobile Sales Lot, new and used	1 space per 600 sq. ft. of enclosed floor space, plus 1 space for each 3,000 sq. ft. of outside display area. Car display area does not have to be paved but must, at a minimum, be covered with 4 inches of gravel or crusher run.
9.	Public Utilities, such as Telephone Exchanges and Substations, Radio and floor area in the building TV Stations, and Electric Power and Gas Substations	A parking area equal to 25 percent of the gross floor area.

	Land Use	Parking Requirements
Industries:		
1.	Commercial, Manufacturing and Industrial Establishment, not Catering to the Retail Trade	1 space for each 3 employees on the maximum working shift, plus 1 for each company vehicle on the premises.
2.	Wholesale Establishments	1 space for every 50 square feet of customer service area, plus 2 spaces for each 3 employees on the maximum working shift plus 1 space for each company vehicle operating from the premises.

For specific buildings or uses not scheduled above, the Administrator shall apply the unit of measurement set forth in the above schedule which is deemed to be the most similar to the proposed building or use, or approve site specific parking based on developer submitted data (subject to Administrator approval), or apply an appropriate standard from an accepted reference manual.

6.2.3 Shared Parking.

Two or more uses may share parking facilities without providing the minimum number of on-site required spaces for each use, provided the following conditions are met:

6.2.3.1 The minimum required number of parking spaces for the combined uses may be reduced by 20 percent where hours of operation overlap with approval of the Planning and Zoning Board.

6.2.3.2 Off-site spaces shall be within 600 feet of the property line of the principal use. If the pedestrian access is to cross an arterial street, appropriate safety measures must be present to help the pedestrian cross the street. In any event, safe and convenient pedestrian access, such as a sidewalk or path, must exist or be provided from the structure or use to the parking lot.

6.2.3.3 The parking facility to be shared must contain at least the minimum required spaces of the largest individual use sharing the lot and shall be developed to the extent of at least being paved and striped according to the standards of this ordinance.

6.2.3.4 The parking facility to be shared must be owned by the owner of

one of the uses or leased for at least a 20-year term or through a permanent easement by the owner of the uses being served.

6.2.3.5 No changes shall be made to the shared parking facility which would reduce the parking provided for the uses, unless the owner of one of the uses makes other arrangements to provide parking. No such changes shall be made with out approval of the Zoning Administrator.

6.2.3.6 Parking spaces to be shared must not be reserved for a specific person, individual, or use on a twenty-four hour basis.

6.2.3.7 Handicap parking spaces cannot be shared, unless the establishments that are to share the spaces are adjacent to the handicap spaces and not inconvenient to the users of such spaces.

6.2.3.8 Loading space shall not be used for general parking.

6.2.3.9 Any proposed change in the use of a structure that shares a parking facility will require proof that adequate parking is available.

6.2.3.10 Off-site and shared parking may be used in combination to develop parking facilities, provided all the requirements of this section are met.

6.2.4 Stacking Space for Drive-through facilities.

6.2.4.1 Stacking spaces shall be provided for any use having a drive-through facility or areas having drop-off and pick-up areas. The following general standards shall apply to all stacking spaces and drive-through facilities:

1. Stacking spaces and lanes for drive-through stations shall not impede on and off site traffic movements, shall not cross or pass through off-street parking areas, and shall not create a potentially unsafe condition where crossed by pedestrian access to a public entrance of a building.

2. Drive through lanes shall be separated from off-street parking areas. Individual lanes shall be striped, marked or otherwise distinctly delineated.

3. Approach lanes for drive-through facilities shall have the following minimum widths:
One lane ..... 12 feet per lane
Two or more lanes ... 10 feet per lane

4. All drive-through facilities shall be provided with a bypass lane with a minimum width of 10 feet.

5. Alleys or driveways in residentially zoned areas adjacent to drive-through facilities shall not be used for circulation of customer traffic.

6. Each stacking space shall be a minimum of 10 feet by 20 feet.

6.2.4.2 The number of stacking spaces shall be provided as follows:

1. Financial institutions with drive-through windows: 2 stacking spaces for each window.

2. Drive-in or Fast Food Restaurant: 6 stacking spaces per drive-through window measured from the order board or station.

3. All other uses: 3 stacking spaces for each window.

6.2.5 Parking Area Site Requirements.

6.2.5.1 All off-street parking shall be laid out, constructed, and maintained according to the following requirements for B1, B2, B3, L1, OI, & CPUD. Off-street parking includes parking spaces or lots for customers and employees.

6.2.5.2 All parking areas shall be hard surfaces with concrete or plant mix material. Parking areas may consist of gravel or crusher-run with the approval of the Planning & Zoning Board. Parking areas without hard surfaces shall install parking blocks each perpendicular or diagonal parking space except where the parking space is adjacent to concrete curbs.

6.2.5.3 Parking lots of more than four (4) parking spaces shall have adequate turn-around areas so that all vehicles may enter the street in a forward manner.

6.2.5.4 Parking lots shall be designed so that sanitation, emergency, and other public service vehicles can serve such developments without the necessity of backing unreasonable distances or making other dangerous or hazardous turning movements.

6.2.5.5 Required parking shall not be encroached upon by refuse containers, signs or other structures, nor used for parking of equipment or outdoor storage of goods for sale or storage. Required parking spaces shall

be provided with vehicular access to a public street or alley.

6.2.5.6 Lighting facilities, if provided, shall be arranged so that light is reflected away from adjacent properties and streets.

6.2.5.7 The parking area shall be adequately drained.

6.2.5.8 No sign shall be placed within the public right-of-way. Signs and planting strips shall not obstruct the visibility of drivers or pedestrians.

6.2.5.9 All parking lots must be maintained in a clean, litter free condition.

6.2.6 Landscape Standards for Parking Lots.

Parking lots should be effectively landscaped with trees and shrubs to reduce the visual impact of glare, headlights, and parking lot lights from the public right-of-way and from adjoining properties. In addition, parking lots should be adequately shaded to reduce the amount of reflected heat.

6.2.6.1 When a lot is located adjacent to a public right-of-way, a minimum of 10 feet of landscaped land will be provided between the right-of-way and the parking lot to reduce the visual impact of the parking lot. The landscaping site plan must be approved by the Zoning Administrator.

6.2.6.2 Along the perimeter of the parking lot, to reduce its visual impact:

1. Provide a ten-feet wide landscape strip around the perimeter of the lot, to be planted with shade trees and low shrubs. Provide a minimum of one shade tree per every 40 feet of lot perimeter. However, this does not mean that shade trees must be located 40 feet on center. Additional shade trees may be necessary to effectively shade/screen the parking lot.

6.2.6.3 For the purpose of calculating off-street parking lot square footage, all areas within the lot's perimeter are counted, including the planting islands, curbed areas, corner lots, parking spaces, and all interior driveways and aisles except those with no parking spaces located on either side. Landscaped areas outside the parking lot may not be used to meet the interior planting requirement. Landscape provisions only apply to parking areas for customers or employees. The amount of landscaping required is based on the following sliding scale:

Total Area of Lot	Percent of the Total Area (Sq. Ft.) of Lot that must be an Interior Planting Area
0 - 15,000	5.0%
15,001 - 29,999	7.5%
30,000 or greater	10.0%

The above percentage must be planted in shade trees. This is necessary to break up the visual expansiveness of lots and to reduce glare and heat. Landscaping requirements will be to plant a minimum of 1 overstory or 2 understory trees per 200 square feet of required interior planting area. The trees shall be the following criteria;

a. Overstory trees shall be a minimum of 2-1/2 inches caliper. Overstory trees include but are not limited to oaks, pines, and maples.

b. Understory trees shall be a minimum of 1 inch caliper. Understory trees include but are not limited to dogwoods, crepe myrtles, and redbuds.

c. No more than one third of the trees can be understory trees.

d. No more than 50 percent of the trees can be of a single variety.

To achieve these objectives, the following alternatives should be considered:

1. Provide a continuous landscape strip between every four rows of parking. This should be a minimum of eight feet in width to accommodate a low hedge and overstory trees.

2. Create large planting islands (over 600 square feet) to be located throughout the lot and planted with shade trees, low shrubs, and/or ground over. These should preferably be located at the ends of parking rows.

3. Provide planting islands (a minimum of nine feet wide) between every 10 to 15 spaces to avoid long rows of parked cars. Each of these planting islands should provide at least one shade tree having a clear trunk height of at least six feet.

6.2.6.4 Within the interior of the parking lot, landscaping should be used to delineate vehicular and pedestrian circulation patterns. Clear and legible signs, different color and texture paving materials, raised areas, and other techniques should be used to further direct the flow of both vehicular and pedestrian traffic within the lot.

6.2.6.5 The general guidelines listed below should be followed for all parking lots.

1. Use shade trees with ground cover of low shrubs as the primary landscape material within parking lots. Avoid tall shrubs or low branching trees that will restrict visibility.

2. For planting islands that are parallel to spaces, islands should be a minimum of nine feet wide to allow doors to open.

3. For planting islands that are perpendicular to spaces, islands should be a minimum of eight feet wide to allow for overhang of parked cars. If parking is only on one side of the island, an eight foot width is still required.

4. Screening of mechanical equipment, trash, and loading areas should be provided. This can be achieved using walls, fences, and/or landscaping.

5. Where appropriate, the use of porous pavement and/or specially designed brick or block should be considered to increase on site water retention for plant material and groundwater supplies and to reduce problems associated with runoff.

6.2.7 Maintenance of Perimeter and Interior Parking Lot Landscaping.

The owner, tenant, and their agent, if any, are jointly and severally responsible for the maintenance of all landscaping in good condition so as to present a healthy, neat, and orderly appearance and shall be kept free from refuse and debris. All landscaped areas must be watered via an underground sprinkler systems or be provided with a readily available water supply with at least one (1) outlet located within one hundred fifty (150) feet of all plant material to be maintained.

6.2.7.1 All plant growth in landscaped areas must be controlled by pruning, trimming, or other suitable methods so that plant materials do not interfere with public utilities, restrict pedestrian or vehicular access, or otherwise constitute a traffic hazard.

6.2.7.2 All planted areas must be maintained in a relatively weed free

condition and clear of undergrowth.

6.2.7.3 All planting must be fertilized and irrigated at such intervals as necessary to promote optimum growth.

6.2.7.4 All trees, shrubs, ground cover, and other plant materials must be replaced during the next suitable planting period if they die or become unhealthy because of accidents, drainage problems, disease, or other causes.

6.2.7.5 Replacement plants must conform to all standards that govern the original installation of plantings.

6.3 Off Street Loading and Unloading Space

Off street loading and unloading spaces shall be provided as hereinafter required by this Ordinance.

6.3.1 Size of Off Street Loading Spaces.

Each off-street loading space shall have minimum dimensions of 14 feet in height, 12 feet in width, and 55 feet in length. However, upon sufficient demonstration that a particular loading space will be used exclusively by shorter trucks, the Zoning Administrator may reduce the minimum length accordingly to as little as 35 feet.

6.3.2 Connection to Street or Alley.

Each required off street loading space shall have direct access to a street or alley or have a driveway that offers satisfactory ingress and egress for trucks.

6.3.3 Floor Area Over 10,000 Square Feet.

Sufficient space for off-street loading and unloading must be provided for each hospital, institution, hotel, commercial or industrial building or similar use requiring the receipt or distribution of materials or merchandise, and having a floor area of more then 10,000 square feet of floor space. Such space must be located so as not to hinder the free movement of pedestrians and vehicles over a sidewalk, street or alley.

6.3.4 Floor Area less than 10,000 Square Feet.

Sufficient off street loading space (not necessarily a full space if shared by adjacent establishments) must be provided for each commercial or industrial building requiring the receipt or distribution of materials for merchandise and having a floor area of less than 10,000 square feet. The space must be located so as not to hinder the free movement of pedestrians and vehicles over a sidewalk,

street or alley.

6.3.5 Bus and Trucking Terminals.
There shall be provided sufficient space to accommodate the maximum number of busses or trucks to be stored or loaded at the terminal at any one time.

6.3.6 Location of Off Street Loading Spaces.
All required off street loading spaces shall be located on the same lot as the building which they are intended to serve, or on an adjacent lot when the loading spaces are shared with the use occupying said adjacent lot.

6.3.7 Permanent Reservation.
Area reserved for off-street loading in accordance with this Ordinance must not be reduced or changed to any other use unless the permitted use that the off-street loading serves is discontinued or modified. However, equivalent loading space may be provided and approved by the Zoning Administrator.

6.4 Control of Curb Cuts and Vision Clearance
The requirements for controlling curb cuts and maintaining vision clearance shall be as follows:

6.4.1 Curb Cuts.
No curb cut shall be less than 9 feet nor exceed 30 feet in length unless the property will primarily serve tractor-trailer traffic. Except in residential districts, no curb cut shall be closer than 100 feet to another curb cut or access point. At street intersections, no curb cut or other access point shall be located closer to the intersection than is necessary to serve the property but in no case shall be closer than 50 feet from the intersecting point of the two street rights-of-way or property lines involved (or such lines extended in case of a rounded corner), whichever is the least restrictive.

A permit must be obtained from the Georgia Department of Transportation before curb cuts or any other point of access is authorized onto state owned highway rights-of-way from abutting property. Individuals requesting a development permit for property that abut a state owned highway must contact the District Traffic Engineer for consultation and DOT permit issuance before a local permit will be issued.

6.4.2 Vision Clearance.
In all use districts, no fence, wall, shrubbery, sign, marquee or other obstruction to vision between the heights of 2½ and 10 feet from the ground level is permitted within 50 feet of the intersection of the right-of-way lines of two streets or railroad lines, of a street intersection with a railroad line, or of curb cuts or driveways.

6.5 Classification of Streets

All streets in Greene County, Georgia, shall conform to the Greene County Sub Division Regulations.

6.6 Storage and Parking of Recreational Vehicles, Trailers, and other Vehicles

Commercial vehicles and trailers of all types, including travel, boat, camping and hauling, shall not be parked or stored on any lot or parcel in any residential zoning district except in accordance with the following requirements:

6.6.1 No commercial vehicle used for hauling explosives, gasoline or liquefied petroleum products is permitted in any residential district.

6.6.2 Recreational vehicles, hauling trailers, or boat trailers are permitted if parked or stored behind the front yard building line in residential districts.

6.6.3 A recreational vehicle shall not be occupied either temporarily or permanently while it is parked or stored in any area except in a recreational vehicle park authorized under this Ordinance, or as otherwise stated in this Ordinance.

6.6.4 No automobile, recreation vehicle, trailer, or other vehicle for sale shall be parked in the right-of-way.

6.7 Buffer Areas and Lighting

All required buffer areas and landscape strips are in addition to area, yard, and height requirements for the zoning district as specified in Article VIII.

6.7.1 In any business (B1, B2, C3) or industrial (LI &HI) district, any operation not conducted within a building, such as outdoor recreation, outdoor storage of materials, and outdoor servicing activities, a ten (10) foot vegetated landscaped buffer area is to maintained on the front property line. Twenty per cent (20%) of the total area is to consist of landscaped materials of not less than two (2) feet tall or a decorative fence of not less than two (2) feet in height. The Planning and Zoning Board shall, based on the character of the area, determine whether the applicant must install the landscape material or the decorative fence. All non-operating inventory must be stored behind the landscaped area or the decorative fence.

6.7.2 In any district not subject to the requirements of §6.7.1 but requiring screening of a specified operation, said screening shall be a solid wall or solid fence or tight evergreen hedge not less than six (6) feet in height. The tight evergreen hedge shall grow to at least six (6) feet in height within five (5) years. There shall be a perimeter landscape strip at least ten (10) feet wide, unless

otherwise specified, that conforms to the planting requirements of §6.2.6.5(2). All buffer area requirements are in addition to the area, yard, and height requirements for that district (Article VIII). Prior to any site construction or grading, the Planning and Zoning Board must approve a landscaping plan.

6.7.3 A perimeter landscape strip of ten (10) feet in width, or six (6) feet if the commercial or industrial site is less than 15,000 square feet and not regulated by §§6.7.1 and 6.7.2, shall be planted in accordance with §6.2.5.6(2) adjacent to the lot line when the following conditions exist or are created.

6.7.3.1 A proposed structure will exist on a lot where the side or rear lot line is a district boundary other that B1, B2, B3, or LI.

6.7.3.2 The lot or parcel on the opposite side of the boundary is zoned R1, R2, LR1, LR2 or RM.

6.7.4 All outdoor lighting must reflect away from all residential dwellings and shall be situated to not directly reflect into any public rights-of-way.

6.7.5 Any grading, improvement or construction adjacent to the buffer must not disturb or encroach on the buffer area.

6.7.6 A manufactured home park shall be screened by a tight evergreen hedge or suitable landscaping and contain a perimeter landscape strip at least thirty (30) feet wide, unless otherwise specified. All perimeter landscape strip requirements are in addition to the area, yard, and height requirements for that district (see Article VIII). Prior to any site construction or grading, the Planning and Zoning Administrator must approve a landscaping plan.

6.7.7 A ten (10) feet rear and side yard vegetated buffer is required for all multi-family development in addition to required side and rear yards specified in Article VIII or IX.

ARTICLE VII: USE REQUIREMENTS BY DISTRICT

7.1 A1 Agricultural District (Intensive Farming)

This zoning district is comprised primarily of open farm land and land used for intensive agricultural and livestock and poultry production. The intent of the regulations is to encourage the maintenance of the general rural character of openness and discourage the subdivision of land that is better suited to agricultural usage. Residential subdivisions are inappropriate in this district. A farm or farming operation shall not be found to be a public or private nuisance if the farm or farm operation alleged to be a nuisance conforms to generally accepted agriculture and management practices. The intent of this ordinance is to prevent the non-agricultural resident from encroaching on existing, approved, or projected expansion of farms or farming operations.

7.1.1 Permitted Uses. Within the A1 District, only the following uses are permitted:

7.1.1.1 Dwelling, Single or two family detached.

7.1.1.2 Individual manufactured home.

7.1.1.3 Industrialized building qualifying as dwelling, single family detached.

7.1.1.4 Caretaker dwelling (single family or two family) for farm workers when located on the same lot or tract of land as the principal residence, on the basis of one residential structure per 5 acres in addition to the minimum lot area required for the principal residence, and subject to all the minimum space requirements of the A1 District.

7.1.1.5 Accessory buildings and uses incidental to the operation of the farm, including private garages, sheds, barns or other storage structures provided said structures are located on the same lot or farm and are not used for conducting a business or service inconsistent with A1 allowed practice and provided that requirements under §§ 9.2.1.5 and 9.6 are met.

7.1.1.6 Agricultural, forestry, livestock, and poultry production and general farming, provided that no poultry house, feedlot, hog parlor, hog lot, or structure containing livestock manure or other odor or dust producing substance is located within 100 feet of a property boundary line or within 500 feet of a dwelling unit other than that belonging to the owner of the previously listed agricultural practice. Should the agricultural building be vented by motor driven ventilation systems, they will be located at least 200 feet from a property boundary line.

7.1.1.7 Daycare home.

7.1.1.8 Sale of agricultural products grown or processed on the premises, provided that adequate pull off lanes and parking are provided at the site, and the use does not adversely effect existing or future adjacent residential uses or seriously impede traffic in the area.

7.1.1.9 Any agriculturally oriented business, including, but not limited to, the sale and repair of farm implements, feed and seed wholesale and retail stores and warehouses and feed and seed storage bins.

7.1.1.10 Automobile service stations provided the requirements of §9.8 are met.

7.1.1.11 Produce markets and farmers' markets.

7.1.1.12 Swimming pools, above and below ground, for home use, provided that the location is not closer than 20 feet to any property line..

7.1.1.13 Home office.

7.1.1.14 Utility facility, provided a complete site development sketch is submitted to and approved by the Zoning Administrator, and a 20 foot planted buffer strip is provided as suitable screening along property lines or within 60 feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of six (6) feet within 3 years and will obstruct the view of the structure from adjacent properties.)

7.1.1.15 Signs, provided that requirements of Article X are met.

7.1.1.16 Special events.

7.1.1.17 Rural home occupation, provided that requirements of §9.7 are met.

7.1.1.18 Borrow Pits less than or equal to 2 acres.

7.1.2 Conditional Uses. Within the A1 District, the following uses may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved subject to specified conditions in addition to those described herein. Also see Article XI.

7.1.2.1 Bed and Breakfast provided the requirements of §9.12 are met .

7.1.2.2 Religious institutions and their customary related facilities, provided such uses are located on a lot with a minimum of two (2) acres and fronts on a public right-of-way or a private street which connects with a public right-of-way. The minimum building front setback is 50 feet. A ten (10) ft. wide buffer area is required along any property line abutting residentially zoned property.

7.1.2.3 Permanent and temporary sawmills and planning mills, provided that the mill and storage areas are not located closer than 400 feet to a property line.

7.1.2.4 Towers provided the requirements of the Greene County Tower Ordinance is met.

7.1.2.5 Veterinary hospitals, clinics, and kennels, provided no enclosed structure for the keeping of animals is located within 200 feet of a property line.

7.1.2.6 Solid waste landfill provided the requirements of §9.9 are met.

7.1.2.7 Home industry.

7.1.2.8 Transfer Stations.

7.1.2.9 Private cemeteries.

7.1.2.10 Recreational developments, including but not limited to, public fishing lakes, public swimming pools, and golf courses or driving ranges, or other recreational developments provided a comprehensive plan for the area is submitted which includes the location of the site on plats of not less than a 1" = 400' scale, the location and function of all buildings and modifications of the natural landscape, the location and surface treatment of all roadways, appropriate details of drinking water or sanitary facilities, certificated by the Health Department if wells or septic tanks are involved and a time schedule setting for a development program.

7.1.2.11 Family Restaurants provided the requirements of §6.2 are met.

7.1.2.12 Family Personal Care Home, Group Personal Care Home and Congregate Personal Care Home.

7.1.2.13 Borrow Pits greater than 2 acres.

7.1.2.14 Development of natural resources, including the removal of minerals and natural materials together with necessary buildings and machinery – this includes mining and mineral exploration.

7.1.3 O.C.G.A. 44-1-17

(a) Prior to any purchase, lease, or other acquisition of real property or any interest in real property located within any county which has land zoned for agricultural or silvicultural use or identified on an approved county land use plan as agricultural or silvicultural use, it shall be the buyer's or grantee's responsibility to determine whether the subject property is within, partially within, or adjacent to any property zoned or identified on an approved county land use plan as agricultural or silvicultural use, 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, fiver, 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 abut 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 of 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."

Noncompliance with any provision of this Code section shall not affect title to real property nor prevent the recording of any document.

This Code section 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.

This Code section shall not create a cause of action for damages or equitable relief.

7.2 A2 Agricultural-Residential District

This zoning district is composed primarily of limited agricultural activities in

areas where compatible low density, rural, single-family residential development has occurred or is occurring. The regulations for this district are designed to provide the landowner an opportunity to engage in limited hobby type agricultural activities for personal use, with the exception of fresh fruits, flowers or vegetables raised on the property that may be sold to the public. A farm or farming operation shall not be found to be a public or private nuisance if the farm or farm operation alleged to be a nuisance conforms to generally accepted agriculture and management practices. The intent of this ordinance is to prevent the non-agricultural resident from encroaching on existing, approved, or projected expansion of farms or farming operations

7.2.1 Permitted Uses. Within the A2 District, the following uses are permitted:

7.2.1.1 Dwelling, Single or two family detached.

7.2.1.2 Individual manufactured home.

7.2.1.3 Industrialized building qualifying as Dwelling, Single or two family detached.

7.2.1.4 Accessory buildings and accessory uses provided the requirements of §9.6 are met.

7.2.1.5 Agricultural uses including small scale crop farming, truck gardening, forestry, but excluding poultry houses and feedlots.

7.2.1.6 Animals and fowl not to exceed the requirements specified in §3.1, Animal Units.

7.2.1.7 Daycare home.

7.2.1.8 Home swimming pools, above and below ground, for home use, provided that the location is not closer than twenty (20) feet to any property line.

7.2.1.9 Home office.

7.2.1.10 Nurseries, for the production and sale of plants and their related products.

7.2.1.11 Sale of agricultural products grown or processed on the premises owned by the seller, provided that adequate pull off lanes and parking are

provided at the site, and the use does not adversely effect existing or future adjacent residential uses or seriously impede traffic in the area.

7.2.1.12 Utility facilities, provided a complete site development sketch is submitted to and approved by the Zoning Administrator, and a minimum twenty (20) foot planted buffer strip is provided as suitable screening along property lines or within sixty (60) feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of six (6) feet within three (3) years.)

7.2.1.13 Signs, provided that requirements of Article X are met.

7.2.1.14 Special events.

7.2.1.15 Rural home occupation, provided that requirements of §9.7 are met.

7.2.1.16 Borrow Pits less than or equal to 2 acres.

7.2.2 Conditional Uses. Within the A2 District, the following uses may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved subject to specified conditions in addition to those described herein.

7.2.2.1 Bed and Breakfast provided the requirements of §9.12 are met.

7.2.2.2 Cemeteries.

7.2.2.3 Convalescent or nursing homes.

7.2.2.4 Community center or club, provided that the requirements of §9.13 are met.

7.2.2.5 Home industry.

7.2.2.6 Public and private schools provided that a complete site development sketch is submitted with the application. The school must be located on a lot fronting an arterial or collector street. All buildings must be at least fifty (50) ft. from any property line. The property must be bordered by a ten (10) ft. wide buffer area along its exterior boundary lines that do not border the frontage street. The buffer must not extend into the required front yard. The buffer area should be planted with evergreen trees or shrubs that grow at least eight (8) ft. tall within three (3) years and provide an effective visual screen.

7.2.2.7 Recreational developments, including but not limited to, public fishing lakes, public swimming pools. and golf courses or driving ranges, or other recreational developments provided a comprehensive plan for the area is submitted which includes the location of the site on plats of not less than a 1" = 400' scale, the location and function of all buildings and modifications of the natural landscape, the location and surface treatment of all roadways, appropriate details of drinking water or sanitary facilities, certificated by the Health Department if wells or septic tanks are involved and a time schedule setting for a development program.

7.2.2.8 Religious institutions and their customary related facilities, provided such uses are located on a lot with a minimum of 2 acres and fronts on a public right-of-way or a private street which connects with a public right-of-way. The minimum building front setback is 50 feet. A ten (10) ft. wide buffer area is required along any property line abutting residentially zoned property.

7.2.2.9 Family Restaurants provided the requirements of §6.2 are met.

7.2.2.10 Family Personal Care Home, Group Personal Care Home and Congregate Personal Care Home.

7.2.2.11 Borrow Pits greater than 2 acres.

7.2.3 See 7.1.3 for O.C.G.A. 44-1-17

7.3 B1 Neighborhood Convenience Commercial District

This zoning district is intended for the development of small clusters of retail sales and service establishments which when appropriately located are designed to provide limited convenience shopping and services only for surrounding residential areas.

7.3.1 Permitted Uses. Within the B1 District, only the following uses are permitted:

7.3.1.1 Accessory buildings and accessory uses provided the requirements of § 9.6 are met.

7.3.1.2 Arts and Crafts store.

7.3.1.3 Automobile service areas provided the requirements of §9.8 are met.

7.3.1.4 Automobile repair garage when in conjunction with an automobile service station.

7.3.1.5 Bakery.

7.3.1.6 Barber and beauty shop.

7.3.1.7 Book, Stationary and Card Shop.

7.3.1.8 Business office.

7.3.1.9 Cafes and grills.

7.3.1.10 Clothing alteration.

7.3.1.11 Convenience store.

7.3.1.12 Daycare center.

7.3.1.13 Drug store.

7.3.1.14 Dry cleaners.

7.3.1.15 Financial institution.

7.3.1.16 Florist, nursery and gift shop.

7.3.1.17 Frame shop.

7.3.1.18 Grocery store.

7.3.1.19 Hardware store.

7.3.1.20 Nurseries, for the production and sale of plants and their related products.

7.3.1.21 Professional office.

7.3.1.22 Utility facility, provided a complete site development sketch is submitted to and approved by the Zoning Administrator, and a minimum 20 foot planted buffer strip is provided as suitable screening along property lines or within 60 feet of the developed area. (An appropriate planted buffer

shall contain vegetation that will attain a height of eight (8) feet within 3 years.)

7.3.1.23 Restaurant.

7.3.1.24 Self service laundry.

7.3.1.25 Service occupation.

7.3.1.26 Shopping centers with uses as otherwise permitted in the B1 District and a total leaseable floor area of less than seventy-five thousand (75,000) square feet.

7.3.1.27 Signs, provided the requirements of Article X are met.

7.3.1.28 Special events.

7.3.1.29 Temporary commercial use, including the sale of Christmas trees or the sale of seasonal fruit, but not to exceed a period of two consecutive months in a calendar year.

7.3.1.30 Veterinary hospitals, clinics and kennels, provided no unenclosed structure for the keeping of animals is located within two hundred (200) feet of a property boundary.

7.3.1.31 Borrow Pits less than or equal to 2 acres.

7.3.2 Conditional Uses. Within the B1 Neighborhood Convenience Commercial District, the uses enumerated below may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved subject to specified conditions in addition to those described herein.

7.3.2.1 Convalescent or nursing homes.

7.3.2.2 Second floor may be used as a residential dwelling unit provided it is served by a private entrance.

7.3.2.3 Congregate Personal Care Home.

7.4 B2 General Commercial Highway Oriented District

The B-2 General Commercial Highway Oriented District is intended for denser

commercial development that may extend along highways and provide services to both highway oriented and municipality-oriented trade. All businesses, services, storage or processing shall be conducted within an enclosed building, except where the nature of the activity makes it impossible (i.e., off-street loading, automobile parking for customers while on the premises, and the sale of automobile fuel at service stations.) Use, processes or equipment employed on the premises shall be limited to those which are not objectionable by reason of odor, dust, bright lights, smoke, noise, or vibration.

7.4.1 Permitted Uses. Within the B2 District, only the following uses are permitted:

7.4.1.1 Accessory buildings and accessory uses provided the requirements of §9.6 are met.

7.4.1.2 Ambulance Service.

7.4.1.3 Apparel stores (individual)

7.4.1.4 Appliance store including radio and television service.

7.4.1.5 Arts and Crafts stores.

7.4.1.6 Automobile repair garage, mechanical and body shops.

7.4.1.7 Automobile and boat service areas provided the requirements of §9.8 are met.

7.4.1.8 Automobile repair garage when in conjunction with an automobile service station.

7.4.1.9 Bakeries.

7.4.1.10 Barber and beauty shop.

7.4.1.11 Bicycle or motorcycle store.

7.4.1.12 Books, stationary and card shops.

7.4.1.13 Bowling alleys.

7.4.1.14 Cafes, grills, and lunch counters.

7.4.1.15 Camera or photographic supply store.

7.4.1.16 Catering establishments.

7.4.1.17 Clothing, shoe, dry goods or gift store.

7.4.1.18 Commercial parking garage or lot provided no entrance or exit is on the same block as a school, and curb breaks are limited to two (2) for each one hundred (100) feet of street frontage, each not to exceed thirty (30) feet in width and at least fifty (50) feet separation and not located closer than fifty (50) feet to a street intersection.

7.4.1.19 Community Center or club provided the requirements of §9.13 are met.

7.4.1.20 Computer sales and services.

7.4.1.21 Confectionery store.

7.4.1.22 Convenience store.

7.4.1.23 Daycare center.

7.4.1.24 Dressmaking and tailoring shops.

7.4.1.25 Drug store.

7.4.1.26 Dry cleaning and laundry establishments.

7.4.1.27 Electronic supply store.

7.4.1.28 Fabric store.

7.4.1.29 Financial institution.

7.4.1.30 Florist, nursery and gift shop.

7.4.1.31 Frame shop.

7.4.1.32 Funeral home.

7.4.1.33 Furniture, home furnishings, including office furniture and equipment.

7.4.1.34 Grocery, fruit, vegetable, meat market, delicatessen, catering and supermarkets.

7.4.1.35 Hardware store.

7.4.1.36 Health Club.

7.4.1.37 Jewelry store.

7.4.1.38 Laundromat.

7.4.1.39 Laundry and dry cleaning pick-up stations, and self-service laundry.

7.4.1.40 Laundry and dry cleaning store.

7.4.1.41 Lawn and Garden Shop

7.4.1.42 Medical clinic.

7.4.1.43 Miniature golf course

7.4.1.44 Miscellaneous repair service.

7.4.1.45 Motels, hotels.

7.4.1.46 News and tobacco center.

7.4.1.47 Nurseries, for the production and sale of plants and their related products.

7.4.1.48 Nursing home.

7.4.1.49 Paint store.

7.4.1.50 Professional and business office.

7.4.1.51 Printing, blue printing, book binding, photo stating, lithography and publishing establishments.

7.4.1.52 Produce and farmers markets.

7.4.1.53 Radio/TV repair.

7.4.1.54 Restaurants.

7.4.1.55 Restaurants, drive-in.

7.4.1.56 Restaurants, fast food.

7.4.1.57 Self-storage facility.

7.4.1.58 Service occupations, including barber and beauty shop, shoe repair, appliance repair, and similar occupations.

7.4.1.59 Shopping centers with uses as otherwise permitted in the B2 District and a total leasable floor area of more than seventy-five thousand (75,000) square feet.

7.4.1.60 Signs, provided the requirements of Article X are met.

7.4.1.61 Special event.

7.4.1.62 Sporting Goods store.

7.4.1.63 Temporary commercial use, including the sale of Christmas trees or the sale of seasonal fruit, but not to exceed a period of two consecutive months in a calendar year.

7.4.1.64 Theater.

7.4.1.65 Travel agency.

7.4.1.66 Utility facility, provided a complete site development sketch is submitted to and approved by the Zoning Administrator, and a minimum 20 foot planted buffer strip is provided as suitable screening along property lines or within 60 feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of 20 feet within 3 years.)

7.4.1.67 Veterinary hospitals and animal shelters, provided adequate opaque screening by a wall or fence at least six (6) feet high is provided for areas where horses, dogs and other animals are not kept in cages or stalls.

7.4.1.68 Borrow Pits less than or equal to 2 acres.

7.4.2 Conditional Uses. Within the B2 General Commercial Highway Oriented District, the uses enumerated below may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved

subject to specified conditions in addition to those described herein.

7.4.2.1 Second floor may be used as a residential dwelling unit provided it is served by a private entrance.

7.5 C3 Heavy Commercial District

The C3 District is established to protect and promote a suitable environment for those retail uses that generate loud noises, excessive traffic, or require large areas for outdoor storage. Included among these uses are establishments of a commercial-industrial nature, as well as those of a commercial-recreational nature. This area provides for substantial motor vehicle traffic.

7.5.1 Permitted Uses. Within the C-3 District, only the following uses are permitted.

7.5.1.1 Accessory buildings and accessory uses provided the requirements under §9.6 are met.

7.5.1.2 Auction houses.

7.5.1.3 Automobile service garages.

7.5.1.4 Automobile service station provided the requirements of §9.8 are met.

7.5.1.5 Automobile repair garage.

7.5.1.6 Automobile and truck rental.

7.5.1.7 Automobile sales lot.

7.5.1.8 Automobile laundry or car wash provided that the paved area for the vehicle awaiting entrance to the washing process is located on the same lot. The paved area must be of sufficient size to adequately contain the number of vehicles (at two hundred (200) square feet per vehicle) equal to one-third of the practical hourly capacity of the washing machines. Curb breaks are limited to two (2), each not to exceed thirty (30) feet in width, and located no closer than fifty (50) feet to an intersection.

7.5.1.9 Building and lumber supply establishments provided the entire storage area is properly screened as required in §6.7.

7.5.1.10 Bus and Railroad terminal facilities.

7.5.1.11 Commercial parking garage or lot provided no entrance or exit be on the same block as a school, and that curb breaks be limited to two (2) for each one hundred (100) feet of street frontage, each not to exceed thirty (30) feet in width and at least fifty (50) feet separation and not located closer than fifty (50) feet to a street intersection.

7.5.1.12 Farm equipment sales.

7.5.1.13 Flea market.

7.5.1.14 Hospital.

7.5.1.15 Manufactured Homes sales lot.

7.5.1.16 Nurseries, for the production and sale of plants and their related products.

7.5.1.17 Rental Sales.

7.5.1.18 Restaurant.

7.5.1.19 Restaurant, drive-in.

7.5.1.20 Restaurant, fast food.

7.5.1.21 Self-storage facility.

7.5.1.22 Shopping Center.

7.5.1.23 Signs, provided the requirements of Article X are met.

7.5.1.24 Special event.

7.5.1.25 Tower provided the requirements of §9.17 are met.

7.5.1.26 Trucking and Motor Freight companies.

7.5.1.27 Utility facility, provided a complete site development sketch is submitted to and approved by the Zoning Administrator, and a minimum 20 foot planted buffer strip is provided as suitable screening along property lines or within 60 feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of eight (8) feet within 3

years.)

7.5.1.28 Warehousing.

7.5.1.29 Wholesale outlets.

7.5.1.30 Borrow Pits less than or equal to 2 acres.

7.5.2 Conditional Uses. Within the C-3 Heavy Commercial District, the uses enumerated below may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved subject to specified conditions in addition to those described herein.

7.5.2.1 Amusement parks.
7.5.2.2 Borrow Pits greater than 2 acres.

7.6 LI Light Industrial District

The LI zone is established to protect and promote a suitable environment for light industrial purposes, including accessibility to major transportation facilities, and availability of adequate utilities and other public services. Industrial uses that cause obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, glare, fire hazards or other objectionable environment conditions are prohibited from this district.

7.6.1 Permitted Uses. Within the **LI** District, only the following uses are permitted.

7.6.1.1 Accessory buildings and accessory uses provided the requirements under §9.6 are met.

7.6.1.2 Any establishment for manufacture, repair, assembly or processing totaling less than 500,000 square feet in floor area, and employing less than 200 employees, including, but not restricted to the following:

1. Confectionery manufacture;
2. Clothing and garment manufacture;
3. Laboratories for testing materials, chemical analysis, photography procession;
4. Manufacturing and assembly of scientific, optical and electrical equipment.
5. Manufacture of musical instruments and parts.
6. Manufacture of souvenirs and novelties.

7. Manufacture of toys, sporting and athletic goods.

7.6.1.3 Baking and food processing plants, fish and poultry houses, but not including the on-site slaughter or processing of animals.

7.6.1.4 Cold storage plants.

7.6.1.5 Public airport.

7.6.1.6 Permanent sawmills and planning mills.

7.6.1.7 Contractor's storage and equipment yards when located entirely within a building or fenced area as required by §6.7.

7.6.1.8 Dyeing plants.

7.6.1.9 Facilities owned by Greene County.

7.6.1.10 Frozen dessert and milk processing plants.

7.6.1.11 Industrial Parks and Planned Industrial Parks, provided that the provisions of §9.10 are met.

7.6.1.12 Printing and publishing plants.

7.6.1.13 Processing of raw or semi-finished materials.

7.6.1.14 Utility facilities, provided a complete site development sketch is submitted to and approved by the Zoning Administrator, and a minimum 20 foot planted buffer strip is provided as suitable screening along property lines or within 60 feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of 8 feet within 3 years.)

7.6.1.15 Radio stations.

7.6.1.16 Retail sales of goods or products produced or processed on the site, provided sufficient paved off-street parking and loading space is constructed to accommodate retail customers.

7.6.1.17 Signs, provided the requirements of Article X are met.

7.6.1.18 Towers provided the requirements of §9.17 are met.

7.6.1.19 Borrow Pits less than or equal to 2 acres.

7.6.1.20 Manufactured home sales.

7.6.2 Conditional Uses. Within the Light Industrial District, the uses enumerated below may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved subject to specified conditions in addition to those described herein.

7.6.2.1 Truck terminals, provided that acceleration and deceleration lanes of at least two hundred (200) feet, including 50 feet flare, are provided for trucks entering or leaving the site and that generated truck traffic will not create safety hazard or unduly impede traffic.

7.6.2.2 Crematorium.

7.6.2.3 Transfer Stations

7.6.2.4 Borrow Pits greater than 2 acres.

7.7 H-I Heavy Industrial District

The H-I Heavy Industrial District is established to provide appropriate locations for any use that may be obnoxious or offensive by reason of emission, odors, dust, smoke, gas, noise, vibration or traffic. All residential uses are prohibited in this district.

7.7.1 Permitted Uses. Within the H-I District, only the following uses are permitted:

7.7.1.1 Automobile and boat sales.

7.7.1.2 Automobile and boat service.

7.7.1.3 Bottling and canning plants.

7.7.1.4 Borrow pits less than or equal to 2 acres.

7.7.1.5 Ceramic production facilities.

7.7.1.6 Cold storage plants and frozen food lockers.

7.7.1.7 Commercial sales of the product(s) permitted to be manufactured, assembled, or processed, unenclosed or enclosed, not to exceed twenty (20) percent of the lot area.

7.7.1.8 Convenience stores, with or without gasoline pumps.

7.7.1.9 Dry cleaning plants.

7.7.1.10 Dwelling for caretaker or night watchman.

7.7.1.11 Electronics assembly and manufacturing of communications equipment.

7.7.1.12 Exterminating and pest control businesses.

7.7.1.13 Ice manufacturing.

7.7.1.14 Manufactured home sales.

7.7.1.15 Mini-warehouses.

7.7.1.16 Metal products manufacturing.

7.7.1.17 Pharmaceuticals and medical supplies manufacturers.

7.7.1.18 Printing, blueprinting, publishing, and book binding facilities.

7.7.1.19 Service stations.

7.7.1.20 Sign fabrication and painting shops.

7.7.1.21 Textile manufacturing and processing.

7.7.1.22 Warehouses and storage buildings.

7.7.1.23 Wood products manufacturing.

7.7.2 Conditional Uses

7.7.2.1 Concrete/lime/gypsum/plaster manufacturing facility.

7.7.2.2 Asphalt and Concrete processing facilities.

7.7.2.3 Junkyards.

7.7.2.4 Landfills.

7.7.2.5 Development of natural resources, including the removal of minerals and natural materials together with necessary buildings and machinery – this includes mining and mineral exploration.

7.7.2.6 Borrow pits greater than 2 acres.

7.7.2.7 Crematorium.

7.7.2.8 Transfer Stations.

7.7.2.9 Commercial sales of the product(s) permitted to be extracted, unenclosed, exceeding twenty (20) percent of the lot area but not exceeding fifty (50) percent of the lot area.

7.7.2.10 Communication towers and communication antennas.

7.7.2.11 Cosmetics and toiletries manufacturers.

7.7.2.12 Feed, grain, and fertilizer.

7.7.2.13 Food processing plants or on-site slaughter facilities, including fish and poultry facilities.

7.7.3 Requirements

7.7.3.1 All operations shall maintain a buffer of a minimum of 500 feet to a residential district and public roads.

7.7.3.2 All such operations, except driveway areas, shall be completely enclosed by an opaque fence, wall, or other opaque screening (including earthen berms and vegetation) having a minimum of six feet but in no case less than such a height as will effectively screen all operations from view. Fences must be painted a natural color and maintained in good condition.

7.7.3.3 The number of vehicular driveways permitted on any single street frontage shall be limited to one per 500 feet with a minimum of 24 feet driveway width.

7.7.3.4 All operations shall conform to the following performance standards:

Performance Standard	Requirements
Electro-magnetic interference	Electromagnetic interference shall comply with all federal and state laws, rules, and regulations.
Glare and Heat	Every use and activity shall be so operated that it does not emit heat or heated air beyond the boundary of the lot, as defined in Article III, on which it is located.No direct or sky-reflected glare shall emanate from any use or activity so as to be visible at any point on or beyond the boundary of the lot on which such use or activity is located.
Noise	All equivalent sound levels at the boundaries of an industrial or mining district shall not exceed 60 dbA LEQ for projects adjacent to residential or office residential districts or noise sensitive, or public properties; 65 dBA LEQ for projects adjacent to commercial or office districts; 75 dBA LEQ for projects adjacent to other industrial or mining districts. Method of measurement: Measurements shall be made with a calibrated sound level meter in good operating condition, meeting the requirements of a Type I or Type II meter, as

	specified in ANSI Standards, Section 1.4 - 1971.For purposes of this section, a sound level meter shall contain at least an "A" weighting network, and both fast and slow response capability.
Odor	No continuous, frequent, or repetitive emission of odors or odor- causing substances which would be offensive beyond any property line of any industrial or mining district will be permitted. An odor emitted no more than fifteen (15) minutes in any one (1) day shall not be deemed as continuous, frequent, or repetitive. The existence of an odor shall be presumed when analysis by a competent technician demonstrates that a discernible odor is being emitted. Any process which may involve the creation or emission of any odors shall be provided with a primary and a secondary safeguard system so that control will be maintained if the primary safeguard system fails.
Smoke and particulate matter	Emissions shall not exceed federal and state laws, rules, and regulations.
Vibration	Ground vibration as measured at the boundary of an industrial or mining zoning district shall not exceed 1.0 inches per second peak velocity, steady state, or 2.0 inches per second, impact state. Exemptions: These provisions shall not apply to: (a) Vibration resulting from the operation of any road vehicle. (b) Vibration resulting from construction activities and equipment. (c) Vibration resulting from roadway maintenance and repair equipment. Method of measurement: Vibration measurement procedures shall conform to the following. (a) Instrumentation shall be capable of measuring RMS value of the vibration velocity over the frequency range of 2 to 250 Hz.

	(b) Measurement values shall be recorded for a sufficient period of observation to provide a representative sample. (c) Attachment of the vibration transducer to the ground shall be by magnetic or screw attachment to a steel bar of a minimum of 9 inches in length, driven to a depth of 3 inches to 1 foot in the ground. The mass of the transducer should closely match the density of the ground or other material it displaces.

7.7.3.5 Other requirements as determined by the Board of Commissioners.

7.8 OI Office-Institutional District

The OI District is intended to provide an area for business and professional offices as well as for social, fraternal, political, civic and community organization. The district is also designed for institutional uses such as hospitals, nursing homes, convalescent centers, institutional planned developments and clinics. The following uses are permitted.

7.8.1 Permitted Uses. Within the OI District, only the following uses are permitted:

7.8.1.1 Accessory building and accessory uses provided the requirements of §9.6 are met.

7.8.1.2 Art, music, drama, photography, dance, theatrical studies.

7.8.1.3 Community center or club provided the requirements of 9.13 are met.

7.8.1.4 Financial institutions, security-commodity brokers and exchanges, and holding and investment companies.

7.8.1.5 Funeral homes.

7.8.1.6 Hospital.

7.8.1.7 Institutional and philanthropic uses.

7.8.1.8 Libraries.

7.8.1.9 Medical and dental offices, clinics, and laboratories.

7.8.1.10 Museum.

7.8.1.11 Nursing homes, Group personal care homes, Congregate personal care homes, and Memory care unit on a minimum lot size of 3 acres with at least 200 feet of width at the building line and at least 200 feet of frontage on a public road.

7.8.1.12 Offices for business, professional, governmental, civic, social, fraternal, political and charitable organizations.

7.8.1.13 Public and private primary and secondary schools, colleges, technical and vocational centers, including pre-schools, kindergartens, day care for children or adults.

7.8.1.14 Religious institutions and their customary related facilities, provided such uses are located on a lot with a minimum of 2 acres and front on a public right-of-way or a private street which connects with a public right-of-way. A ten (10) ft. wide buffer area is required along any property line abutting residentially zoned districts.

7.8.1.15 Research, development, and testing laboratories and centers.

7.8.1.16 Utility facility, provided a site development plan is submitted and approved by the Zoning Administrator, and a minimum 20 feet planted buffer strip is provided as suitable screening along property lines or within 60 feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of eight (8) feet within three (3) years.)

7.8.1.17 Borrow Pits less than or equal to 2 acres.

7.8.2 Conditional Uses

7.8.2.1 Borrow Pits greater than 2 acres.

7.9 PUD Planned Unit Development

The PUD district provides for innovative concepts in large-scale residential development that enables economy in capital maintenance, yet does not forsake the desired rural setting of openness and a livable environment. Allied uses, public facilities and enclosed recreational uses are allowed. Through the Planned Unit Development process, it is the intent that property will be developed with a unified design providing continuity between the various elements. However, the PUD process is not intended as a device to circumvent general development regulations, densities, standards and good planning practice.

All submissions of development plans for a PUD must comply with the applicable provisions of 9.18 and must be served by a central sewerage and a central water system sized to support fire hydrants.

To qualify as a PUD, it must be a minimum of 50 contiguous acres.

7.9.1 Permitted Uses. Within the PUD District, only the following uses are permitted:

7.9.1.1 Dwelling, single-family, detached.

7.9.1.2 Dwelling, multi-family.

7.9.1.3 Dwelling, two-family.

7.9.1.4 Industrialized home qualifying as Dwelling, single-family.

7.9.1.5 Accessory buildings and accessory uses provided the requirements of §9.6 are met.

7.9.1.6 Condominiums and townhouses provided the requirements of §9.5 are met.

7.9.1.7 Daycare home.

7.9.1.8 Home office.

7.9.1.9 Home swimming pools, above and below ground, for home use, provided that the location is not closer than twenty (20) feet to any property line; the pool is enclosed by a wall or fence of at least 6 feet in height.

7.9.1.10 Public or private park or recreational area, which may include a golf course, swimming pool, clubhouse, tennis courts, playgrounds, lakes or similar recreation uses.

7.9.1.11 Utility facility, provided a site development plan is submitted a and approved by the Zoning Administrator, and a minimum 20 foot planted buffer strip is provided as suitable screening along property lines or within 60 feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of eight (8) feet within three (3) years.)

7.9.1.12 Boat docks, provided all ordinances and requirements of the Georgia Power Company pertaining to use of lake shore property and the reservoir are met.

7.9.1.13 Signs, provided the requirements of Article X are met.

7.9.1.14 Fire Stations

7.9.1.15 PUD Development, operations & maintenance facilities

7.9.1.16 Residential home occupation provided the requirements of §9.7 are met.

7.9.2 Conditional Uses. Within the PUD District, the uses enumerated below may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved subject to specified conditions in addition to those described herein.

7.9.2.1 Religious institutions and their customary related facilities, provided such uses are located on a lot with a minimum of 2 acres and fronts on a public right-of-way or a private street which connects with a public right-of-way. The minimum building front setback is 50 feet. A ten (10) ft. wide buffer area is required along any property line abutting residentially zoned property.

7.9.2.2 Non-Residential uses. Non-residential uses may be permitted where such uses are scaled primarily to serve the residents of the PUD. Non-residential uses shall be necessary commercial or accessory services. Permitted uses include clubs, marinas, and restaurants.

7.9.2.3 Motel/Hotel

7.9.2.4 Borrow Pits less than or equal to 2 acres.

7.9.2.5 Borrow Pits greater than 2 acres.

7.10 CPUD Commercial Planned Unit Development District

The purpose of the Commercial Planned Unit Development district is to encourage flexibility in the design and development of land in order to promote its most appropriate use; to facilitate the adequate and economical provisions of streets and utilities; to preserve the natural and scenic qualities of open space; and to encourage, in compatibility with the goals and objectives of the Comprehensive Plan, large-scale mixed commercial, office/institutional, and residential developments that are planned, designed and developed to function as integral units independent of adjacent building sites. Through the Commercial Planned Unit Development process, it is the intent that property will be developed with a unified design providing continuity between the various elements. However, the CPUD process is not intended as a device to circumvent general development regulations, standards and good planning practice.

To qualify as a CPUD, it must be a minimum of 50 contiguous acres. The residential usage shall be a minimum of 25% of the total acreage and the non-residential usage shall be a minimum of 25% of the total acreage. It is the intent that a CPUD will be a mixed use development.

All submissions of development plans for a CPUD must comply with the applicable provisions of 9.18 and must be served by a central sewerage and a central water system sized to support fire hydrants.

7.10.1 Permitted uses. Within the CPUD District, the following uses are permitted.

7.10.1.1 Public uses, essential public services, open land uses, and similar uses which are either subject to other public controls or which do not have significantly adverse effects on other permitted uses.

7.10.1.2 Cultural, recreational, health, educational, daycare, and religious facilities that serve the residents of the community. These uses are typically public in nature but may also be private.

7.10.1.3 Single-family detached dwelling located in appropriate residential areas.

7.10.1.4 Single-family detached dwellings that have a zero lot line lot configuration.

7.10.1.5 Single-family dwellings which have either a townhouse design or a condominium ownership regime.

7.10.1.6 Multi-family dwellings.

7.10.1.7 Offices, studios, medical and dental clinics and labs, and other compatible or supporting business services and sales.

7.10.1.8 Eating places, other than drive-in restaurants.

7.10.1.9 Athletic facilities, hotels, and motels.

7.10.1.10 Establishments providing a variety of frequently purchased commercial goods, where convenience of location is more important than comparative shopping. These uses are grouped in order that limited commercial uses be permitted adjacent to residential areas. Uses include but are not limited to retail food and drug stores, dry-cleaning and coin-operated laundries, and convenience stores.

7.10.1.11 Automobile and boat service areas.

7.10.1.12 Restaurants and fast food outlets.

7.10.1.13 Entertainment and recreation facilities including theaters, bowling alleys, skating rinks, golf courses, swimming pools, tennis courts or similar recreation uses.

7.10.1.14 Home office.

7.10.1.15 Parking lot for the parking of vehicles used by customers and employees of businesses within the CPUD.

7.10.1.16 Accessory buildings and accessory uses as permitted by Covenants and Restrictions.

7.10.1.17 Arts and Crafts stores.

7.10.1.18 Bakery

7.10.1.19 Barber and beauty shop.

7.10.1.20 Book, stationary and card shop

7.10.1.21 Cafes and grills

7.10.1.22 Clothing alternation.

7.10.1.23 Financial institution.

7.10.1.24 Florist, nursery and gift shop.

7.10.1.25 Frame shop.

7.10.1.26 Professional offices

7.10.1.27 Service occupation

7.10.1.28 Shopping centers with uses as otherwise permitted and a total leasable floor area of less than seventy-five thousand (75,000) square feet.

7.10.1.29 Special events.

7.10.1.30 Temporary commercial use, including the sale of Christmas trees or the sale of seasonal fruit and/or nuts not to exceed a period of two consecutive months in a calendar year.

7.10.1.31 Veterinary hospitals, clinics and kennels with only enclosed structure for the keeping of animals.

7.10.1.32 Bed and breakfast

7.10.1.33 Convalescent and nursing homes

7.10.1.34 Camera and photographic supply store.

7.10.1.35 Car wash

7.10.1.36 Catering establishments

7.10.1.37 Computer sales and service

7.10.1.38 Delicatessen

7.10.1.39 Electronic supply store

7.10.1.40 Fabric store

7.10.1.41 Jewelry store

7.10.1.42 News and tobacco center

7.10.1.43 Produce and farmers markets

7.10.1.44 Sporting goods store

7.10.1.45 Travel agency

7.10.1.46 Variety and general merchandise stores

7.10.1.47 Community center or club

7.10.1.48 Single-family dwellings sold as a condominium ownership regime over commercial businesses

7.10.1.49 Live-work commercial/residential units in which businesses are located on the main floor and the dwelling is located over the shop

7.10.1.50 Apartments

7.10.1.51 Boat docks and marinas, provided all ordinances and requirements of the Georgia Power Company pertaining to use of lake shore property and the reservoir are met.

7.10.1.52 Traditional Neighborhood Development (TND)

7.10.1.53 Borrow Pits less than or equal to 2 acres.

7.10.2 Conditional uses

7.10.2.1 Stores selling retail goods that are ordinarily purchased less frequently and often have a community-wide or regional market. These uses include building materials, hardware, lawn and garden supply, and equipment stores, and automotive and marine sales and accessories establishments.

7.10.2.2 Family Personal Care Home, Group Personal Care Home, Memory Care Unit and Congregate Personal Care Home.

7.10.2.4 Borrow Pits greater than 2 acres.

7.10.3 Development Standards. Within the CPUD District, the following standards must be met.

7.10.3.1 Commercial Planned Unit Developments must be connected to central water supply and sewer systems. On-site water supply and sewage treatment systems must be designed and installed to meet applicable rules of the Greene County Health Department and the State of Georgia EPD.

7.10.3.2 Structures, parking areas, and other facilities must be designed and located in a manner that minimizes their visibility from adjacent roadways, assuming summer, leaf-on conditions Commercial and accessory structures and parking areas must be treated to reduce visibility as viewed from adjacent roadways by vegetation, topography, increased setbacks, color, or other means acceptable to Greene County assuming summer, leaf-on conditions. Vegetative and topographic screening must be preserved, if existing, or be required if not existing.

7.10.3.3 CPUD densities may be determined on the basis of any and all of the following considerations: the densities designated by the land use plan, the densities of surrounding development, the densities allowed under the various zoning districts, topography and character of the natural environment and the impact of a given density on the specific site and adjacent properties. The County also has the discretion to consider any other relevant factors.

7.10.3.4 There shall be no minimum standards for lot size although existing standards of zoning and subdivisions may be used as a guide.

7.10.3.5 There shall be no minimum setback standards although existing standards of zoning and subdivisions may be used as a guide.

7.10.3.6 Due to the flexibility allowed in development density, well designed open space is an important factor in providing for innovative design and visual attractiveness. A minimum of twenty percent of gross acreage shall be designated as common usable open space.

7.11 R1 Low-Density Residential District

The R-1 District is composed primarily of low density residential areas where similar developments appear likely to occur. The district is designed to encourage

single-family development in a rural setting and certain uses allied to or customarily incidental to residential developments in a rural area.

7.11.1 Permitted Uses. Within the R1 District, only the following uses are permitted.

7.11.1.1 Dwelling, single-family, detached

7.11.1.2 Industrialized home qualifying as dwelling, single-family, detached

7.11.1.3 Accessory buildings and accessory uses provided the requirements of §9.6 are met.

7.11.1.4 Home office

7.11.1.5 Daycare home

7.11.1.6 Utility facility, provided a site development plan is submitted and approved by the Zoning Administrator, and a minimum 20 foot planted buffer strip is provided as suitable screening along property lines or within 60 feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of six (6) within three (3) years.)

7.11.1.7 Signs, provided the requirements of Article X are met

7.11.1.8 Swimming pools, above and below ground, provided the location is not closer than twenty (20) feet to any property line; the pool is enclosed by a wall or fence of at least six (6) feet in height. Only home swimming pools and private community swimming pools are permitted.

7.11.1.9 Residential home occupation provided the requirements of §9.7 are met.

7.11.2 Conditional Uses. Within the R-1 District, the uses enumerated below may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved subject to specified conditions in addition to those described herein.

7.11.2.1 Religious institutions and their customary related facilities, provided such uses are located on a lot with a minimum of 2 acres and fronts on a public right-of-way or a private street which connects with a public right-of-way. The minimum building front setback is 50 feet. A ten (10) ft. wide buffer area is required along any property line abutting residentially zoned property

7.11.2.2 Recreational developments, including but not limited to, public fishing lakes, public swimming pools. and golf courses or driving ranges, or other recreational developments provided a comprehensive plan for the area is submitted which includes the location of the site on plats of not less than a 1" = 400' scale, the location and function of all buildings and modifications of the natural landscape, the location and surface treatment of all roadways, appropriate details of drinking water or sanitary facilities, certificated by the Health Department if wells or septic tanks are involved and a time schedule setting for a development program.

7.11.2.3 Borrow Pits less than or equal to 2 acres.

7.12 R2 Medium-Density Residential District

The R-2 District is comprised of medium density residential areas plus certain open areas where similar development appears likely to occur in the near future. The district is designed to encourage similar and complementary uses which may be desirable in a neighborhood.

7.12.1 Permitted Uses. With the R-2 District, only the following uses are permitted:

7.12.1.1 Dwelling, single-family, detached.

7.12.1.2 Dwelling, two-family.

7.12.1.3 Industrialized home qualifying as Dwelling, single-family, detached.

7.12.1.4 Individual manufactured home meeting the definition of Dwelling, Single-Family, Detached.

7.12.1.5 Accessory buildings and accessory uses provided the requirements of §9.6 are met.

7.12.1.6 Daycare home.

7.12.1.7 Home office.

7.12.1.8 Utility facility, provided that a site development plan is submitted and approved by the Zoning Administrator, and a minimum 20 foot planted buffer strip is provided as suitable screening along property lines or within 60 feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of six (6) feet within 3 years.

7.12.1.9 Swimming pools, above and below ground, provided the location is not closer than twenty (20) feet to any property line; the pool is enclosed by a wall or fence of at least six (6) feet in height. Only home swimming pools and private community swimming pools are permitted.

7.12.1.10 Residential home occupation provided the requirements of §9.7 are met.

7.12.2 Conditional uses. Within the R2 District, the uses enumerated below may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved subject to specified conditions in addition to those described herein.

7.12.2.1 Recreational developments, including but not limited to, public fishing lakes, public swimming pools, and golf courses or driving ranges, or other recreational developments provided a comprehensive plan for the area is submitted which includes the location of the site on plats of not less than a 1" = 400' scale, the location and function of all buildings and modifications of the natural landscape, the location and surface treatment of all roadways, appropriate details of drinking water or sanitary facilities, certificated by the Health Department if wells or septic tanks are involved and a time schedule setting for a development program.

7.12.2.2 Religious institutions and their customary related facilities, provided such uses are located on a lot with a minimum of 2 acres and front on a public right-of-way or a private street which connects with a public right-of-way. A ten (10) ft. wide buffer area is required along any property line abutting property in residential zoning districts.

7.12.2.3 Public and private primary and secondary schools provided that a complete site development sketch is submitted to and approved by the Planning and Zoning Board.

7.12.2.4 Borrow Pits less than or equal to 2 acres.

7.13 RM Multi-Family Residential District

The RM District is composed of areas with existing or proposed high density residential use. The ordinance is designed to accommodate open space, convenience services, and community facilities needed for high density living.

7.13.1 Permitted Uses. Within the RM District, only the following uses are permitted:

7.13.1.1 Dwelling, single-family, detached.

7.13.1.2 Dwelling, two-family.

7.13.1.3 Dwelling, multi-family.

7.13.1.4 Garage apartment.

7.13.1.5 Individual manufactured home.

7.13.1.6 Industrialized home qualifying as Dwelling, single-family, detached.

7.13.1.7 Boarding house.

7.13.1.8 Apartments.

7.13.1.9 Townhouses and condominiums provided that the requirements in §9.5 are met.

7.13.1.10 Manufactured Home Park provided the requirements of §§9.3 and 9.4 are met.

7.13.1.11 Accessory buildings and accessory uses provided the requirements of §9.6 are met.

7.13.1.12 Daycare home.

7.13.1.13 Residential home occupation provided the requirements of §9.7 are met.

7.13.1.14 Swimming pools, above and below ground, provided the location is not closer than twenty (20) feet to any property line; the pool is enclosed by a wall or fence of at least six (6) feet in height. Only home swimming pools and private community swimming pools are permitted.

7.13.1.15 Utility facility, provided that a site development plan is submitted and approved by the Zoning Administrator, and a minimum 20 foot planted buffer strip is provided as suitable screening along property lines or within 60 feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of eight (8) feet within 3 years.)

7.13.2 Conditional Uses. Within the RM District, the uses enumerated below may be permitted. Conditional Use applications may be approved or denied as

submitted or may be approved subject to specified conditions in addition to those described herein.

7.13.2.1 Home office.

7.13.2.2 Kindergartens, play schools, and daycare centers. A complete site development sketch must be submitted with the application.

7.13.2.3 Family or group personal care homes provided that a complete site development sketch is submitted with the application showing adequate paved and lined off-street parking. All buildings must be placed at least fifty (50) feet from any property line and bordered by a ten (10) ft. wide buffer area along the front, side and back lot lines. The buffer area should be planted with evergreen trees or evergreen shrubs that grow at least eight (8) feet tall within three (3) years and provide an effective visual screen.

7.13.2.4 Recreational developments, including but not limited to, public fishing lakes, public swimming pools. and golf courses or driving ranges, or other recreational developments provided a comprehensive plan for the area is submitted which includes the location of the site on plats of not less than a 1" = 400' scale, the location and function of all buildings and modifications of the natural landscape, the location and surface treatment of all roadways, appropriate details of drinking water or sanitary facilities, certificated by the Health Department if wells or septic tanks are involved and a time schedule setting for a development program.

7.13.2.5 Religious institutions and their customary related facilities, provided such uses are located on a lot with a minimum of 2 acres and fronts on a public right-of-way or a private street which connects with a public right-of-way. The minimum building front setback if 50 feet. A ten (10) ft. wide buffer area is required along any property line abutting residentially zoned property.

7.13.2.6 Family Personal Care Home, Group Personal Care Home and Congregate Personal Care Home.

7.13.2.7 Borrow Pits less than or equal to 2 acres.

7.14 LR1 Lakeshore Single-Family Residential/Recreation District

The LR1 District is composed primarily of low to medium density residential

areas. The ordinance for the district is designed to encourage single family developments, stressing the preservation of the natural beauty of the lake shore line and surrounding land. Additionally, the preservation of historical and archaeological sites is encouraged.

7.14.1 Permitted Uses. Within the LR1 District, only the following uses are permitted.

7.14.1.1 Dwelling, single-family, detached.

7.14.1.2 Industrialized home qualifying as Dwelling, single-family, detached.

7.14.1.3 Accessory building and accessory uses provided the requirements of §9.6 are met.

7.14.1.4 Daycare home.

7.14.1.5 Home office.

7.14.1.6 Boat docks, provided all ordinances and requirements of the Georgia Power Company pertaining to use of lake shore property and the reservoir are met.

7.14.1.7 Swimming pools, above and below ground, provided the location is not closer than 10 feet to any property line; the pool is enclosed by a wall or fence of at least six (6) feet in height. Only home swimming pools and private community swimming pools are permitted.

7.14.1.8 Residential home occupation provided the requirements of §9.7 is met.

7.14.2 Conditional Uses. Within the LR1 District, the uses enumerated below may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved subject to specified conditions in addition to those described herein.

7.14.2.1 Religious institutions and their customary related facilities, provided such uses are located on a lot with a minimum of 2 acres and fronts on a public right-of-way or a private street which connects with a public right-of-way. The minimum building front setback is 50 feet. A ten (10) ft. wide buffer area is required along any property line abutting residentially zoned property.

7.14.2.2 Utility facility, provided that a site development plan is submitted

and approved by the, Zoning Administrator and a minimum twenty (20) foot planted buffer strip is provided as suitable screening along property lines or within sixty (60) feet of the developed area. An appropriate planted buffer shall contain vegetation that will attain a height of eight (8) feet within three (3) years.

7.14.2.3 Recreational developments including, but not limited to, public fishing lakes, swimming pools, golf courses or driving ranges, or other recreational developments provided that a comprehensive development plan for the area is submitted which includes the location of the site on maps of not less than 1" = 400' scale, the location and surface treatment of all roadways, appropriate details of drinking water or sanitary facilities, approval of the Greene County Health Department if wells and/or septic tanks are to be used, plus a time schedule setting forth a development program. No building shall be located within 100 feet of any property boundary.

7.14.2.4 Borrow Pits less than or equal to 2 acres.

7.15 LR2 Lakeshore Multi-Family Residential/Recreation District

The LR2 Lakeshore Multi-family Residential/Recreation is composed of medium to high density residential areas. The ordinances are designed to encourage the preservation of the natural beauty of the shoreline and the surrounding land. Additionally, the preservation of historical and archaeological sites is encouraged.

7.15.1 Permitted Uses. Within the LR2 District, only the following uses are permitted.

7.15.1.1 Dwelling, single-family detached.

7.15.1.2 Dwelling, two-family.

7.15.1.3 Industrialized home qualifying as Dwelling, single-family, detached.

7.15.1.4 Townhouses and condominiums provided that the requirements in §9.5 are met.

7.15.1.5 Garage apartment.

7.15.1.6 Accessory buildings and accessory uses provided the requirements of §9.6 are met.

7.15.1.7 Daycare home.

7.15.1.8 Home office.

7.15.1.9 Boat docks, provided all ordinances and requirements of the Georgia Power Company pertaining to use of lake shore property and the reservoir are met.

7.15.1.10 Utility facility, provided that a site development plan is submitted and approved by the Zoning Administrator, and a minimum 20 foot planted buffer strip is provided as suitable screening along property lines or within 60 feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of eight (8) feet within 3 years.)

7.15.1.11 Swimming pools, above and below ground, provided the location is not closer than twenty (20) feet to any property line; the pool is enclosed by a wall or fence of at least six (6) feet in height. Only home swimming pools and private community swimming pools are permitted.

7.15.1.12 Residential home occupation provided the requirements of §9.7 are met.

7.15.2 Conditional Uses. Within the LR2 District, the uses enumerated below may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved subject to specified conditions in addition to those described herein.

7.15.2.1 Kindergartens, play schools, and daycare centers. A complete site development sketch must be submitted with the application.

7.15.2.2 Recreational developments, including but not limited to, public fishing lakes, public swimming pools, and golf courses or driving ranges, or other recreational developments provided a comprehensive plan for the area is submitted which includes the location of the site on plats of not less than a 1" = 400' scale, the location and function of all buildings and modifications of the natural landscape, the location and surface treatment of all roadways, appropriate details of drinking water or sanitary facilities, certificated by the Health Department if wells or septic tanks are involved and a time schedule setting for a development program.

7.15.2.3 Religious institutions and their customary related facilities, provided

such uses are located on a lot with a minimum of 2 acres and front on a public right-of-way or a private street which connects with a public right-of-way. A ten (10) ft. wide buffer area is required along any property line abutting residentially zoned property.

7.15.2.4 Borrow Pits less than or equal to 2 acres.

7.16 LC Lakeshore Commercial District

The LC District is intended for the development of retail establishments, boat facilities and other commercial uses oriented to waterway use.

7.16.1 Permitted Uses. Within the LC District, only the following uses are permitted.

7.16.1.1 Cafes, grill or lunch counter.

7.16.1.2 Convenience store.

7.16.1.3 Marinas, provided all general specifications and restrictions applied to use of Georgia Power Company lands and reservoir.

7.16.1.4 Hotel/Motel.

7.16.1.5 Utility facilities, if a site development plan is submitted and approved by the Zoning Administrator, and a minimum twenty (20) foot planted buffer strip is provided as suitable screening along property lines or within sixty (60) feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of eight (8) feet within three (3) years.

7.16.1.6 Restaurant.

7.16.1.7 Restaurant, fast-food.

7.16.1.8 Restaurant, drive-in.

7.16.1.9 Retail shops for waterway oriented merchandise.

7.16.1.10 Signs, provided the requirements of Article X are met.

7.16.2 Conditional Uses. Within the LC District, the uses enumerated below may be permitted. Conditional Use applications may be approved or denied as submitted or may be approved subject to specified conditions in addition to those described herein.

7.16.2.1 RV Campground and its accessory use provided that the site plan is approved by Greene County Health Department. Accessory uses in the campground may include a single-family dwelling for use for the on-site manager of the campground and a self-service laundry for use by those camping in the campground. The density of campsites shall not exceed 10 campsites per acre.

The perimeter of the campground shall contain a ten foot vegetative buffer. A natural buffer strip is preferred. If a natural buffer strip is not available a landscaped buffer strip is required. (See Article III for definition of "Buffer Strip, Natural" and "Buffer Strip, Landscaped."

7.16.2.2 Temporary tent camping not to exceed ten (10) consecutive calendar days during any month. All tents shall be immediately removed from the property on or before the tenth calendar day.

7.16.2.3 Accessory buildings and accessory uses provided the requirements of §9.6 are met.

7.17 LP Lakeshore Park District

The LP District is intended for the development of public park and recreation areas stressing the preservation of the natural beauty of the lake shoreline and surrounding area.

7.17.1 Permitted Uses. The following uses are permitted in the LP District.

7.17.1.1 Forestry uses.

7.17.1.2 Passive recreation areas including picnic areas, shelters, and hiking trails.

7.17.1.3 Utility facility provided that a site development plan is submitted and approved by the Zoning Administrator, and a minimum twenty (20) foot planted buffer strip is provided as suitable screening along property lines or within sixty (60) feet of the developed area. (An appropriate planted buffer shall contain vegetation that will attain a height of eight (8) feet within three (3) years.

7.17.1.4 Signs, incidental to and compatible with the historic, natural, archaeological or scenic area.

7.17.1.5 Temporary tent camping not to exceed ten (10) consecutive calendar days during any month. All tents shall be immediately removed from the property on or before the tenth calendar day.

7.18 AP Airport Corridor District

Zoning Requirements restricting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of the Greene County Regional Airport by creating the appropriate zones and establishing the boundaries thereof; providing for changes in the restrictions and boundaries of such zones; defining certain terms used herein; referring to the Greene County Regional Airport Airspace plan; providing for enforcement; establishing a board of adjustment; and imposing penalties.

This Ordinance is adopted pursuant to the authority conferred by the Rules Of State Department Of Transportation Chapter 672-9. It is hereby found that an obstruction has the potential for endangering the lives and property of users of the Greene County Regional Airport, and property or occupants of land in its vicinity; that an obstruction may affect existing and future instrument approach minimums of the Greene County Regional Airport; and that an obstruction may reduce the size of areas available for the landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of the Greene County Regional Airport and the public investment therein. Accordingly, it is declared:

1. that the creation or establishment of an obstruction has the potential of being a public nuisance and may injure the region served by the Greene County Regional Airport;

2. that it is necessary in the interest of public health, public safety, and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented; and

3. that the prevention of those obstructions should be accomplished, to the extent legally possible, by the exercise of police power without compensation.

It is further declared that the prevention of the creation or establishment of hazards to air navigation, the elimination, removal, alteration or mitigation of hazards to air navigation, or marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

7.18.1 PURPOSE AND INTENT The purpose of this Airport Height and Hazard Zoning

Ordinance is to provide both airspace protection and land use compatibility with airport operations in Greene County. This ordinance, through establishment of airport overlay zones and corresponding regulations, provides for independent review of development proposals in order to promote the public safety, health, and general welfare in Greene County as well as to ensure that the Greene County Regional Airport can function effectively. Therefore, the Board Of County Commissioners Of Greene County, Georgia deems it necessary to regulate uses of land located within or near the traffic patterns of airports through regulation of height of structures and objects of natural growth, and through regulation of land uses within noise impacted areas and runway protection zones (RPZ).

7.18.2 DEFINITIONS As used in this Ordinance, unless the context otherwise requires:

AIRPORT - Means Greene County Regional Airport or any public licensed airport.

AIRPORT ELEVATION - mean sea level at the airport.

APPROACH SURFACE - A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section 5 of this Ordinance. The perimeter of the approach surface coincides with the perimeter of the approach zone.

APPROACH, TRANSITIONAL, HORIZONTAL, AND CONICAL ZONES - These zones are set forth in Section III of this Ordinance.

CONICAL SURFACE - A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

HAZARD TO AIR NAVIGATION - An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

HEIGHT - For the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

HORIZONTAL SURFACE - A horizontal plane *150* feet above the established airport elevation, the perimeter of which in the airspace plan coincides with the perimeter of the horizontal zone.

LARGER THAN UTILITY RUNWAY - A runway that is constructed for and intended to be used by propeller-driven aircraft of greater than 12,500 pounds maximum gross

weight and jet powered aircraft.

NON CONFORMING USE - Any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this Ordinance or an amendment thereto.

NON PRECISION INSTRUMENT RUNWAY - A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in NON PRECISION instrument approach procedure has been approved or planned.

OBSTRUCTION - Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Section 5 of this Ordinance.

PERSON - An individual, firm, partnership, corporation, company, association, joint stock association or government entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

PRECISION INSTRUMENT RUNWAY - A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

PRIMARY SURFACE - A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

RUNWAY - A defined area on an airport prepared for landing and take-off of aircraft along its length.

STRUCTURE - An object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.

TRANSITIONAL SURFACE - These surfaces extend outward at 90 degrees angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90

degree angles to the extended runway centerline.

TREE - Any object of natural growth.

UTILITY RUNWAY - A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

VISUAL RUNWAY - A runway intended solely for the operation of aircraft using visual approach procedures.

7.18.3 AIRPORT ZONES In order to carry out the provisions of this Ordinance, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces, as they apply to the Greene County Regional Airport. Such zones are shown on the Airspace Plan, prepared by Wilbur Smith Associates, dated February, 1998. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

1. Utility Runway Visual Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

2. Utility Runway Non Precision Instrument Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

3. Runway Larger Than Utility Visual Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

4. Runway Larger Than Utility With A Visibility Minimum Greater Than 3/4 Mile Non Precision Instrument Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a

horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

5. Runway Larger Than Utility With A Visibility Minimum As Low AS 3/4 Mile Non Precision Instrument Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

6. Precision Instrument Runway Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

7. Transitional Zones - The transitional zones are the areas beneath the transitional surfaces.

8. Horizontal Zone - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 for all others from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

9. Conical Zone - The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.

7.18.4 AIRPORT ZONE HEIGHT LIMITATIONS Except as otherwise provided in this Ordinance, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by the Ordinance to a height in excess of the applicable height herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

1. Utility Runway Visual Approach Zone - Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

2. Utility Runway Non Precision Instrument Approach Zone - Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal

distance of 5,000 feet along the extended runway centerline.

3. Runway Larger Than Utility Visual Approach Zone - Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

4. Runway Larger Than Utility With A Visibility Minimum Greater Than 3/4 Mile Non Precision Instrument Approach Zone - Slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

5. Runway larger than utility with a visibility minimum as low as 3/4 mile Non Precision instrument approach zone - Slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

6. Precision Instrument Runway Approach Zone - slopes fifty (50) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward forty (40) feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.

7. Transitional Zones - Slope seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation that is 35 feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface, and extending to where they intersect the conical surface where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

8. Horizontal Zone - Established at 150 feet above the airport elevation or at a height of 828 feet above mean sea level.

9. Conical Zone - Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation or at a height of 1028 feet above mean sea level.

10. Excepted Height Limitations - Nothing in this Ordinance shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to 50 feet above the surface of the land.

7.18.5 USE RESTRICTION Notwithstanding any other provision of this Ordinance, no use may be made of land or water within the county in such a manner as to interfere with operation of an airborne aircraft using a publicly licensed airport. The following special requirements shall apply to proposed developments:

1. No Solid Waste Disposal Sites except inert materials shall be permitted to be located as follows:

a. Within 10,000 feet of any publicly licensed airport active runway used or planned to be used by turbine powered aircraft, or

b. Within 5,000 feet of any publicly licensed airport active runway used only by piston type aircraft, or

c. So that it places the active runways and/or approach and departure patterns of an airport between the solid waste disposal site and bird feeding, water or roosting areas, or

d. locations outside the above locations but still within the limits of any airport overlay zone(s) if determined by the FAA to pose a hazard.

2. Proposed developments which produce lights or illumination, smoke, glare or other visual hazards, or produce electronic interference with airport airplane navigation signals are subject to the standards specified in the FAA Procedures Manual 7400-2C as may be applied and enforced by the state and/or federal governments.

7.18.6 NONCONFORMING USES

1. The requirements prescribed by this Ordinance shall not be construed to necessitate the removal, lowering, alteration or other changes of any existing structure or tree not conforming to the requirements as of the effective date of this Ordinance. Nothing in this Ordinance shall be

construed to require the sound conditioning or other changes or alteration of any preexisting structure not conforming to requirements of this Ordinance as of its effective date or to otherwise interfere with the continuance of any such preexisting nonconforming use.

2. Nothing herein contained shall require any change in the construction or alteration that was begun prior to the effective date of this Ordinance, and is diligently pursued and completed within one (1) year thereof.

3. Before any nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt or allowed to grow higher or to be replanted, a permit must be secured from the County Planning and Zoning Administrator.

4. No permit shall be granted that would allow the establishment or creation of an obstruction hazardous to aircraft operations or permit a nonconforming structure or tree or nonconforming use to be made or become higher or become a greater obstruction to air navigation than it was as of the effective date of this regulation.

5. Whenever the County Planning and Zoning Administrator determines that a nonconforming use or nonconforming structure or tree has been abandoned or that the cost of repair, reconstruction or restoration exceeds the value of the structure or tree, no permit shall be granted that would allow said structure or tree to be repaired, reconstructed, restored or replanted except by a conforming structure or tree.

6. The cost of removing or lowering any tree not conforming to the requirements of this Ordinance shall be borne by the proprietor of the airport affected by the nonconforming tree.

7.18.7 PERMITS

1. Future Uses - No material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a permit therefor shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Ordinance shall be granted unless a variance has been approved.

2. Existing Uses - No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation, than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

7.18.8 Procedures for Obtaining an Airport Obstruction Variance.

1. Applicants shall submit to the County Planning and Zoning Administrator a completed Airport Construction Variance application form, as provided by the county. Variance requests shall be considered by the Planning and Zoning Board. The request may be approved, approved with conditions, or denied.

2. Prior to variance requests being scheduled for consideration by the Planning and Zoning Board, the applicant shall submit to the County Planning and Zoning Administrator the following:

a. A copy of the notice of proposed construction form submitted to the FAA;

b. A final Determination issued by the FAA based on its review of the applicant's Notice of Proposed Construction submitted in accordance with 14 CFR Part 77;

c. A valid aeronautical evaluation (may consist of the evaluation performed by the FAA);

d. Comments from the GaDOT or evidence that the GaDOT has made no comments during its required 45 day comment time frame. Said evidence shall include a return receipt showing that the GaDOT comment time frame has been exceeded.

7.18.9 Criteria for Granting an Airport Obstruction Variance Where the FAA has reviewed the proposed development and determined its construction would exceed an Obstruction Standard of 14 CFR Part 77, the county may grant an Airport Obstruction Variance for a proposed development. Such a variance may be granted if the county determines that a literal enforcement of the regulations would result in practical difficulty or unnecessary hardship and where the relief granted would not be contrary to the public interest (i.e. the development can be accommodated in navigable airspace without adverse impact to the county's

public use airports or aviation operations), and provided that a condition is attached to the variance approval to require that the approved structure(s) is marked and lighted to indicate to aircraft pilots the presence of an obstruction in accordance with the standards of FAA Advisory Circular Number 70/7460-lG., as it may be amended. where such marking or lighting is required, such requirement shall be satisfied prior to the issuance of a Certificate of Occupancy (C.O.) for the affected structure and the FAA determines the aeronautical evaluations submitted are valid. Consideration is given to:

1. The nature of the terrain and height of existing structures.

2. Public and private interests and investments.

3. The character of flying operations and planned development of airports.

4. FAA designated federal airways.

5. Whether construction of the proposed structure would cause an increase in the minimum descent altitude or the decision height at the affected airport.

6. Technological advances.

7. The safety of persons on the ground and in the air.

8. Land use density.

9. The safe and efficient use of navigable airspace.

10. The cumulative effects on navigable airspace of all existing structures, proposed structures identified in the applicable jurisdictions comprehensive plans, and all other known proposed structures in the area.

11. FAA determinations and results of aeronautical studies conducted by or for the FAA.

12. GaDOT comments and recommendations, including GaDOT findings relating to FS 333.025(1) standards and guidelines.

13. Comments and recommendations from local airport authorities.

14. Other testimony and findings of aviation operations and safety experts.

7.18.10 ENFORCEMENT It shall be the duty of the County Manager to administer and enforce the regulations prescribed herein. Application for permits and variances shall be made to the County Planning and Zoning Administrator upon a form published for that purpose. Applications required by this Ordinance to be submitted to the County Planning and Zoning Administrator shall be promptly considered and granted or denied. Application for action by the Board of County Commissioners shall be forthwith transmitted by the County Planning and Zoning Administrator.

7.18.11 APPEALS

1. Any person aggrieved, or any taxpayer affected, by any decision of the County Planning and Zoning Board, made in the administration of the Ordinance, may appeal to the Board of County Commissioners.

2. All appeals hereunder must be taken within a reasonable time, by filing with the County Manager a notice of appeal specifying the grounds thereof. The County Manager shall forthwith transmit to the Board of County Commissioners all the papers constituting the record upon which the action appealed from was taken.

3. An appeal shall stay all proceedings in furtherance of the action appealed from unless the County Manager certifies to the Board of County Commissioners, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would in the opinion of the County Manager cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Board of County Commissioners or notice to the County Manager and on due cause shown.

4. The Board of Commissioners shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.

5. The Board of County Commissioners may, in conformity with the provisions of this Ordinance, reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as may be appropriate under the circumstances.

7.18.12 JUDICIAL REVIEW Any person aggrieved, or any taxpayer affected, by

any decision of the Board of County Commissioners, may appeal to the Superior Court as provided by law.

7.18.13 PENALTIES Each violation of this Ordinance or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than five hundred ($500.00) dollars or imprisonment for not more than 180 days or both; and each day a violation continues to exist shall constitute a separate offense.

7.18.14 CONFLICTING REGULATIONS Where there exists a conflict between any of the requirements or limitations prescribed in this Ordinance and any other requirements, regulations or zoning applicable to the same area, whether the conflict be with respect to the height of structures or trees; the use of land; or any other matter, the more stringent limitation or requirement shall govern and prevail. The variance to or waiver of any such more stringent limitation or requirement shall not constitute automatic variance or waiver of the less stringent limitations or requirements of this Ordinance.

7.18.15 SEVERABILITY If any of the provisions of this Ordinance or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

ARTICLE VIII: AREA, YARD AND HEIGHT REQUIREMENTS

This Article is established to show the minimum size, width, and maximum height requirements for the land uses within each designated district. Lot size shall be based on factors including the size of the building required for that use, required parking, and ground water flow. The Planning and Zoning Board is authorized to increase minimum lot sizes and otherwise vary district development standards to accommodate the need to use septic tanks and/or wells and Health Department regulations in this regard. The unavailability of public sewer and/or water shall preclude the ability to develop projects which cannot utilize septic tanks.

District	Minimum Lot Size See Note 4			Min. Sq.Ft per Dwelling Unit/Min Heated Floor Area	Minimum Yard Requirements				Maximum Height of Building (Feet) Note 5
	Lot Area (sq. ft.)	Lot Size per Dwelling Unit	Lot Width (ft.)		Front setback edge of ROW		Minimum Side Yard	Minimum Rear Yard	
					Arterial and Collector	Other Streets			
A1/A2 [1]	65,340	65,340	150	1,000/1,000	50	30	20	40	40 [1]
R1/LR1 [3]									
without W or S	65,340	65,340	125	1,000/1,000	40	30	20	40	40
with W or S	32,670	32,670	125	1,000/1,000	40	30	20	40	40
with W & S	15,000	15,000	125	1,000/1,000	40	30	20	40	40

S- Public or community sewerage system
W- Public or community water system
1 Excludes buildings for agriculture use
2 All multi-family development must comply with section 9.5
3 No permanent structures allowed within 65 feet of water line at normal level
4 For lots lying by Lake Oconee with on site sewage management systems, lot sizes shall be exclusive of that portion of lot lying within 75 feet of the high water line of Lake Oconee
5. Excludes Church steeples

District	Minimum Lot Size See Note 4			Min. Sq.Ft per Dwelling Unit/Min Heated Floor Area	Minimum Yard Requirements				Maximum Height of Building (Feet) Note 5
	Lot Area (sq. ft.)	Lot Size per Dwelling Unit	Lot Width (ft.)		Front setback edge of ROW		Minimum Side Yard	Minimum Rear Yard	
					Arterial and Collector	Other Streets			
R2/LR2 [3]									
one unit									
without W or S	65,340	65,340	100	1,000/1,000	40	30	15	30	40
with W or S	32,670	32,670	100	1,000/1,000	40	30	15	30	
with W & S	15,000	15,000	100	1,000/1,000	40	30	15	30	40
									40
two units									
without W or S	65,340	65,340	100	1,000/1,000	40	30	15	30	
with W or S	32,670	32,670	100	1,000/1,000	40	30	15	30	40
with W & S	20,000	10,000	100	1,000/1,000	40	30	15	30	40
									40
RM [2]									
One unit									

District	Minimum Lot Size See Note 4			Min. Sq.Ft per Dwelling Unit/Min Heated Floor Area	Minimum Yard Requirements				Maximum Height of Building (Feet) Note 5
	Lot Area (sq. ft.)	Lot Size per Dwelling Unit	Lot Width (ft.)		Front setback edge of ROW		Minimum Side Yard	Minimum Rear Yard	
					Arterial and Collector	Other Streets			
without W or S	32,670	32,670	100	600/600	50	30	20		40
with W or S	20,000	20,000	100	600/600	50	30	20	20	40
with W & S	15,000	15,000	100	600/600	50	30	20	20 20	40
Two units									
without W or S	32,670	15,000	100	600/600	50	30	20		40
with W or S	20,000	10,000	100	600/600	50	30	20	20	40
with W & S	15,000	7,500	100	600/600	50	30	30	20 20	40
B1	--	--	--	--	50	30	20	20	40
B2	--	--	--	--	50	30	20	20	40
LI / HI / C3	–	–	–	–	50	50	20	20	40 [1]

District	Minimum Lot Size See Note 4			Min. Sq.Ft per Dwelling Unit/Min Heated Floor Area	Minimum Yard Requirements				Maximum Height of Building (Feet) Note 5
	Lot Area (sq. ft.)	Lot Size per Dwelling Unit	Lot Width (ft.)		Front setback edge of ROW		Minimum Side Yard	Minimum Rear Yard	
					Arterial and Collector	Other Streets			
LP [3]		–	–	–	50	30	20	20	40
LC [3]	--	--	--	--	50	30	20	20	40

ARTICLE IX: SPECIAL PROVISIONS

9.1 Recreational Vehicle Parks

9.1.1 Direct Access. All recreational vehicle parks should be located with direct access to a paved city, county, state or federal highway. It is the responsibility of the applicant to provide the necessary access where there is no existing improved street or road connecting the recreational park site with an improved existing public street or road. Any street or road improvement required beyond the boundary of the recreational vehicle park shall be improved in accordance with the Greene County Subdivision Regulations. Entrances and exits to parks shall be designed for safe and convenient movement of traffic into and out of the park. No material impediment to visibility shall be created or maintained which obscures the view of an approaching driver. All traffic in and out of the park shall be through such entrances and exits. No entrance or exit shall be through a residential district.

9.1.2 Spaces. Spaces in recreational vehicle parks may be used by recreational vehicles, provided they meet any additional laws and ordinances of Greene County and shall be rented by the day or week only, and an occupant of such space shall remain in the same recreational vehicle park space for a period of not more than thirty (30) days.

9.1.3 Site Conditions. Conditions of soil, groundwater level, drainage, and topography shall not create hazards to the property or the health and safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors, or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence, or erosion shall be used for any purpose which would expose persons or property to hazards.

9.1.4 Soil and Ground Cover. Exposed ground surfaces in all parts of the park shall be paved, or covered with stone screenings, or other solid materials, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

9.1.5 Drainage Requirements. Surface drainage plans for the entire tract must be submitted with the application to determine its compatibility with the surrounding existing drainage pattern.

9.1.6 Minimum Park Size. The minimum park size shall be ten (10) acres with a maximum density of ten (10) campsites per acre.

9.1.7 Campsite Development. Campsites should, to the greatest extent possible, be developed to preserve the natural character of the lot and the surrounding

area. Each campsite shall contain a stabilized vehicular parking pad of shell, marble, paving, or other, suitable material. No part of an RV or other unit placed on a campsite shall be closer than five (5) feet to a site line.

9.1.8 Separation Between Recreational Vehicles. Recreational vehicles shall be separated by at least ten (10) feet. Any accessory structure such as attached awnings, for purposes of this separation requirement will be considered to be part of the RV.

9.1.9 Parking Requirements. There shall be at least three (3) off-street parking spaces designated in the RV park for each two (2) RV sites. Off-street parking may be provided in common parking areas or on individual RV sites.

9.1.10 Accessory Uses. Management headquarters, recreational facilities, toilets, dumping stations, showers, coin-operated laundry facilities and other uses and structures customarily incidental to operation of an RV park and campground are permitted as accessory uses to the park.

1. Such establishments and the parking areas primarily related to their operation shall not occupy more than 5 percent of the gross area of the park.

2. Such establishments shall be restricted in their use to occupants of the park.

3. Such establishments shall present no visible evidence from any street outside the park of their commercial character which would attract customers other than occupants of the park.

4. The structures housing such facilities shall not be located closer than one hundred (100) feet to any public street and shall not be directly accessible from any public street, but shall be accessible only from a street within the park.

9.1.11 Open Space and Recreational Areas. A minimum of eight percent (8%) of the gross site area for the RV park shall be set aside and developed as common use areas for open or enclosed recreation facilities.

9.1.12 Yards and Setbacks. Each RV park shall have a landscaped perimeter buffer which shall be used for no other purpose:

1. Minimum front setback--twenty-five (25) feet from the front property line except when the park fronts on a state highway; then the minimum shall be

fifty (50) feet.

2. Minimum side setback--when abutting residential districts, the side setbacks shall be fifty (50) feet from the property line; when abutting a dedicated right-of-way, the side setback shall be twenty-five (25) feet; when abutting any other zoning district, the side setback shall be twenty (20) feet.

3. Minimum rear setback--twenty (20) feet except when the rear yard abuts a dedicated public right-of-way, the minimum shall be twenty-five (25) feet. If the rear yard abuts a residential district, the minimum rear setback shall be fifty (50) feet.

9.1.13 Landscaping. When needed to enhance aesthetics or to insure public safety, the RV park shall be enclosed by a fence, wall, landscape screening, earth mounds, or by other designs approved by the Planning Commission which will complement the landscape and assure compatibility with the adjacent environment.

9.1.14 Streets in RV Parks. Streets in RV parks shall be private, constructed with a stabilized travelway (marble, shell, paving, or other suitable material) and meet the following minimum stabilized travelway width requirements:

1. One way, no parking. . . . . fourteen (14) feet;

2. One way with parking on one side,
or two way with no parking . . . . . eighteen (18) feet;

3. Two way with parking on one side . . . . twenty six (26) feet;

4. Two way with parking on both sides . . . thirty-four (34) feet.

9.1.15 Buffers. As for manufactured home parks, buffer areas may be required in developed areas and areas projected for future growth.

9.1.16 Adequate Lighting. Recreational vehicle parks shall be adequately lighted with outdoor lighting located every two hundred (200) feet along interior access roads. The first light shall be within one hundred (100) feet from the entrance to the RV park.

9.1.17 Certificate of Approval. In addition to meeting the above requirements, the recreational vehicle park site plan shall be accompanied by a certificate of approval from the Greene County Health Department.

9.1.18 Recreational Vehicles on Private Lots. Individual RV's occupied temporarily by a guest of the owner or tenant of the property on which the RV is located, shall be allowed, not to exceed fifteen (15) consecutive calendar days in any sixty (60) day period.

9.2 Individual Manufactured Homes and Mobile Homes

9.2.1 Individual Mobile Homes or Individual Manufactured Homes. Individual mobile or manufactured homes not meeting the definition of Dwelling, Single-Family, shall comply with the following and other applicable sections of this ordinance.

9.2.1.1 Limitations. Any pre-owned mobile home or manufactured home, as defined in this ordinance, intended for use as a residential dwelling shall be required to meet the requirements of the Greene County Ordinance for the Minimum Health and Safety Standards for Pre-Owned Manufactured Homes if the unit is to be moved into or to another location within Greene County.

The attachment of a mobile or manufactured home to an existing mobile or manufactured home is permitted only if both units were engineered and manufactured for such attachment.

9.2.1.2 Building and Occupancy Permits. Building and Occupancy Permits issued by the Greene County Building Inspector or his/her authorized agent are required for any mobile or manufactured home:

1. that is hereafter located to Greene County;

2. that is moved from one location to a second location within the county where that manufactured housing unit will house persons or property;

3. Which has not been occupied within the preceding twelve (12) months;

4. that there is a change in use of the manufactured housing unit; or

5. if the mobile or manufactured home is added to or structurally altered 100 sq.ft. or more.

9.2.1.3 Application Requirements for Building and Occupancy Permits for Mobile or Manufactured Homes. An application for permits for location and occupancy of a mobile or manufactured home is required to be filed by the

owner or the owner's agent in the office of the Greene County Building Inspector before a Building or Occupancy Permit is issued.

A building permit shall not be issued for a mobile home containing aluminum wiring.

Prior to issuing a building permit, it is unlawful to move, locate, relocate, erect or make utility connections of any kind to a mobile or manufactured home in unincorporated Greene County.

All mobile and manufactured homes must be registered with the Greene County Tax Commissioner and approval of the septic system by the Greene County Health Department must be obtained before an Occupancy Permit can be issued.

Prior to issuing an occupancy permit it is unlawful to occupy or otherwise use as a residence a mobile or manufactured home in unincorporated Greene County.

The permit application shall describe the mobile or manufactured home as to size, dimension, year, model, the zoning district and tax map and parcel number of the planned location of the mobile or manufactured home, the intended use of the mobile or manufactured home, the name of the owner and the name of the intended occupants, and the source of water and type of waste disposal system. A site plan showing the location of the mobile or manufactured home, water source, septic tank and the primary and alternate drain field will be included with the permit application.

If the intended use of the mobile or manufactured home is as an accessory use, hardship use or farm caretaker, then details of such proposed use shall be provided by the applicant.

Mobile and manufactured homes shall be provided with prefabricated or permanent stairs and landing, constructed of pressure treated lumber, masonry or metal sufficient to provide safe ingress and egress from two (2) exterior doors of the unit. Individual landings shall meet Greene County building codes; and, be underpinned with skirting material, masonry construction or other materials manufactured for such purpose. All mobile and manufactured homes must be attached to a permanent foundation with underpinning of brick or masonry construction; and meet all other applicable state and county statutes, regulations and ordinances.

9.2.1.4 Temporary Usage. A manufactured home may be used as an office

in a subdivision, by a contractor during construction or development. In other than a subdivision, a manufactured home may be used as a temporary residence during the reconstruction of a permanent residence which has been destroyed by fire, natural disaster or condemnation. All of the above uses must be requested in writing, be for a period not to exceed twelve (12) months, and have written approval of the Planning and Zoning Board. The Planning and Zoning Board may extend the twelve (12) month period one time where necessary for up to an additional six (6) month period.

Manufactured homes may be permitted on a lot in the A1 and A2 zoning districts which contains another residential dwelling in the case of health hardship provided:

1. The requirements of Article VIII are met;

2. All setback requirements are met;

3. There is only one such use per lot;

4. A special permit is issued by the Zoning Administrator. The permit must be renewed annually upon presenting sufficient evidence of such medical hardship as stated in the original application still exists; and

5. When the medical hardship originally applied for no longer exists, the Zoning Administrator will be so notified by the property owner, the special permit will be withdrawn and the manufactured home removed from the property within sixty (60) days of the permit withdrawal date or expiration date, whichever occurs first. The Planning and Zoning Board is authorized to extend the sixty (60) day limit one time for an additional sixty (60) days for sufficient cause.

9.2.1.5 Accessory Buildings. A mobile or manufactured home may be used as an accessory building in the A1 and A2 zoning districts provided:

1. all appliances, beds, lavatories and furniture have been removed;

2. no more than one such building is permitted per lot or parcel;

3. the building is located between the principal building (or any other structure used as a residence) and the rear of the lot, but no closer than one hundred fifty (150) feet from the centerline of the street providing access to the lot or parcel;

4. the building meets the side and rear lot setbacks of the district where located;

5. the building's physical condition is in keeping with other such accessory buildings in the surrounding area;

6. the building is supported and tied down in such a manner as not to present a safety or health risk as determined by the Building Inspector, but in no case shall there be less than three (3) diagonal (frame) ties on each side or two (2) over the roof ties, properly anchored;

7. any required electrical connection to an outside power source must be inspected and approved by the Building Inspector;

8. the building, if observable from any street, requires a vegetative buffer to be planted between the street and building; and

9. the building is not used for human occupancy.

9.2.2 Manufactured Home Subdivisions/Manufactured Home Parks. Manufactured home subdivisions and manufactured home parks hereafter developed or expanded either by an increase in acreage or in the number of dwelling units must comply with the Greene County Subdivision Regulations and this ordinance.

9.3 Manufactured Homes Parks

9.3.1 Park Development Criteria. Manufactured home parks, as defined in this ordinance, including additions of acreage to existing manufactured home parks or replacement of individual housing units within existing manufactured home parks must adhere to the following criteria.

9.3.1.1 Minimum lot area per park shall be ten (10) acres; minimum lot width for portion used for entrance and exit shall be one hundred (100) feet; and minimum lot street frontage shall be one hundred (100) feet.

9.3.1.2 Minimum lot area for each manufactured home space or stand shall be eight thousand nine hundred (8,900) square feet and minimum yard set backs shall be as follows: front yard - twenty (20) feet; side yard - twenty (20) feet; and rear yard - twenty (20) feet. Front yard setback is in addition to square footage required for installation of required deck, landing or patio and any necessary steps. Buffers shall not be included in minimum lot area.

9.3.1.3 There shall be a maximum of three and one-half (3 ½) manufactured home units per acre.

9.3.1.4 Each manufactured home lot shall be provided with a driveway that is at least ten (10) feet wide and is connected to the interior street. Each manufactured home lot driveway shall be sufficient in length and width to serve as two (2) off-street parking spaces. Driveways at least twenty (20) feet wide shall also be provided to service buildings and recreation buildings or areas.

9.3.1.5 Each manufactured home unit shall be served by either individual refuse containers or dumpster(s), the contents of which shall be emptied at least once a week into a state approved sanitary landfill. Where the manufactured home unit is served by individual refuse containers, each manufactured home unit shall be provided with stands to hold the individual refuse containers and said containers shall be screened from conspicuous view. If the manufactured home unit is provided with a dumpster, said dumpster shall be screened from conspicuous view. One (1), six (6) cubic yard dumpster shall be provided for each one hundred fifteen (115) persons living in the Manufactured Home Park. The determination of the number of dumpsters required shall be based on the following ratio; 2.5 persons per single-section unit; 4 persons per each multi-section unit.

9.3.1.6 The owner of the manufactured home park shall provide each individual manufactured home with either a patio or deck with minimum dimensions of ninety-six (96) square feet adjacent to at least one (1) of said manufactured home's entrances. Each manufactured home shall be provided with prefabricated or permanent stairs with landing, constructed from pressure treated lumber, masonry or metal sufficient to provide ingress and egress from two (2) exterior doors of the manufactured home unit. Loose, stacked steps are strictly prohibited.

9.3.1.7 The manufactured home must be supported by piers as prescribed by the Southern Building Code or manufacturer's instructions, whichever is more stringent. The foundation must be enclosed by manufactured skirting material, masonry construction or other materials manufactured for such purpose. Materials not manufactured for such purpose may be used if approved by the Building Inspector prior to installation. Materials not manufactured for such purpose must be installed to the same standards as materials manufactured for such purpose.

9.3.1.8 Except as otherwise provided, lands comprising at least ten (10) percent of the total usable area to be subdivided shall be reserved for parks, playgrounds, and/or recreational purposes in a location with suitable park resident access within a manufactured home park.

9.3.1.9 All property proposed for open space shall be: (1) shown on the plan, and (2) located as to be free of traffic hazards.

9.3.1.10 All streets within the manufactured home park shall be paved and lighted and lights shall be spaced at a minimum of two hundred (200) foot intervals. The first light shall be within one hundred (100) feet from the entrance to the manufactured home park.

9.3.2 Buffers.

9.3.2.1 A minimum buffer strip of at least twenty (20) feet in width shall be located adjacent to each exterior property line of the manufactured home park. The buffer strip shall not be included within any individual manufactured home lot. This buffer strip shall be increased to a total width of forty (40) feet when the manufactured home park is located adjacent to single family residences.

9.3.2.2 The required buffer strip shall be planted in the setback area and shall consist of evergreen trees and/or shrubs which will normally obtain a height of eight (8) feet within three (3) years. Maintenance of the buffer strip shall be the responsibility of the property owner. Dead trees or shrubs used in the buffer area shall be replaced by the property owner no later than the next spring or fall planting season but no later than twelve (12) months from notification by the Zoning Administrator.

9.3.2.3 If the buffer area is naturally wooded, then it shall be left in its natural state. If not, the buffer area, should be planted with trees to further diffuse from sound, light transmission, and visual impact. The required planting area shall be planted in such a manner as to preserve the natural topography of the land and the natural growth. If the natural growth is too dense to allow for preferred growth, the natural growth shall be thinned. Under all circumstances, diseased, dangerous or decayed growth shall be removed.

9.3.2.4 Any grading, improvements or construction adjacent to the buffer shall be conducted far enough from the buffer area so as not to disturb or encroach upon said buffer area.

9.3.3 Park Landscaping. Each manufactured home park shall be landscaped

with trees, ground covers, and exterior screen plantings in accordance with a landscape plan submitted with the preliminary plat and approved.

9.3.4 Lot Rental. No lot shall be rented for residential use of a manufactured home in any park except for periods of thirty (30) days or more, and no manufactured home shall be admitted to any park unless it can be demonstrated that it meets the requirements of any additional laws and regulations of the governing authority.

9.3.5 Required Improvements. In every manufactured home park, the following street improvements and utilities shall be planned for and provided by the developer, by installation prior to the approval of the manufactured home park and shall also meet the requirements of the Greene County Subdivision Regulations.

9.3.5.1 All streets shall be named and marked with signs and all individual manufactured home lots shall be marked by a number. Individual manufactured home lot numbers shall be consecutive and in accordance with the numbering system established by the Greene County numbering system. Street names and lot numbers for the manufactured home park shall be noted on the final plat and said plat shall be delivered by the park owner to Greene County public service and emergency agencies governing the area in which the manufactured home park is located. Street signs and lot number signs shall be maintained by the park owner.

9.3.5.2 Sanitary sewer lines shall be provided to each manufactured home unit if said unit is located within a reasonable distance to an existing trunk line or central septic system at the time of development of the manufactured home park. If said manufactured home unit is not located within a reasonable distance to an existing trunk line, central septic tanks, or other approved individual sewage disposal system such system shall be installed by and at the expense of the developer in conformity with the requirements of the Greene County Health Department for interim use by each manufactured home.

9.3.5.3 Water lines with connection to each individual manufactured home unit if said unit is located within a reasonable distance to an existing trunk line at the time of development of the park. If said manufactured home unit is not located within a reasonable distance to an existing trunk line the developer shall provide an individual water outlet for each manufactured home in conformity with the requirements of the Greene County Health Department for interim use.

9.4 Manufactured Home Installation

9.4.1 Installation. All manufactured homes, located to or moved within Greene County, Georgia, at or after the adoption of this ordinance shall be installed by a licensed installer as required by O.C.G.A. §8-2-164, and in accordance with the applicable manufacturer's installation instructions, specifically including, without limitation, correctly installed tie-downs and anchors. In the absence of such instructions, installations shall be performed in accordance with the applicable rules and regulations adopted by the Georgia Safety Fire Commissioner. (See O.C.G.A. §8-2-160 et seq.)

9.4.2 Penalties for Improper Installation. Failure by the owner of a manufactured home to obtain and utilize tie downs and anchors for his manufactured home or modular home placed in Greene County, Georgia, after the effective date of this ordinance shall constitute a misdemeanor, punishable by a fine of not more than $500.

9.4.3 Home Orientation. All manufactured homes are subject to the following conditions:

9.4.3.1 No manufactured home shall be located within thirty (30) feet of any permanent type of building.

9.4.3.2 The manufactured home unit must be fitted with skirting/underpinning that completely encloses the undercarriage, and the unit must be connected to water and sewerage in compliance with the applicable ordinance of Greene County.

9.4.3.3 All manufactured homes shall meet the adopted building, gas, plumbing, electric, and other codes and ordinances of Greene County, Georgia.

9.4.3.4 All manufactured homes shall be located on a permanent foundation.

9.4.3.5 No manufactured home shall be allowed to be occupied in Greene County, Georgia, unless it bears an insignia issued by the United States Department of Housing and Urban Development, and the Building Inspector of Greene County, Georgia, finds that the manufactured home is in compliance with all Greene County, Georgia building codes, housing codes, mechanical codes, plumbing codes, gas codes, electrical codes, fire prevention codes and all ordinances of Greene County, Georgia.

However, a manufactured home that has been continuously and legally

located in Greene County, Georgia shall be allowed to remain if the following conditions are met:

1. all ad valorem taxes on the manufactured home have been timely paid in full;

2. the Building Inspector of Greene County, Georgia finds that the manufactured home is in compliance with all applicable federal, state, and local codes.

9.4.3.6 Non-conformance. Any manufactured home which does not meet the requirements in the above paragraphs shall be removed after receipt of notice of its non-conformance from the Zoning Administrator.

9.5 Townhouses, Condominiums, Apartments, and Multi-Family Dwellings

9.5.1 Townhouses and Condominiums.

9.5.1.1 No more than ten (10) nor fewer than three (3) continuous town-houses or condominiums shall be built in a row with approximately the same front line. Density shall not exceed eight (8) dwelling units per acre of buildable land and no more than fifty (50) percent of the lot area shall be occupied by dwelling units and accessory buildings.

9.5.1.2 No side, or rear yard as such is required in connection with any townhouse or condominium, except that the front yard shall be no less than twenty (20) feet in depth from the street right-of-way of a minor or local residential street, including cul-de-sacs, and where the parking is not directly in front of each dwelling unit. If the parking for the dwelling unit is in front of the dwelling unit, front setback shall conform to Article VIII. Corner lots shall have the same side yard as established in Article VIII, and the end buildings in any townhouse or condominium grouping shall conform to the side yard requirements of that district. Each townhouse shall have its own lot yard at least twelve (12) feet in depth that is private and reasonably secluded from view from the streets or from neighboring property, including adjacent townhouses. Such yard shall not be used for any accessory building.

9.5.1.3 No more than fifty (50) percent of the lot area shall be occupied by buildings.

9.5.1.4 Insofar as practicable, off-street parking facilities shall be grouped in bays, either adjacent to streets or in interior blocks; and no off-street parking space shall be more than one hundred (100) feet by the most direct

pedestrian route from a door of the dwelling unit it intends to serve. All parking shall be paved.

9.5.1.5 All townhouse or condominium complexes shall be served by a sanitary sewer system and a central water system. No other means of waste disposal shall be permitted or authorized.

9.5.1.6 All other requirements within the district in which the townhouses are located shall prevail.

9.5.1.7 A preliminary plat prepared in ink or pencil on a reproducible medium shall be submitted to the Planning Commission prior to any grading, construction, or installation of improvements. No grading, construction, or installation of improvements shall be had until the Board of Commissioners formally approves the preliminary plat.

The preliminary plat shall illustrate the ultimate development of the entire plat owned by the applicant and shall identify the section for which formal plat approval will initially be requested. The preliminary plat shall be prepared at a scale of one (1) inch equal one hundred (100) feet and shall, at a minimum, include the following.

1. Development name if within an existing development.

2. Proposed name, if not within a previously platted development.

3. Name, address, and telephone number of legal owner or agent of the property.

4. Name, address, and telephone number of registered professional responsible for development design, design of improvements, and for survey.

5. Date, scale, and north arrow.

6. Vicinity map including zoning classification of all adjacent parcels.

7. Total acreage.

8. Location of existing property lines, major easement/right-of-way, required setbacks, watercourses, drainage areas and ditches, and distinctive natural features.

9. Existing buildings and roads.

10. The location of all proposed buildings, the number of dwelling units per building, the square footage of each building, the square footage of each dwelling unit, and all proposed roads.

11. The location of flood hazard areas as taken from FEMA, FIRM or HUD maps. Where no such map exists, Soil Conservation Service maps may be used.

12. Statement of proposed water/sewer supply or collection method.

13. Information and data relating to surface water runoff as it effects storm water drainage and impact on adjacent areas.

14. If development is to be located in the Watershed Protection District, the percentage of impervious surface must be shown.

9.5.1.8 All townhouse or condominium complexes must receive approval from the Board of Commissioners after review by the Planning Commission prior to any grading, construction, or installation of improvements.

9.5.2 Apartments and Multi-Family Dwellings.

9.5.2.1 Density of apartments and multi-family dwellings shall not exceed ten (10) units per acre of buildable land.

9.5.2.2 All parking shall be off-street parking and shall be grouped in bays, either adjacent to the street or in interior blocks; The developer shall demonstrate that distances from parking to the units have been taken into consideration in the overall design of the project. All parking shall be paved.

9.5.2.3 All streets, drives or alleys in the development shall have a pavement width of twenty (20) feet, and have a bituminous, concrete surface, or asphalt surface.

9.5.2.4 Minimum building setback shall be the minimum setback for the district in which the apartments are located, provided that if required parking is in the front of the apartment, then the building setback shall be twenty-five (25) feet from street right-of-way.

9.5.2.5 All other requirements within the districts in which the apartments and multi-family dwellings are located shall prevail.

9.5.2.6 All apartments and multi-family dwellings shall be required to tie into a sanitary sewer and central water system. No other method of waste disposal shall be authorized or permitted.

9.5.2.7 All apartment and multi-family dwellings must receive approval from the Board of Commissioners after review by the Planning Commission and prior to any grading, construction, or installation of improvements.

9.5.2.8 All apartments and multi-family developments must meet the buffer requirements of Section 6.7.7.

9.6 Accessory Buildings, Accessory Structures, and Temporary Buildings.

9.6.1 Accessory Buildings. Attached and detached accessory buildings must meet the following requirements:

9.6.1.1 No storage trailer shall be used as a temporary or accessory structure except in an emergency. A variance may be applied for from the Planning and Zoning Board.

9.6.1.2 No temporary or permanent living or sleeping quarters are permitted in a structure that is a basement without a house above. No temporary or permanent living or sleeping quarters are permitted in a garage unless it is attached to a dwelling and meets codes and ordinances pertaining to same.

9.6.1.3 Setbacks & Building Heights: A detached accessory building shall meet all requirements of section 8. For structures to be constructed near a setback line, a surveyor should be utilized to establish the property and setback lines prior to construction.

9.6.1.4 No detached garage and/or accessory building, or portion thereof, may be built upon a public easement.

9.6.2 Attached Accessory Buildings. The location of attached accessory buildings and uses in residential and commercial districts must meet the following requirements:

9.6.2.1 Where an accessory building is attached to the main building, a substantial part of one wall of the accessory building shall be an integral part of the main building or such accessory building shall be attached to the main building in a substantial manner by a roof, and therefore meet requirements applicable to the main building.

9.6.3 Detached Accessory Buildings. The location of detached accessory buildings and uses in residential and commercial districts must meet the following requirements:

9.6.3.1 **All lots other than residential lots:**

1. Accessory buildings shall not be built on lots without a dwelling except may be built before a dwelling when both are submitted together for a building permit and a surety bond is submitted and approved by the Building Official.
2. A detached accessory building in a B1, B2, and OI district, shall not be more than two (2) stories in height or the height of the principal building, whichever is less.

9.6.3.2 **Residential lots:**

1. Mobile or manufactured homes shall not be used as accessory buildings on residential lots.
2. The accessory buildings must maintain an architecturally compatible appearance and shall not produce impacts detrimental to adjacent properties as a result of traffic, noise, light, refuse, parking or other activities.
3. Guest Houses. Guest houses shall comply with the following:
   a. Guest Houses are permitted only in as a conditional use.
   b. No more than one guest house shall be located on any lot.
   c. Maximum Floor Area. The gross building floor area of the guest house may not exceed 50 percent of the floor area of the main house (principal building).
   d. Use. Guest houses shall not be rented or otherwise occupied separately from the main residence, except for non-paying guests or domestic employees residing on the premises and sharing meals in the principal dwelling.
4. Accessory buildings shall not be built on lots without a dwelling except may be built before a dwelling when both are submitted together for a building permit and a surety bond is submitted and approved by the Building Official.
5. No accessory building shall be utilized unless the principal structure is occupied. No accessory building shall be used for any type of human habitation except for guest houses.
6. Residential accessory buildings and structures such as garages, greenhouses or workshops, shall not be rented or occupied for commercial purposes.
7. Detached Accessory Buildings to Front Side Of Principal Building shall comply with the following requirements:

a. Structure shall comply with front setback requirements in Section 8.

b. Structure shall not exceed 900 square feet of floor area.

c. The width of the portion of the accessory building facing the street shall not exceed 60 percent of the width of the principal structure.

d. Detached accessory buildings within 30 feet of the principal building must be of like exterior materials, design, and roof pitch as the principal building.

e. Detached accessory buildings farther than 30 feet from the principal building and larger than 225 square feet shall be at least 150 feet from the road right of way. The building must be of like exterior materials, design, and roof pitch as the principal building.

f. Detached accessory buildings 225 square feet or less must have views from adjacent lots screened by vegetation and the finish, if not similar to the principal building, shall be architecturally compatible and not cause a nuisance. Height is limited to 12 feet or less.

8. Size:

a. The total square footage of all detached accessory buildings shall not exceed two (2) percent of lot square footage or 600 square feet, whichever is greater.

b. No single detached accessory building will exceed sixty-seven (67) percent of the square footage of the footprint of the principal building.

9. Number of Detached Accessory Buildings - The number of detached accessory buildings shall be limited to:

Lot Size	Max. Number
Less than 2 ac.	2
Less than 5 ac.	3
Less than 10 ac.	4
Over than 10 ac.	5

The maximum number count does not include in the count well / pump houses, one (1) dog house, or playhouses consisting of 70 square feet or less.

10. Exterior Finishes - Detached accessory buildings must conform to one of the following:

    a. The exterior design, roof pitch, and color of the accessory structure shall be compatible with the exterior design and color of the principal structure; or

    b. The accessory building must be surrounded by a screening fence and vegetation which conceals the building from views from adjacent properties. Said fence must be designed and constructed of a material designed or intended for such purpose.

9.6.4 Accessory Structures. Accessory structures must meet the following requirements:

9.6.4.1 Accessory Structures Requiring a Building Permit: The following structures do require a Building Permit and shall not be permitted to encroach within required setbacks.

1. Structural retaining walls.
2. Pergolas, trellises and arbors.
3. Decks
4. Swimming pools and spas.
5. Flag poles – must meet all setback requirements.
6. Fire pits, outdoor fireplaces and grills – must meet all setback requirements.
7. Fountains and other water features.

9.6.4.2 Accessory Structures Not Requiring a Building Permit - The following uses do not require a Building Permit:

1. Tennis courts and other fenced recreational courts.
2. The following accessory structures are permitted to encroach within required setbacks, unless specifically provided for in this section.

    a. Gardens, wood piles or landscape materials.

    b. Uncovered patios, driveways and other paved areas.

    c. Fences and landscape walls – see Section 9.6.4.3.

    d. Basketball hoops provided they are installed outside of the right-of-way and any temporary road or cul-de-sac easements. No such basketball goal shall be erected in

such a manner that the play area for the basketball goal is located within any portion of a public right-of-way.

e. Mail boxes and newspaper tubes.

f. Non-fenced recreational courts.

g. Statuary or art objects less than 3 feet tall.

h. Swing sets, trampolines and similar recreational equipment.

i. Freestanding air conditioning or heating units or backup generators.

j. Bird baths.

k. Well houses.

9.6.4.3 Fences and Walls: Fences and walls on residential lots shall comply with the following requirements.

1. Fences shall be maintained in good condition and be structurally sound at all times without any advertising thereon without proper sign permits.

2. Fences shall be constructed so as not to obstruct visibility or cause an unsafe condition for motor vehicles, cyclists or pedestrians along any adjacent road right(s)-of-way.

3. For walls or fences to be constructed near a property line, a surveyor should be utilized to establish the property line prior to construction.

4. Property located between the fence and any property lines shall also be regularly maintained. Fences shall be split rail, basket-weave, picket, board of batten, baffle, stockade, estate rail or solid wood, chain link, woven welded lawn, hinge-joint, stone, and/or brick masonry and other comparable types.

5. The smooth finished side of the fence or wall shall be the side that faces outward from the yard being fenced, and any horizontal, diagonal, or supporting members shall be on the interior side of the fence.

6. No fence in any side or rear yard shall exceed eight (8) feet in height. Where side yards adjoin public right(s)-of-way, excluding controlled access highways, fences shall comply with the regulations for fences in front yards.

7. Walls, Fences, and Entrance Structures located in a front yard:

a. No wall or fence shall be constructed in a public right-of-way, and such wall or fence shall not be constructed any closer than three (3) feet from any fire hydrant.

b. Any vehicular driveway shall have a minimum clearance of 14 feet in width and 14 feet in height to allow for the passage of emergency vehicles.

c. No fence in any front yard, or in any yards adjacent to the public right(s)-of-way, excluding controlled access highways, shall exceed four (4) feet in height.

d. In any residential zoning district where horses are kept in accordance with zoning district, a wall or fence made of chain link or other wire materials is exempt from the four (4) foot maximum height requirement and shall not exceed a maximum of five (5) feet in height in a front yard.

8. No fence on any residential lot shall be constructed, in whole or in part, of barbed wire, concertina wire, or guard rail.

9.6.5 Temporary Buildings and Structures:

9.6.5.1 Temporary structures shall include storage units, trailers, tents, and construction dumpsters.

9.6.5.2 Temporary buildings, or structures or trailers used in conjunction with construction work shall not be permitted on any residential lot.

9.6.5.3 Temporary construction equipment, materials and dumpsters used in conjunction with construction work, maintenance or repair on site shall be permitted only during construction activity occurring on the property and shall immediately be removed upon completion of the work.

9.6.5.4 Temporary buildings and structures shall not be used for a residential purpose and shall be removed immediately upon completion of construction.

9.6.5.5 No flammable or explosive materials may be stored in the temporary buildings or structures.

9.6.5.6 No temporary building or structure shall be used to store materials related to an off premise business or a home occupation.

9.6.5.7 Temporary outdoor storage units are prohibited from being placed within the right-of-way, on the frontage of a property, or in any temporary road or cul-de-sac easements. Units must be kept in the driveway, or on a paved surface, at the furthest accessible point from the street, or as otherwise approved by the Building Official.

9.6.5.8 **Tents:**

1. Tents shall be in compliance with the **International Fire Code**.
2. Tents and membrane structures having an area in excess of 400 square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the Fire Code Official.

   Exceptions:

   a. Tents used exclusively for recreational camping purposes.

   b. Tents open on all sides which comply with all of the following:

      1. Individual tents having a maximum size of 700 square feet.
      2. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet, not exceeding 700 square feet total.
      3. A minimum clearance of 12 feet to all structures and other tents.
3. Regardless of size, tents to be used for greater than 10 consecutive days shall require a special use permit.
4. Erection of tents shall be completed no more than forty eight (48) hours before the event is scheduled to occur.
5. Removal of tents shall be completed within forty eight (48) hours after event, weather permitting.
6. Tents shall not encroach on any established setback lines.
7. Any event shall have adequate parking and sanitation facilities available as determined by the Building Official.
8. Additional requirements for tents on residential lots:

   a. Use is restricted to one event. Approved uses are weddings and wedding receptions, family reunions, holiday celebrations, private parties.

   b. Sale of food or beverages at the event is not permitted.

   c. Tents shall not be used for any commercial purpose.

   d. The event shall not exceed 50 people.
9. Additional requirements for tents in areas other than residential lots:

a. Tents shall not be erected on any road right-of-ways without a Special Use Permit.

9.7 Home Occupation.

9.7.1 Residential Home Occupation. The conduct of business in residential units may be permitted under the provisions of this section. It is the intent of this section to: ensure the compatibility of home occupations with other uses permitted in the applicable districts; maintain and preserve the character of residential neighborhoods; and provide peace, quiet, and domestic tranquility within all residential neighborhoods within the district, in order to guarantee to all residents freedom from excessive noise, excessive traffic, nuisance, fire hazard, and other possible effect of commercial uses being conducted in this district. Residential home occupations, where permitted, must meet the following special requirements:

9.7.1.1 A home occupation is subordinate to the use of a dwelling unit for residential purposes.

9.7.1.2 No more than one (1) home occupation shall be permitted within a single dwelling unit.

9.7.1.3 No more than 3 persons shall be employed in the conduct of a home occupation.

9.7.1.4 A home occupation shall produce no noise or obnoxious odors, vibrations, glare, fumes, or electrical interference detectable to normal sensory perception outside the structure.

9.7.1.5 A home occupation which will constitute a fire hazard to neighboring residences, will adversely affect neighboring property values, or will constitute a nuisance or otherwise be detrimental to the neighbors because of excessive traffic, excessive noise, odors, or other circumstances is not be permitted.

9.7.1.6 No traffic shall be generated by such home occupations in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off-street and other than in a front yard.

9.7.1.7 On the premises, retail sales are prohibited except for the retail sales of products or goods produced or fabricated on the premises as a result of

the home occupation.

9.7.1.8 There shall be no exterior indication of the home occupation or variation from the residential character of the principal use.

9.7.1.9 No on-street parking of business related vehicles (either marked or commercially equipped) shall be permitted at any home. No business vehicles larger than a van, panel truck, or pick-up truck is permitted to park overnight on the premises. The number of business related vehicles is limited to 1.

9.7.1.10 Permitted residential home occupations:

1. Architectural services
2. Art Studio
3. Consulting Services
4. Data Processing
5. Direct sale product distribution (Amway, Avon, Jaffra, Tupperware, Herbalife)
6. Drafting and graphic services
7. Dressmaking, sewing, tailoring, contract sewing (1 machine)
8. Electronic assembly
9. Engineering service
10. Financial planning or investment services
11. Flower arranging
12. House cleaning service
13. Insurance sales or broker
14. Interior design
15. Locksmith
16. Real estate sales or broker
17. Tutoring
18. Writing, computer programming
19. Other similar uses as approved by the Board of Commissioners, upon recommendation by the Planning & Zoning Commission.

9.7.1.11 Prohibited residential home occupations:

1. Ambulance service
2. Appliance repair
3. Automobile or boat repair, parts sales, upholstery, or detailing, washing service (including businesses working at customer's home)
4. Boarding house
5. Carpentry, cabinet makers

6. contracting, masonry, plumbing, or painting
7. Medical or dental office (nor any practice of physical or medical application, including chiropractors)
8. Restaurants, food preparation
9. Tow truck services
10. Veterinary uses (including care, grooming or boarding)

9.7.2 Rural Home Occupation. Rural home occupations in the agricultural districts may be permitted under the provisions of this section. It is the intent of this section to ensure the compatibility of rural home occupations with other uses permitted in the applicable districts; maintain and preserve the agricultural or rural character of the area and not create a nuisance for residents in the area by excessive traffic, smoke, noise or be a fire hazard.

The purpose of rural home occupations are to provide a means for residents in the larger lot agricultural districts to participate in the type of businesses permitted in residential districts, be able to conduct the home occupation in an accessory building where necessary, and to park, on-site, vehicles required for the home occupation.

Rural home occupations, where permitted, must meet the following special requirements:

9.7.2.1 The minimum lot size is five (5) acres. For lots less than five (5) acres, the home occupation is limited to the provision of section 9.7.1.10

9.7.2.2 The rural home occupation must be clearly subordinate to the principal use of the parcel for dwelling and agricultural purposes and must not change the residential and agricultural character of the area.

9.7.2.3 The rural home occupation may be conducted within a dwelling or within an accessory building provided that all structures used are harmonious in appearance with the zoning district where the rural home occupation will locate.

9.7.2.4 One accessory building not exceeding the ground floor living area of the principal dwelling may be used in connection with the home occupation.

9.7.2.5 Unless otherwise determined by the Board of Commissioners, no sales of products or service not produced on the premises is permitted.

9.7.2.6 The existence of the rural home occupation must not be

apparent outside the dwelling or accessory building in which the rural home occupation is conducted, except that one (1) display sign limited to 9 sq. ft. of sign area is permitted. The display sign added to all other signs on the parcel shall not exceed the maximum signage allowed in the district.

9.7.2.7 No outside storage of equipment or materials used in the conduct of the rural home occupation, other than trade vehicles, is permitted.

9.7.2.8 The rural home occupation is limited to employment of not more than three persons on the property.

9.7.2.9 No additional points of access to any street shall be permitted, unless necessary to provide safe and proper access to the proposed use.

9.7.2.10 The use has not been found likely to become a nuisance by reason of odor, dust, smoke, gas, vibrations, or may impose a hazard to health or property.

9.7.2.11 Modifications from the above requirements may be approved by the Board of Commissioners, upon recommendation by the Planning Commission, in individual cases if the modification is in accordance with the intent of the District.

9.7.2.12 Additional requirements or conditions may be added as deemed necessary to insure that the rural home occupation will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the county or in any was adversely affect the character of the area.

9.7.2.13 Permitted home occupations:

a. All occupations permitted in the section 9.7.1.10.
b. Appliance repair.
c. Barber shops (limited to a one barber operation).
d. Veterinary service other than boarding.
e. Ceramics.
f. Contracting, masonry, plumbing or painting.
g. House painter.
h. Tow truck services.
i. Upholstery.
j. Produce Stand
k. Other similar uses as approved by the Board of Commissioners, upon

recommendation by the Planning & Zoning Board.

9.7.2.14 Expiration of Permit. A permit for home occupation shall expire under the following conditions:

a. Whenever the applicant ceases to occupy the premises for which the home occupation was issued, no subsequent occupant of such premises shall engage in any home occupation until he/she shall has been issued a new permit after proper application.

b. Whenever the holder of such a permit discontinues the home occupation for a period of six (6) consecutive months.

9.8 Automobile Service Areas

Within the districts permitting gasoline service areas, the following requirements shall apply:

9.8.1 Location. The property on which a gasoline service areas is located shall not be within one hundred (100) feet of any residential district, or any property containing a school, public playground, church, hospital, public library, institution for children or dependents.

9.8.2 Site Requirements. Gasoline service areas shall have a minimum frontage on the primary street of one hundred twenty (120) feet and a minimum area of twelve thousand (12,000) square feet. All buildings shall be set back forty (40) feet from all street right-of-way lines and all canopies shall be set back fifteen (15) feet from all street right-of-way lines.

9.8.3 Access to Site. Vehicular entrances or exits at gasoline service areas:

9.8.3.1 Shall not be provided with more than two curb cuts for the first one hundred twenty (120) feet of street frontage or fraction thereof.

9.8.3.2 Shall contain an access width along the curb line of the street of not more than thirty (30) feet as measured parallel to the street at its narrowest point and shall not be located closer than fifty (50) feet from the intersecting point of the two streets rights-of-way or ten (10) feet to the adjoining property.

9.8.3.3 Shall not have any two (2) driveways, or curb cuts, any closer than twenty (20) feet at both the right-of-way line and the edge of the pavement.

9.8.4 Gasoline Pump Islands. All gasoline pump islands shall be set back at least fifteen (15) feet from the right-of-way line, or where a future widening line has been established, the setback line shall be measured from such line, and where pump islands are constructed perpendicular to the right-of-way line, the pump island shall be located not less than thirty (30) feet from the right-of-way line; however, the pump island shall be at least sixty (60) feet from the center line of a collector street and forty-five (45) feet from the center line of other streets.

9.8.5 Off-Street Parking. A minimum of two (2) off-street parking spaces are required with an additional off-street parking space for each lubrication and wash bay.

9.8.6 Other Site Improvements. In addition to the above requirements, the following additional site improvements shall be adhered to:

9.8.6.1 A raised curb of at least six (6) inches in height shall be erected along the street property lines, except for driveway openings.

9.8.6.2 A solid fence or wall six (6) feet in height shall be erected along all property lines adjacent to a residential zoned lot or a lot used for residential purposes.

9.8.6.3 Exterior lighting shall be arranged so that it is deflected away from adjacent properties and streets.

9.8.6.4 Signs, whether permanent or temporary, shall not be placed within the public right-of-way and shall be arranged so that they do not obstruct visibility for drivers or pedestrians.

9.8.6.5 All drives, parking storage, and service areas shall be paved and curbed and a good stand of grass shall be maintained on the remainder of the lot.

9.9 Landfills and Related Solid Wastes

The permitted landfill uses are Inert Material, Construction and Demolition (C&D), Hazardous Materials, and Municipal Solid Waste (MSW). All uses are conditional uses that must be submitted to the Greene County Building Official, reviewed by the Planning and Zoning Commission and approved by the Board of Commissioners. These landfills must meet all applicable federal, state and other county requirements (including Greene County Code Chapter 16).

All solid waste disposal areas referred to in this section are to be in one tract or a combination of contiguous tracts not separated by public road rights of way sufficient to yield the required area. Applicant shall possess a warranty deed giving fee simple title to all property or shall have all necessary options to purchase land before submitting a request for rezoning. Property shall front on a paved state highway or a paved county road, subject to a traffic impact study.

Applicant shall submit a plat of property prepared by a Georgia Registered land Surveyor at the time of application for rezoning. Said plat shall show in addition to boundaries, all significant terrain features including, but not limited to, wetlands, streams, rock outcroppings, roads and wooded areas. The plat shall be prepared on 24" x 36" media. All data shown on plat shall be drawn to scale as to size and location including the meanders of all streams and cemeteries.

9.9.1 Inert Waste Landfill

9.9.1.1 This type of landfill means a disposal facility accepting only wastes that will not or are not likely to cause production of leachate of environmental concern. Such wastes are limited to earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, stumps, limbs, and leaves. This excludes industrial and demolition waste not specifically listed above.

9.9.1.2 Requirements for Inert Waste Landfill:

1. Permitted only in A-1 or H-I.
2. All disposal and operation area cannot be visible from any portion of the right of way of any adjacent public road or the common boundary lines of adjacent property. Views may be screened by vegetative, natural topography or by man-made means such that a six(6') foot tall person standing on the common border cannot view the disposal or operation areas.
3. Minimum area of 35 acres.
4. Minimum buffer zone from boundary is 100 linear feet.
5. When the landfill is completed, it shall be covered with a final layer of 24 inches of top soil, which shall be adequately stabilized and suitable vegetative cover and landscape.
6. The Board of Commissioners may place requirements regarding the length of time the facility can be used, the number of truck loads (or tonnage) allowed in a specified time frame, limit it to materials hauled only from Greene County locations, limit the total number of such facilities allowed in Greene County, periodic reports on the amount and type of fill being conducted, and other requirements deemed

appropriate to the specific request.

9.9.2 Construction and Demolition (C & D) Construction and Demolition waste means waste building materials and rubble resulting from construction, remodeling, repair, and demolition operations on pavements, houses, commercial buildings and other structures. Such wastes include, but are not limited to asbestos containing waste, wood, bricks, metal, concrete, wall board, paper, cardboard, inert waste landfill material, and other wastes which have a low potential of groundwater contamination.

9.9.2.1 Requirements for Construction & Demolition (C & D) Landfill:

1. Permitted only in H-I.
2. All disposal and operation area cannot be visible from any portion of the right of way of any adjacent public road or the common boundary lines of adjacent property. Views may be screened by vegetative, natural topography or by man-made means such that a six(6') foot tall person standing on the common border cannot view the disposal or operation areas.
3. Minimum area of 250 acres.
4. Minimum buffer zone from boundary is 300 linear feet.
5. When the landfill is completed, it shall be covered with a final layer of 24 inches of top soil, which shall be adequately stabilized and suitable vegetative cover and landscape.
6. The Board of Commissioners may place requirements regarding the length of time the facility can be used, the number of truck loads (or tonnage) allowed in a specified time frame, limit it to materials hauled only from Greene County locations, limit the total number of such facilities allowed in Greene County, periodic reports on the amount and type of fill being conducted, and other requirements deemed appropriate to the specific request.

9.9.3. Hazardous Waste

9.9.3.1. Hazardous Waste means any solid waste which has been defined as a hazardous waste in regulations promulgated by the Board of Natural Resources, Chapter 391-3-11.

9.9.3.2 Requirements for Hazardous Waste Landfills:

1. Permitted only in H-I.
2. All disposal and operation area cannot be visible from any portion of the right of way of any adjacent public road or the common boundary lines of

adjacent property. Views may be screened by vegetative, natural topography or by man-made means such that a six(6') foot tall person standing on the common border cannot view the disposal or operation areas.

3. Minimum area of 1000 acres.
4. Minimum buffer zone from boundary is 500 linear feet.
5. When the landfill is completed, it shall be covered with a final layer of 24 inches of top soil, which shall be adequately stabilized and suitable vegetative cover and landscape.
6. The Board of Commissioners may place requirements regarding the length of time the facility can be used, the number of truck loads (or tonnage) allowed in a specified time frame, limit it to materials hauled only from Greene County locations, limit the total number of such facilities allowed in Greene County, periodic reports on the amount and type of fill being conducted, and other requirements deemed appropriate to the specific request.

9.9.4. Municipal Solid Waste (MSW)

9.9.4.1 Municipal Solid Waste means any solid waste derived from households, including garbage, trash, and sanitary waste in septic tanks and means solid waste from single-family and multifamily residences, hotels and motels, bunkhouses, campgrounds, picnic grounds, and day use recreation areas. The term includes yard trimmings and commercial solid waste, but does not include solid waste from mining, agricultural, or silvicultural operations or industrial processes or operations.

9.9.4.2. Requirements for Municipal Solid Waste (MSW) Landfills:

1. Permitted only in H-I.
2. All disposal and operation area cannot be visible from any portion of the right of way of any adjacent public road or the common boundary lines of adjacent property. Views may be screened by vegetative, natural topography or by man-made means such that a six(6') foot tall person standing on the common border cannot view the disposal or operation areas.
3. Minimum area of 1000 acres.
4. Minimum buffer zone from boundary is 500 linear feet.
5. When the landfill is completed, it shall be covered with a final layer of 24 inches of top soil, which shall be adequately stabilized and suitable vegetative cover and landscape.
6. The Board of Commissioners may place requirements regarding the length of time the facility can be used, the number of truck loads (or tonnage) allowed in a specified time frame, limit it to materials hauled only from Greene County locations, limit the total number of such facilities

allowed in Greene County, periodic reports on the amount and type of fill being conducted, and other requirements deemed appropriate to the specific request.

9.9.5. Other Requirements For Landfills in Greene County

9.9.5.1 All landfills shall be enclosed by fences (minimum height of six feet) placed along the entire perimeter of the property and along both sides of driveways.

9.9.5.2 The developer (operator) of any landfill shall maintain records accurately documenting the quantities of materials received daily, the source of origin of the material and a location within the landfill where each day's collections are placed.

9.9.5.3 Buffer zones shall be maintained in their natural vegetative state and shall be kept free of debris from the land fill operations.

9.9.5.4 No landfill other than Inert Materials shall be located within 10,000 feet, measured horizontally, from any existing airport, public or private, within Greene County or any adjoining counties.

9.9.5.5 Primary access shall be via a state, federal highway or paved county road and access to the landfill shall be by paved driveways only.

9.9.5.6 The gates to the landfill must be manned during the times the landfill is open for daily activities and the landfill site shall be under the supervision of a responsible individual, at the disposal site, at all times during operations.

9.9.5.7 The applicant shall submit to the County the design and operation plans of the landfill facility once they are approved by the State of Georgia, if required. The County shall have at least 90 days to review the plans internally and with consultants that may be hired by the County. The applicant must promptly reimburse any costs so incurred.

9.9.5.8 Suitable on site means shall be provided to prevent and control fires. No burning whatsoever shall be permitted.

9.9.5.9 Rodents and insects shall be controlled to the satisfaction of the Greene County Health Department.

9.9.5.10 The number and spacing of driveways shall conform to State regulations if on a State route. Driveways on County roads shall be restricted

to no more than one drive per 500 linear feet of right of way frontage or no more than three driveways per county road. All driveways shall pass through a gated entrance. Driveways shall be paved with Plant Mixed Asphaltic Concrete or Portland Cement Concrete from the public road to the inside edge of the buffer zone (minimum distance) and shall be a minimum of twenty four (24) feet wide measured from edge of paving to edge of paving or from lip of gutter to lip of gutter. Pavement shall be of adequate design strength to support vehicular traffic loaded to the maximum load limits permitted by regulations of the Georgia Department of Transportation for roads in the state highway system. It shall be the responsibility of the developer to bear costs of any upgrades to county roads used for access to landfill required to bring the roads up to a standard that will support the above limits. This includes all existing drainage and grade separation structures. Any required road improvements and all driveways must be designed by a Civil Engineer licensed by the State of Georgia. Said design shall be at the developer's expense. Road and driveway design shall be submitted to Greene County and approved by a Civil Engineer hired by the County. Fees for this inspection shall be reimbursed to the County by the developer.

9.9.6 Transfer Stations A limited number of Transfer Stations may be permitted as a conditional use in A-1, LI, or HI district following public hearing and recommendation by the Planning and Zoning Commission and approval of the Board of Commissioners. Requirements for such use are:

9.9.6.1 At all times the facility must meet all federal and state solid waste requirements and recommendations

9.9.6.2 It must be a completely enclosed structure with doors that remain closed at all times except during the time vehicles and equipment are operating inside the building.

9.9.6.3 It must be located on a state route or paved county road. The applicant shall provide the Planning and Zoning Commission with a traffic study that addresses traffic volume generated by the facility, any needed road improvements (turn lanes, etc.) and any upgrades to the existing road necessary to accommodate the loads the facility will generate.

9.9.6.4 The applicant shall provide the County with plans for the facility at least sixty (60) calendar days prior to the public hearing by the Planning and Zoning Board. Due to the specific technical requirements of such a facility the County shall have a civil engineer review the design prior to the hearing. The fee for this plan review shall be paid to the County before the engineer

is hired. The design of the facility shall be such that excessive noise, dust, vibration, smoke, glare and odors are not created. This may include but not be limited to placement of the building and doors with respect to the adjoining land owners, exhaust fans with air filters and rooftop exhaust vents.

9.9.6.5 Operating procedures to reduce odor shall also be included in the plans for a recycling center. A plan for rodent and other pest control is required and must be followed at all times. Debris and waste must not be allowed to scatter inside, outside, or along the roads approaching the facility and must be cleaned up completely on a daily basis. "First-in - first-out" waste handling practices shall be utilized to keep waste on site for the shortest time possible. All waste shall be removed from the tipping floor at the end of each operating day and these surfaces swept clean and washed down.

Any waste remaining in the facility overnight must be contained in transportation bins or vehicles in the dumping pit inside the building and with exterior doors closed. No waste shall be kept inside the facility on Sunday or on holidays or any other day in which the facility is closed.

9.9.6.6 The principal structure(s) for this use shall be set back at least 50 feet from all property lines, a solid fence or wall at least six feet in height shall be erected around all buildings, equipment, and operating area. A minimum vegetation (natural or planted) buffer of 50 feet shall be required around the outside of the fence or wall. The area within the fence shall be large enough to allow all hauling vehicles to queue inside the fence without encroaching on adjacent roads.

9.9.6.7 No such structure shall be located closer than 500 feet from any residential use or zoning district.

9.9.6.8 All surfaces where trucks operate shall be paved.

9.9.6.9 Hours of operation shall be limited to Monday thru Saturday, 7:00 am thru 6:00 pm unless specifically approved in writing by the Building Official or County Manager.

9.9.6.10 Facility cannot be located in any floodplain, wetland or river corridor or within 500 ft of any wetland. Any runoff from washwater shall be discharged to a wastewater treatment system and, before final release, shall be treated in a manner approved by the Department of Natural Resources.

9.9.6.11 Other requirements as determined by the Board of Commissioners.

Violation of the requirements may result in substantial fines and/or revocation of the conditional use.

A transfer station may also contain facilities to separate recyclable material from waste brought into the facility. Any conveyors or floor space devoted to separation of recyclables must also be contained within a properly designed and constructed building. Storage and handling of materials reclaimed for recycling shall be in conformity with Article 9.9.7 of these regulations.

9.9.7 Recycling Center Any commercial recycling center must be constructed on a site where an approved solid waste transfer station is located. Any specific operational and environmental issues generated by the recycling center must be addressed by the design, operation and size of the transfer station.

- At all times the facility must meet all federal and state solid waste requirements and recommendations

- Other requirements as determined by the Board of Commissioners.

- Violation of the requirements may result in substantial fines and/or revocation of the conditional use

9.10 Planned Industrial Parks

A planned industrial park must meet the following conditions.

9.10.1 Access and Egress. A planned industrial park shall have access and egress only on a major street or state highway.

9.10.2 Minimum Acreage. The development shall have a minimum area of one hundred (100) acres.

9.10.3 Yard Requirements. The yard requirements of the Zoning District in which the development is located may be waived, except along the exterior boundaries of the development.

9.10.4 Uses Not Allowed. All industries that produces smoke, loud noises, dust, noxious fumes, odors, and vibrations shall be subject to State and Federal regulations and ordinances.

9.10.5 Confinement. The manufacturing processes of industries located in an

industrial park shall be confined to the interior buildings.

9.10.6 Outside Storage. Outside storage shall be screened in accordance with §6.7.

9.11 Cemeteries

9.11.1 Public Cemeteries. Within the districts permitting public cemeteries, the following requirements shall apply:

9.11.1.1 The site proposed for a cemetery must not interfere with the development of a system of collector or larger streets in the vicinity of such site. In addition, the site must have direct access to a thoroughfare.

9.11.1.2 All structures must be set back no less than twenty-five (25) feet from any property line or street right-of-way line.

9.11.1.3 All graves or burial lots must be set back not less than twenty-five (25) feet from any property line or minor street right-of-way lines, and not less than fifty (50) feet from any collector, arterial, expressway or freeway right-of-way line.

9.11.1.4 The entire cemetery property must be landscaped and maintained.

9.11.1.5 Prior to approval of the request for the location of a new cemetery, a site plan and perpetual care plan must be submitted to the Greene County Planning Commission for review and recommendation to the Board of Commissioners.

1. Said cemetery may front only on a collector, major street, or State highway, and the entrance to and exit from such cemetery shall be only on the street on which it fronts.

2. A site development sketch must be submitted with the application which shows adequate paved off-street parking. All buildings must be placed not less than fifty (50) feet from any property line. Property must be bordered by a ten (10) ft. wide buffer area along its exterior boundary line, not bordering the frontage street and not extending into the required front yard. This buffer area is in addition to any setbacks, etc., required in Article VIII. The buffer area should be planted with evergreen trees or evergreen shrubs that grow at least eight (8) feet tall within three (3) years and provide an effective visual screen.

9.11.2 Religious institution Cemetery. Within the districts permitting public cemeteries, the following requirements shall apply.

9.11.2.1 The cemetery is located on the same property as the religious institution, is in addition to the minimum lot requirement for the religious institution and adequate off-street parking is provided.

9.11.2.2 If the entrance and exit to the cemetery is other than that used as entrance and exit for the religious institution, then the cemetery may front only on a collector, major street or a state highway, and the entrance and exit to such cemetery shall be only from the street on which it fronts.

9.11.2.3 All graves and burial lots must be at least twenty-five (25) feet from any property line, and at least fifty (50) feet from any collector, major street or state highway right-of-way line.

9.11.2.4 The cemetery must be bordered by a 10 wide buffer area along its exterior boundary lines that do not border the frontage street. The buffer must not extend into the required front yard. The buffer area should be planted with evergreen trees or other evergreen shrubs that grow at least eight (8) feet tall within 5 years and provide an effective visual screen.

9.12 Bed and Breakfast

9.12.1 The acceptance of paying guests shall be an accessory use to the dwelling unit;

9.12.2 The only uses permitted shall be the renting of rooms and the serving of foods to guests renting said rooms (accessory uses commonly associated with hotels and motels, i.e. laundry services, gift shops, banquet halls, barber and beauty shops, shall not be permitted);

9.12.3 All parking shall be off-street; and

9.12.4 One (1) wall sign, not exceeding four (4) sq. ft. in area, motionless, non-lighted, shall be permitted. No other signs shall be permitted on the premises.

9.13 Community Center or Club

The buildings are placed not less than fifty (50) feet from any property line;

9.13.1 There shall be a planted buffer area ten (10) feet wide along its exterior boundary lines not bordering the frontage street and not extending into the

required front yard. The buffer area should be planted with evergreen trees or evergreen shrubs that grow at least eight (8) feet tall within three (3) years and provide an effective visual screen.

9.13.2 A complete development sketch must be submitted with the application.

9.13.3 Adequate paved and lined off-street parking must be provided.

9.14 Outdoor Storage Yards

9.14.1 The storage yard must not be located within a required front yard.

9.14.2 The storage yard must be setback at least twenty-five (25) feet from any side or rear property lines and shall be screened by a solid fence of material commonly manufactured for fencing, at least eight (8) feet high and appropriately landscaped and maintained.

9.14.3 If an outdoor storage yard is established in connection with a permitted building, it shall meet the above requirements.

9.15 Non-Operating Or Junked Vehicles

9.15.1 Vehicles not in operating condition shall not be parked between the residence and the street or streets the residential parcel adjoins.

9.15.2 All vehicles not in operating condition must be parked in the rear yard, carport, or garage so as to be out of view from the public right-of-way.

9.15.3 All automobile parts must be stored within a garage or enclosed building.

9.16 Satellite Dish Antenna

9.16.1 Three feet diameter or larger satellite antenna dish must be located behind the rear building line and in compliance with the side yard setback in residential districts.

9.17 Mining, Mineral Exploration, and Borrow Pits

9.17.1 DEFINITIONS: As used in this Ordinance, unless the context otherwise requires:

AREA OF DISTURBANCE: That area of land that has undergone physical alteration to the natural topography and/or vegetation as a consequence of mining exploration.

EXPLORED LANDS: The surface, subsurface and water of an area in which mineral exploration is being or has been conducted, including private ways and roads appurtenant to any such area, land excavations, workings, waste, and areas on which structures, facilities, equipment, machines, or other materials used in exploring operations are located.

MINERAL EXPLORATION: Ordinary grading, construction of roads or platforms, core sampling and drilling, of lands for determining the feasibility of the extracting of solid minerals.

OVERBURDEN: All the earth and other material which lies above natural deposits of ores or minerals, and includes all earth and other materials disturbed from their natural state in the process of surface mining.

RECLAMATION OF EXPLORED LANDS: The combined process of land treatment that mitigates water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion and other adverse effects from exploration including all associated lands, so that explored lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and minimize danger to the public health, safety, and welfare. This process may extend to back filling, to original grades and previous natural conditions.

REMOVAL: The actual process of digging or otherwise removing the substance being moved.

9.17.2 General Provisions.

9.17.2.1 Exploration for the existence of mineral deposits on any parcel of land in the unincorporated area of Greene County shall proceed in compliance with this section.

9.17.2.2 **Compliance with Local, State, and Federal Regulations**

1. All mineral/material extraction, surface mining, mining, quarrying, dimension stone quarrying, and stone crushing operations (whether strip, surface, or subsurface, and including the removal of stone, rock, gravel, sand, clay, phosphate, metallic ore, minerals, and other such solid materials or substances of commercial value found in natural deposits on or in the earth) shall comply with all applicable local, state, and federal regulations, and permitting requirements including, but not limited to, those related to water quality, air quality, and noise.
2. Certain of these operations may be subject to additional state or federal regulations that apply specifically to that particular

industry or type of operation. For the purposes of this Ordinance, such applicable industry or operation specific state or federal regulations shall apply. Where the requirements specified herein are at variance with any applicable state or federal regulations, then the more restrictive or that imposing the higher standards shall apply. Nothing in this section shall relieve owners or operators of any these operations from complying with all applicable local, state, and federal regulations, permits and requirements.

9.17.3 Exploration Permits.

9.17.3.1 Applicability. An exploration permit shall be obtained from the county prior to the commencement of exploration for the existence of or the expansion of the area of disturbance of an existing exploratory site for solid minerals on any parcel of land in unincorporated Greene County.

9.17.3.2 For the purposes of this Ordinance, Surface Mining shall include but not be limited to surface mining, mining, quarrying, dimension stone quarrying, and stone crushing operations (whether strip, surface, or subsurface, and including the removal of stone, rock, gravel, sand, clay, phosphate, metallic ore, minerals, and other such solid materials or substances of commercial value found in natural deposits on or in the earth).

9.17.3.3 Exemptions. The following shall be exempt from county exploration permits:

1. hobby mining; and
2. parcels of state or federal land which have operation and rehabilitation plans approved by a state or federal agency.

9.17.3.4 General requirements for Mineral Exploration. The following are deemed to be the general and minimum requirements for mineral exploration:

1. Setbacks:
    a. Drill rigs and accessory equipment shall not be located closer than five hundred (500) feet from any residential use structure without written permission from all property owners.
    b. The edge of a quarry pit may not be located at any one point closer than one hundred (100) feet to right-of-way or easement access point and fifty (50) feet to any property line.

2. Minimum acreage shall be as follows;
    a. 50 acres minimum for site proposed to have blasting or crushing operations, and
    b. 5 acres minimum for all other sites.
3. Fencing. Prior to excavation, the owner, lessee of land, or their duly authorized agent for mining or mineral exploratory operations shall construct and maintain substantial fences with locking gates not less than six (6) feet in height at all points of access to the excavation site with durable warning signs posted thereon not more than two hundred (200) feet apart bearing the words DANGER and NO TRESPASSING in letters not less than six (6) inches in height, which shall be maintained by the owner or lessee so as to be clearly legible.
    a. Additional security features, such as barbed wire above the fence top, are encouraged.
    b. Gates for access shall be closed and locked at all times during non-operating hours.
    c. Fences and gates shall be inspected and maintained to assure an effective barrier. The owner of the property where the pit is located shall be responsible for maintaining fences and gates at all times.
4. Screening. Portions of the mining operations visible from the public right-of-way or nearest residential use shall be screened with dense landscaping to achieve at least 75 percent opacity within two years. The landscape buffer shall be no less than ten feet in width at any given point and may be placed either inside or outside the required fence perimeter to achieve maximum dust and noise reduction and visible shielding. Earthen berms with a minimum height of three feet can be placed within this buffer area.
5. Buffers. In addition to the landscape screening noted above, a minimum ten-foot width buffer is required parallel to, and inside, the required fence. Excavation, pit operations, parking, storage and disposal of debris are not permitted within the screening or buffer areas. The setback area may not be used for truck or equipment traffic or parking, except as necessary to maintain the setback area and perimeter fence. Pit access point(s) shall be designed perpendicular to the buffer/screening width with the least disturbance to the buffer/screening zone that allows safe vehicle and equipment access to the operating site.

6. Grout, Rubble, Waste Rock, Waste Quarry Block, Overburden – piles or other accumulations of grout, rubble, waste rock, waste quarry block, overburden, mine production material, or other similar materials shall not be created to a height of more than thirty-five (35) feet above the original contour. Grout, rubble, waste rock, waste quarry block, overburden, mine production material, or other similar materials shall not be placed, deposited, discarded or dumped in required setback areas, except that overburden may be used in the construction of berms.
7. Operations:
    a. Operations shall not be permitted on Sundays and federal public holidays, nor will they be permitted within the hours of 7:00 p.m. and 7:00 a.m. on any day.
    b. Blasting - The operation shall be in compliance with the Georgia Blasting Standards Act (State of Georgia House Bill 824).Blasting shall not exceed atmospheric overpressure limits set out in said Act, as governed by the Department of the Fire Marshal for the State of Georgia. Flyrock traveling in the air or along the ground shall not be cast from the blasting site beyond the property lines of the area under ownership or control of the operator. Excavation shall not take place by blasting or use of explosives on any day between the period between sundown and sunrise the following day or during the period between 7:00 p.m. to 7:00 a.m., whichever is greater. In addition, routine production blasting shall be prohibited at any time on Sunday.
8. Grading or other construction activity on the site may not alter existing natural drainage ways in such a way as to adversely affect an adjacent parcel of land either by increasing or redirecting the drainage flow over that parcel, or by impeding the drainage ways flowing from that parcel.
9. Alteration/Relocation of Water Bodies - Natural creeks, streams, rivers, lakes, or other bodies of water shall not be altered in course or relocated by the Operator, unless such alteration or relocation has been specifically approved by applicable state and federal agencies and the Board of Commissioners as part of a Comprehensive Site Development Plan or Surface Mining Land Use Plan.

10. Operations shall not adversely impact adjacent properties and shall comply with the performance standards of §7.7.3.4.
11. Noise generated by mineral exploration activities shall not exceed the standards set forth in any applicable law or regulation including but not limited to the Official Code of Georgia, or the Department of Natural Resources regulations, or §7.7.3.4 (whichever is the most stringent).
12. Waste drill fluids generated on-site shall be contained on-site and/or transported from the site and disposed of in an environmentally safe and legal manner.
13. Drill fluid pits shall be fenced to prevent access.
14. Approved drainage plan, dust abatement plan, noise abatement plan, operational methods plan, rehabilitation plan, financial surety, and fire protection plan are required to be submitted in compliance with any and all applicable rules and regulations.
15. When residential densities exceed ten (10) dwelling units within a five hundred (500) foot radius of the drill site, only electric powered drills shall be used. Diesel generators shall not be used as the power source for electric drills.

9.17.3.5 Application and Approval Process:

1. Planning and Zoning Board's Duty. The Planning and Zoning Board will review the complete application and related documents and submit recommendation to the Board of Commissions exploration permits based on adequacy of plans as outlined in §9.17.2.4.
2. Application. Any person desiring approval of an exploration permit, shall file with the building official a completed application for an exploration permit and eight (8) copies of a drawing of the proposed exploration area with written data which discloses the following information:
    a. Legal description of the area to be explored.
    b. Specify total acreage of owned and leased lands. In addition, provide figures on the percentage of owned or leased lands to be affected by the mining/quarry operation.
    c. Provide the names and addresses of the owner and/or lessee along with written authorization or delegation, if not owner. The applicant shall further certify that the

Operator is the rightful owner and/or holds a valid lease on or option to purchase or lease said lands.

d. Provide the existing zoning classification and a brief description of the characteristics of the land proposed to be affected by mining and the zoning classification and a brief description of the characteristics of the surrounding lands and community in the vicinity of the proposed operation.

e. Written evidence by a professional geologist or other competent professional qualified to make such a judgment that the proposed site contains a mineral resource area or other valuable surface or subsurface substances that can be economically mined.

f. Specify the mineral or material which will be extracted by the operation and describe the general method and machinery to be used for extraction.

g. Estimate (projected range) anticipated average volume of mineral/material to be extracted annually and anticipated truck trips per day.

h. Provide anticipated date for beginning of mining/quarry operations.

i. Provide plans, proposals, objectives, and time-frame for land stabilization or reclamation, and re-use of the property at the cessation of the operation.

j. An operations plan and all documents submitted or prepared for submission to the Georgia Department of Natural Resources for the purpose of obtaining a State Mining Permit. It shall be the continuing responsibility of the applicant to provide the county with all information submitted and received during the State application process and to inform the Building Official of the final disposition of the State permit process. Operation plans, if approved, shall be considered conditions of development approval, unless otherwise specified by the Building Official. Said plan shall also describe the nature of mining operations, method(s) of extraction, and equipment and materials (e.g., explosives) to be used.

k. Provide a copy of all applicable State and Federal permits, as required, or applications for such permits.

l. A detailed site plan shall, at a minimum, indicate the following:

1. The locations of existing roads, streets or thoroughfares and other natural features affecting existing roads.

2. The location of residential structures within five hundred (500) feet of a proposed drill or mining site.

3. A layout of proposed roads, streets or ingress/egress, exploration sites, and easements.; The layout shall include both on-site and those off-site which lead to the area of exploration.

4. Proposed location of phased mining operations.

5. Proposed locations or disposition of topsoil, overburden, and by-products, on-site or off-site.

6. Approximate location of natural drainage ways.

7. Adequate drainage calculations to support drainage way improvement proposed.

8. Erosion and sediment control plan.

9. Drainage plans for roads, platforms or any disturbed area.

10. A fire protection plan.

m. An impact statement prepared by a qualified professional that addresses the impact of the proposed mining operation on abutting and nearby buildings, uses, and properties. The impact statement shall address those external effects determined by the director to be likely to exist if said use is established, including but not limited to as appropriate, electromagnetic interference, noise, vibration, fumes, odors, dust and air particulates, illumination, truck traffic, and water table protection. The impact statement shall recommend specific measures to mitigate such impacts and provisions for monitoring and enforcing mitigation measures, and, if approved, the recommendations of the impact statement shall be considered conditions of approval unless otherwise specified by action of the Board of Commissioners.

n. A reclamation plan that conforms to the requirements defined in §9.17.4.

3. Adequacy and Distribution of Plans. If the Planning and Zoning Board determines that the plans submitted contain sufficient data to furnish a basis for its approval or disapproval, and that the drawing of access and on-site roads is adequate to aid the Planning and Zoning Board in recommending acceptance of the drainage and reclamation plans, the Building Official shall affix a file number and date of receipt to the application, and within ten (10) working days shall distribute copies of the application to those agencies listed below, which, in his/her judgment, should make a review.

   a. Building Official.

   b. Greene County Health District.

   c. Appropriate fire protection official.

   d. Georgia Department of Transportation, if access road attached to a state highway.

   e. United States Forest Service, if abuts a National Forest Service property.

   f. Other appropriate agencies.

4. A notice of proposed mineral exploration shall be issued by the Building Official to property owners within five hundred (500) feet of the exterior boundaries of the property where mineral exploration is being conducted. Property owners shall be allowed fifteen (15) working days to respond to the notice of proposed mineral exploration before any action is taken on the application.

5. Contamination/Interruption/Diminution of Public/Private Drinking Water Supply- In the event of excavation below the seasonal high water table, the operator of a mining/quarrying activity that affects by excavation activities a public drinking water source or private drinking water supply by contamination, interruption or diminution must restore or replace the affected water supply with an alternate source of water, adequate in quantity and quality for the purpose served by the supply. This provision is not intended to replace any independent action that a person may have whose water supply is affected by excavation activity.

6. Approval. The Planning and Zoning Board shall review and submit recommend to the Board of Commissions for an exploration permit when all of the following exist:

   a. when it is found the public interest will be protected by approval of the exploration permit and the application indicates compliance with §9.17.2.5 of this ordinance; and

   b. when the applicant has signed an undertaking for the reclamation of explored lands approved by the Planning and Zoning Board with performance guaranteed by an adequate financial surety held by a United States institution located within the continental United States in U.S. dollars to the amount of one hundred fifty (150) percent of the estimated cost of reclamation and approved by the County Attorney. This surety shall be retained for one year after the end of the growth season following the completion of reclamation.

9.17.3.6 **Change of Ownership**

1. Should a change in legal ownership of the mining/quarrying operation occur, the new owner(s) shall have sixty (60) days from the date of consummation of the ownership change to submit to the Building Official written proof of the assumption of responsibility and submission of any required sureties or bonds by the new owner, and shall submit the appropriate information and details necessary to update the existing Comprehensive Site Development Plan for the operation as specified in §9.17.2 and subsequent sections, or a copy of the updated Surface Mining Land Use Plan filed with the Georgia Environmental Protection Division. The operation may continue under the new owner during the sixty (60) day grace period. Failure of the new owner(s) to place on file with the County the necessary information and documents within said sixty (60) day period shall constitute a violation of this Ordinance.

2. Updating the information in the existing Comprehensive Site Development Plan for the operation to reflect a change of legal ownership of the mining/quarrying operation shall not constitute an amendment to the plan, unless significant changes are proposed to the nature or intensity of the operation itself or to plans, proposals, objectives, or time-frame for land stabilization or reclamation.

9.17.3.7 **Cessation of Operation**

1. Upon cessation of operation, defined as no physical operations on-site within a consecutive period of one (1) year, the operator shall begin with the reclamation or land stabilization, as specified in §9.17.4, herein, unless an application for inactive status has been submitted and approved.

2. The operator shall have up to twenty-four (24) months after the date of cessation of operations to submit a written application to the Building Official, requesting that the mining/quarry site be placed on inactive status. Said inactive status shall be granted for up to three (3) years with no affect on its zoning status. If, at the end of three years, active mining/quarrying has not been resumed, it shall be deemed that mining/quarry operations have permanently ceased. At such time, the operator shall complete reclamation or land stabilization, as specified in §9.17.4, herein. When a mining/quarry site is placed on inactive status, all exposed critical disturbed areas shall be stabilized and all measures employed for erosion and sedimentation control shall be maintained by the operator until such time as active mining/quarrying is resumed or said reclamation/land stabilization has been completed or said reclamation/land stabilization has been completed.

9.17.3.8 **Amendments to Plan.** Unless otherwise specified herein, once approved, there shall be no significant changes or variation involving the nature or intensity of the operation itself or to the plans, proposals, objectives or time-frame for land reclamation/land stabilization in the Comprehensive Site Development Plan, unless approved, after a public hearing as set out in Article XIII, Amendments, of this ordinance, by the Board of Commissioners and all applicable state regulating authorities. The Operator shall submit any proposed changes in the approved Plan to the Board of Commissioners or their designated official(s) and to the appropriate state agencies for approval as an amendment to this Plan prior to changing or varying from this Plan. Request for amendment shall be complete in all details necessary to show the new plan of action and all lands to be affected. This requirement shall not apply to existing operations for which no Comprehensive Site Development Plan or Surface Mining Land Use Plan exists, provided that such existing operations shall comply §9.17.2.9, Existing Mineral-Material Extraction and Surface Mining Operations, and §9.17.2.10, Registration Required, herein.

9.17.3.9 **Existing Mineral-Material Extraction and Surface Mining Operations:** For the purposes of this section, an existing

mineral/material extraction or surface mining operation shall be defined as one with a valid business license and on which active physical operations on site exist at the time this Ordinance is adopted; or any such proposed operation for which a valid Surface Mining Permit has been issued by the Georgia Environmental Protection Division and for which a reclamation bond has been funded, prior to the adoption of this Ordinance.

1. In order to provide the local governing authority with accurate and current information concerning existing surface mining, mineral/material extraction, quarrying, or stone crushing operations and in order to enforce the provisions that will apply to such existing operations upon adoption of this Ordinance, the owners of said existing operations shall be required to register with the County as specified in §9.17.2.10, herein.
2. Any existing mineral/material extraction or surface mining operation, which does not meet all of the requirements for a new operation as specified herein, shall be considered non-conforming for the purposes of this Ordinance. Such operation is deemed "grandfathered" as to this ordinance and may continue operation and excavation expansion in compliance only with all existing local, state, federal regulations, and permits to which it was subject prior to the adoption of this ordinance, provided that:
    a. Any expansion of the existing excavations or areas of operation shall be permitted only within the property lines of the existing tract on which the operation is located; except that adjacent tracts(s) under the same ownership or lease prior to the adoption of this ordinance and with existing physical operations on site shall be included as part of the existing operation. For operations subject to EPD permitting, any expansion of existing excavations or areas of operation shall be permitted only within the established boundaries of the EPD permitted and bonded area(s).
    b. Unless part of an approved Comprehensive Site Development Plan or EPD permitted Surface Mining Land Use Plan, the initiation of any new excavation or area of operation, which is not part of the incremental expansion of the existing excavation/operation, but which has a separate and distinct location, shall be permitted only in conformance with the §9.17.2 and subsequent sections,

and §9.17.4, Reclamation/Land Stabilization requirements, herein.

c. For those operations requiring EPD permits and bonds, there shall be no expansion of an existing operation beyond the established boundaries of the EPD permitted and bonded area(s) for the operation, or onto any property unless application for rezoning and conditional use permits first shall have been approved as specified in §9.17.2 and subsequent sections, herein.

3. Should a change in ownership of an existing operation occur, the new owner(s) shall comply with the requirements specified in §9.17.2.5 and §9.17.2.10, herein.

9.17.3.10 **Registration Required:**

1. In order to provide the governing authority with accurate and current information for all mineral/material extraction and surface mining operations within Greene County, all owners of such operations located within Greene County shall be required to register with the County Building Official and provide information about the operation, as specified herein. Any new operation approved and permitted by the Board of Commissioners pursuant to this Ordinance shall be automatically registered with the County. Any operation already in existence prior to the adoption of this Ordinance must register with the County and provide the required information within one (1) year of the adoption of this Ordinance. Failure to register or to truthfully report all information required shall constitute a violation of this Ordinance.

2. Registration Information - The required registration shall include the following information for each operation:

   a. The name of the local entity operating the activity, name of parent entity (if different from local entity), name of owner(s) of all entities, contact information including but not limited to the business address and telephone number.

   b. Provide the name and address of all land owner(s) and, if appropriate, the name and address of the lessee (if different from the owner of the operation). The registrant shall certify that the owner/operator is the rightful owner and/or duly authorized to act and has a valid current lease on said lands, if applicable.

c. The contact information for the on-site manager including but not limited to: name, title, mailing address and telephone number.

d. Specify the mineral or material which is being extracted and the type of operation and general method used for extraction.

e. Provide an average range of the volume of mineral/material extracted annually and truck trips per day.

f. Specify the tax parcel number(s) and total acreage of land owned and/or leased by the owner/operator for the operation. For each tax parcel, specify the total current acreage of each extraction area and the total acreage of land on which actual active physical operations are occurring at the time of registration.

g. If applicable, provide a copy of the current Surface Mining Land Use Plan and permit as approved by the Georgia Environmental Protection Division for the operation;

h. The information requested by this subsection shall be updated at any time that the information provided is no longer current.

9.17.3.11 Penalties and Surety Claims.

1. Action to Restrain Violations. Any person exploring any parcel of land for solid minerals without complying with the provision of this section shall be deemed to be in violation of this resolution.

2. Discontinuance of Exploratory Activity. If mineral exploration on any parcel of land shall be abandoned or discontinued for a period of one year and reclamation not completed as identified in approved plans, Greene County shall claim the required surety and proceed with reclamation.

3. Revocation of Permit(s): Any non-compliance with the applicable requirements of Section 9.17 shall result in the revocation of permit(s).

Penalties. This section may be enforced by the County Attorney by civil action for injunctive, declaratory, or such other relief as necessary to ensure that mining exploration shall not be conducted except as authorized by permit as provided in this resolution and that any degradation of the environment caused

by mining exploration shall be restored to its previous natural condition or in accordance with any undertaking for the reclamation of explored lands as provided by any applicable exploration permit.

9.17.4 Borrow Pits

9.17.4.1 Borrow Pit shall comply with the following requirements with the exception of the following:

1. Extraction of minerals by a landowner for his/her unprocessed form for non-commercial use on property owned by him or her.
2. Borrow pits for highway construction with a Department of Transportation reclamation plan and bond.
3. Excavation or grading incidental to the construction of a building on a lot or parcel for which a building permit has been issued. This authorization shall only apply to the land shown on the site plan submitted with the application for a building permit. Once a certificate of occupancy has been issued pursuant to said building permit that authorization shall not apply to any subsequent acquisition of land.
4. Excavation or grading performed in accordance with a site plan or subdivision plat which has been reviewed and approved by the Planning and Zoning Board and for which all necessary permits have been issued.
5. Bona fide agricultural operations as defined in Article III.
6. Activities incidental to the operation of public utilities.

The above operations are required to comply with State requirements with sediment and erosion control.

9.17.4.2 <u>General Requirements for Borrow Pits:</u> Excavations of any type or creation of borrow pits, may be permitted in certain zoning districts only after approval of a site plan by Building Official. Such excavations shall meet the following requirements:

1. Side slopes requirements. The angle of repose for borrow pit/mining slopes shall be no greater than 2:1 (i.e., two feet horizontal for each one foot vertical) unless a professional engineer (P.E.) or professional geologist (P.G.) certifies that an angle of repose exceeding this ratio will prohibit any potential erosion or slumping, factoring into account the type of soil (i.e., clay, sand, etc.) and pertinent environmental conditions of the area.

2. Side slopes steeper than 2:1 defined above shall have perimeter security fence as specified in §9.17.3.5.

3. If excavation extend deeper than the water table, the excavation shall be to a minimum depth of 2 feet below the water table.

4. Borrow pits shall be located so that no one point of the bank shall be closer than seventy-five (75) feet to any part of the underground and/or above ground, septic tank system.

5. Excavation and borrow pit operations shall be controlled to provide reasonable and continued protection of the surrounding properties with regard to the use and cleanliness of the streets for access to the subject premises. Hours of operation may be imposed to protect the peace, well being, compatibility and character of surrounding properties.

6. In no case shall the aquifer be penetrated.

7. No excavation shall be permitted which in any way interferes with natural or planned drainage.

8. Borrow pits shall not encroach into or be located in a jurisdictional wetland area as defined by the Army Corps of Engineers.

9. As a part of the site plan review, a reclamation or restoration plan shall be required prior to approval and issue of a development order as defined in §9.17.4.

9.17.4.3 Borrow Pits less than or equal to 2 acres.

1. Setbacks:

   a. The edge of a borrow pit may not be located at any one point closer than fifty (50) feet to right-of-way or easement access point. Borrow pits may be closer to the right-of-way with a conditional permit.

   b. The edge of a borrow pit may not be located at any one point closer than twenty-five (25) feet to any property line.

9.17.4.4 Borrow Pits greater than 2 acres.

1. Borrow pits will not be larger than 25% of tract or 25 acres, whichever is less. Larger borrow pits shall phase their operations and reclaim inactive phases.

2. Setbacks:

a. The edge of a borrow pit may not be located at any one point closer than one hundred (100) feet to right-of-way or easement access point. Borrow pits may be closer to the right-of-way with a conditional permit.

b. The edge of a borrow pit may not be located at any one point closer than fifty (50) feet to any property line.

c. Back to back pits. The setback for slope commencement excludes property boundary lines between active pits using the same excavation area.

d. Increased setbacks may be required by the Building Official to protect wellheads, environmental areas, and/or adjacent properties from adverse impacts.

3. Buffers and Screening.

a. Portions of the pit visible from the public right-of-way or nearest residential use shall be screened with dense landscaping to achieve at least 75 percent opacity within two years. The landscape buffer shall be no less than ten feet in width at any given point and may be placed either inside or outside the any required fence perimeter to achieve maximum dust and noise reduction and visible shielding. Earthen berms with a minimum height of three feet can be placed within this buffer area.

b. Buffers. In addition to the landscape screening noted above, a minimum ten-foot width buffer is required parallel to, and inside any required fence. Excavation, pit operations, parking, storage and disposal of debris are not permitted within the screening or buffer areas. The setback area may not be used for truck or equipment traffic, except as necessary to maintain the setback area and perimeter fence. Pit access point(s) shall be designed perpendicular to the buffer/screening width with the least disturbance to the buffer/screening zone that allows safe vehicle and equipment access to the operating site.

9.17.4.5 Fencing:

1. All borrow pits shall have substantially built, aesthetically pleasing fencing with locking gates not less than six (6) feet in height at all points of access. Gates for access shall be locked at all times during unsupervised or non-operating hours.

2. Required Fencing: For borrow pits with slopes exceeding 2:1 as described in §9.17.3.2.2.

a. Prior to excavation, the owner or lessee of land containing borrow pit operations shall construct and maintain aesthetically pleasing security fences not less than six (6) feet in height along the outer perimeter of the proposed excavated area.

b. Additional security features, such as barbed wire above the fence top, are encouraged.

c. Fence Alternative: as an alternative to fencing, a six (6) foot high earthen berm can be utilized.

3. Signage:

d. Signs shall be durable and bear the words DANGER and NO TRESPASSING in letters not less than six (6) inches in height, which shall be maintained by the owner or lessee so as to be clearly legible.

a. Signs shall be posted on all gates.

b. Signs shall be posted on any required fencing at no more than two hundred (200) feet apart.

4. Fences and gates shall be inspected and maintained in a safe and secure condition to remain an effective barrier. The owner of the property where the pit is located shall be responsible for inspecting and maintaining the fence at all times.

9.17.5 Reclamation/Land Stabilization: In addition to other requirements herein, all land involved in the operation shall be put back in a useable and safe fashion after the extraction operations are terminated. The affected land must be restored to a condition that is similar to or compatible with the conditions that existed before excavation.

9.17.5.1 Reclamation/Land Stabilization Plan - shall include the following:

1. A grading plan showing existing contours in the area to be extracted and proposed future contours showing the topography of the area after completion. Such plans shall include the surrounding area within five hundred (500) feet of the property boundary line, drawn to an appropriate scale with contour lines at intervals of two (2) feet or less.

2. Existing and proposed drainage of the area.

3. Details of re-grading and re-vegetation of the site during and at conclusion of the operation.

4. Statement of intended future use of the land.

5. Phasing and timing estimates of reclamation and rehabilitation activities. Completion of Plan shall be not be exceed twenty-four (24) months from date of cessation, except as otherwise specified and approved by the Building Official.

6. The plan shall also include an estimation of cost for rehabilitation.

9.17.5.2 Reclamation plans, if approved, shall be considered conditions of development approval, unless otherwise specified by the Building Official. The Board of Commissioners may require an applicant to post a bond calculated on a specific amount per acre for the purpose of insuring proper reclamation of the land.

9.17.5.3 Amendments: There shall be no amendment to the Plan unless such amendments are first approved by the Board of Commissioners or their designated official(s).

9.17.5.4 Requirements: The following requirements shall be met in the Rehabilitation / Land Stabilization Plan:

1. When any extraction has been completed, such area shall either be left as a permanent spring-fed lake or the floor thereof shall be leveled in such manner as to prevent the collection and stagnation of water and to provide proper drainage without excessive soil erosion, and shall otherwise comply with these requirements.

2. All affected land (excluding dimension stone quarry excavation pits) shall be graded into a rolling topography and blended in with the existing landscape. Boulders, and overburden may be incorporated into protective barriers or berms, as necessary, provided such materials shall not be deposited in the required buffer areas except as specifically provided in §9.17 and subsequent sections, herein.

    a. If grades are to be left below the water table, the excavation shall extend to a depth of two (2) feet below a water producing level.

    b. Excavated area shall be graded to blend with the surrounding topography.

    c. If backfilling the excavation, the backfill shall be non-noxious and non-inflammable solids to assure that the excavated area will not collect and retain stagnant water. The graded and/or back-filled surface shall create a gentle rolling topography to minimize erosion by wind or

rain and substantially conform to the contour of the surrounding area.

d. The banks of all extraction, when not back-filled, shall be sloped at a grade of not less than two (2) feet horizontal to one (1) foot vertical.

e. Spoil banks shall be graded to a level suiting the existing terrain.

f. All banks and extracted areas shall be surfaced with at least six (6) inches of suitable soil, except exposed rock surfaces, and shall be planted or seeded with trees, shrubs, legumes or grasses and maintained until the soil is stabilized.

3. All equipment and structures shall be removed within three (3) months of the completion of the extraction of materials.

4. All accessory structures, mechanical equipment, and stockpiled materials associated with the operation shall be removed within three (3) months of completion of the extraction of materials.

5. Vegetative Stabilization - The Owner or lessee shall provide a high quality, enduring vegetative ground cover of properly planted and nurtured perennial vegetative species suited for the specific planting zone involved. The perennial vegetative species shall provide a complete, thorough stabilization by providing root mass and cover for the total disturbed area. If forest land is the reclamation objective, a vegetative ground cover will also be provided prior to or concurrent with tree seeding or the planting of tree seedlings.

6. Structural Stabilization - Permanent structural control measures, i.e. stone riprap, ditches, berms, paved chutes, or piped down drains, etc, shall be utilized to convey concentrated storm flows down slopes to stable outlets. These measures shall be necessary in areas where concentrated storm flow velocities may cause erosion.

7. Lakes or Ponds – All proposed lakes or ponds shall comply with all applicable local, state and federal regulations and requirements.

8. All exposed critical disturbed areas shall be stabilized and all measures employed for erosion and sedimentation control shall be maintained by the operator until reclamation or land stabilization can be completed.

9. Any security fencing or barriers shall be removed upon the closure of the borrow pit and completion of reclamation except those needed to secure dimension stone quarry excavation pits.

9.18 Planned Unit Development (PUD) and Commercial Planned Unit Development (CPUD)

The provisions of this Section 9.18 shall become applicable upon and after completion of rezoning any tract of land to a PUD or CPUD. Upon successful rezoning, at the time the developer desires to commence development, the developer shall make submissions for development approvals pursuant to the Greene County Subdivision Regulations, which shall include, but shall not be limited to, preliminary plats, final plats, and construction drawings all as set out in the Greene County Subdivision Regulations. Each such submission shall be accompanied by a development time table for the proposed and submitted phase or subdivision, the original plans or those plans amended as a result of recommendations or requirements of the Commission and any other data or proof of compliance to the conditions provided in the Subdivision Regulations all of which shall conform to the guidelines therein. The Planning Commission may recommend for approval or denial such applications as submitted, or may recommend for approval the application subject to specified conditions in addition to those described herein. County approval of any detailed construction plan shall lapse unless construction is started in the approved section, within one year. No conveyances of subdivided land within the development shall be made until the developer has complied with the Greene County Subdivision Regulations for said phase or subdivision.

9.18.1 Dimensional Requirements for PUD only.

9.18.1.1 A maximum of 67 percent of the total PUD may be occupied for residential uses which includes streets, alleys, parking areas, private open spaces and courts which abut and service adjacent residences or groups of residences. It does not include usable open space available for use by the general public.

9.18.1.2 A minimum of 33 percent of open-air recreational uses and other usable spaces. Usable open space shall be defined as an open area designed and developed for use by the occupants of the development or by others for recreation (commercial, public, or private), courts, or gardens. The space shall be effectively separated from auto traffic and parking and shall be readily accessible. Open space does not include space devoted to streets, parking, rights-of-way, privately owned lots, or utility easements.

9.18.1.3 Upon submittal of a Preliminary Plat and Final Plat as described in Section 9.18, the submittal must be accompanied by a certification from the developer designating the total acreage of the PUD, amount of total in use(s) complying with 9.18.1.1, and amount of total in use(s) complying with 9.18.1.2.

9.18.1.4 The total number of residences shall not exceed four dwelling units per acre in the total PUD. Land devoted to residential use, as defined in 9.18.1.1, shall not exceed 10 units per acre of land.

9.18.1.5 There is no minimum lot size or width. However, every single-family dwelling shall have access to a street, court, or walkway or other area dedicated to public use. No single-family or two-family dwellings and accessory building shall be erected within 20 feet of any other structure. If a single family or two family dwelling or accessory building is constructed on individual designated lot, all structures will be set back a minimum of 10 feet from all lot lines.

9.18.1.6 Maximum height of all other structures is 40 feet, excluding religious institutions and approved towers or antennas.

9.18.1.7 Maximum length of a continuous structure of townhouse or condominiums is 8 dwelling units.

9.18.1.8 Parking shall meet the requirements of Article 6.2.

9.18.1.9 Signs shall meet the requirements of Article X.

9.18.2 Dimensional Requirements for CPUD only

9.18.2.1 A minimum of 25 percent of the total CPUD will be occupied for residential uses which includes streets, alleys, parking areas, private open spaces and courts which abut and service adjacent residences or groups of residences. It does not include usable open space available for use by the general public.

9.18.2.2 A minimum of 25 percent of the total CPUD will be occupied by non-residential uses (commercial, institutional, utility, etc…) which include streets, alleys, parking areas, private open spaces and courts which sbut and sevice adjacent non-residential uses. It does not include usable open space available for use fy the general public.

9.18.2.3 Upon submittal of a Preliminary Plat and Final Plat as described in

Section 9.18, the submittal must be accompanied by a certification from the developer designating the total acreage of the CPUD, amount of total in use(s) complying with 9.18.2.1, and amount of total in use(s) complying with 9.18.2.2.

9.18.2.4 The total number of residences shall not exceed four dwelling units per acre in the total CPUD. Land devoted to residential use, as defined in 9.18.2.1, shall not exceed 10 units per acre of land.

9.18.2.5 There is no minimum lot size or width. However, every single-family dwelling shall have access to a street, court, or walkway or other area dedicated to public use. No single-family or two-family dwellings and accessory building shall be erected within 20 feet of any other structure. If a single family or two family dwelling or accessory building is constructed on individual designated lot, all structures will be set back a minimum of 10 feet from all lot lines.

9.18.2.6 Maximum height of all other structures is 40 feet, excluding religious institutions and approved towers or antennas.

9.18.2.7 Maximum length of a continuous structure of townhouse or condominiums is 8 dwelling units.

9.18.2.8 Parking shall meet the requirements of Article 6.2.

9.18.2.9 Signs shall meet the requirements of Article X.

9.19 Recreational Campgrounds

9.19.1 Setbacks. The site of the actual camp facilities, ie, car parking, shelter, cooking and sanitary facilities must be no less than 200 feet from any adjacent property and/or any public right-of-way.

9.19.2 Sanitary Facilities. Any campground that accommodates six (6) or more people must be equipped with a concealed restroom facility which may be a Port-o-Toilet, an outhouse, or a bath building.

9.19.3 Litter. Campgrounds must be kept clean of trash and debris at all times, and are subject to current state and county anti-littering statutes.

9.19.4 Restricted Districts. Recreational campgrounds are permitted in zoning districts A1 & A2.

9.19.5 Permanent Structures. Permanent structures on a campground that are used to house or shelter campers must meet the safety standards of the Georgia Building Code and of Article VI of this ordinance.

9.20 TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND)

"Traditional neighborhood development" means a compact, mixed-use neighborhood where residential, commercial and civic buildings are within close proximity to each other.

9.20.1 Permitted in CPUD Traditional Neighborhood Development is a permitted use within a CPUD District. Where differences in the CPUD and TND requirements exist, the requirements for TND shall prevail. Traditional Neighborhoods are designed as compact, walkable, diverse, safe, and attractive neighborhoods. They are defined by the following principles.

1. Compact and walkable. Neighborhoods should be compact enough to encourage development of pedestrian connections and destinations without excluding automobiles.

2. A hierarchy of interconnected streets. Streets and roads function as a connected network, dispersing traffic and offering a variety of pedestrian and vehicular routes to any destination while connecting and integrating the neighborhood with surrounding communities.

3. An identifiable neighborhood/community center and edges. A center that includes public spaces—such as a square, green or important street intersection—and public buildings—such as a library, church or community center, and retail businesses—provides a civic focus and informal place of gathering; and edges that promote neighborhood identity.

4. A variety of housing choices within the same neighborhood. The neighborhood includes a variety of dwelling types so that younger and older people, singles and families, of varying income levels may find places to live.

5. A diverse mix of activities (residences, shops, schools, workplaces and parks, etc.) occur in proximity. A variety of uses within the same building, block and neighborhood is an essential component to the function and character addressed by traditional neighborhood development (TND) mixed use. Many activities of daily living should occur within walking distance, allowing independence to those who do not drive and adding to neighborhood vitality.

6. A range of transportation options. Streets are designed to promote the safe and efficient use by walkers, bikers, and drivers.

7. Pedestrian-friendly. Features such as safe, attractive and comfortable streets and public spaces promote walking as a viable option to auto trips.

8. Open spaces, greens, parks, accessible and convenient to all. Significant cultural and environmental features are incorporated into the design of the development for the use, benefit, and enjoyment of the entire community. A range of parks, from tot-tots and village greens to ball fields and community gardens, are distributed within neighborhoods.

9.20.2 Dimensional Requirements for TND.

9.20.2.1 Overall Size**:**

1. Traditional Neighborhoods should be large enough to contain a mix of uses, and conform to the principles for a TND. They should be small enough to allow a pedestrian to travel from the center to the edge in five to ten minutes.

2. The minimum size of a Traditional Neighborhood shall be 35 acres.

3. Sites larger than 70 acres may be developed as multiple neighborhoods, with each neighborhood designed to be integrated into an overall plan and the total site subject to all the provisions.

4. Applications for sites less than 35 acres shall be considered when adjacent to or integrated with an existing or approved Traditional Neighborhood that is consistent with the principles for a TND.

9.20.2.2 Densities:

1. Residential: The number of residences will not exceed four (4) dwelling units per acre in the total TND. Residential density will not exceed ten (10) units per acre of land in any single phase.

2. Commercial, Institutional, or Other Uses (Non-residential): The total ground floor area of non-residential development uses shall be a minimum of 10 percent of the traditional neighborhood development.

3. Common Open Space: At least twenty (20) percent of the gross

acreage of the Traditional Neighborhood Development must be common open space. Open space may include parks, recreation areas, or un-developable areas such as steep slopes and wetlands. At least 25 percent of the common open space must be dedicated to the public for parks and recreation.

4. Upon submittal of a Preliminary Plat and Final Plat, the submittal must be accompanied by a certification from the developer designating the following:

a. All certification requirements for the underlying zoning district (CPUD).

b. Total acreage of the TND.

c. Total acres in phase and total acres developed in TND.

d. Number of residential units in phase and total residential units developed (including proposed units).

e. Residential density developed (including proposed units) per gross acre of total TND;

f. Percent proposed in phase and developed in TND for residential, open Space – both common open space and parks/recreational areas, other uses and future development.

9.20.3 Traditional Neighborhood Development Design Standards

9.20.3.1 Neighborhood Uses: In order to achieve the proximity necessary to make neighborhoods walkable, the TND will have a mix of land uses. The traditional neighborhood development will consist of a mix of residential uses, a mixed use area, and open space.

9.20.3.2 Mixed Residential uses can occur anywhere in the traditional neighborhood development. The mix of residential uses will be for more than one income level and age group. Residential uses permitted will be consistent with uses permitted in the Zoning District.

a. There shall be no minimum standards for lot size.

b. Every single-family dwelling shall have access to a street, court, or walkway or other area dedicated to public use.

c. Maximum length of a continuous structure of townhouse or condominiums is 8 dwelling units.

d. Curb cuts for driveways to individual residential lots shall be prohibited along arterial streets. Curb cuts shall be limited intersections with other streets or access drives to parking areas for commercial, civic or multifamily residential uses.

9.20.3.3 Mixed use area of the TND shall be composed of commercial, residential, civic or institutional, and open space uses. All residents shall be within approximately 1/4 mile or a 5 minute walk from existing or proposed commercial, civic, and / or open space areas. Uses permitted will be consistent with uses permitted in the underlying Zoning District.

9.20.3.4 Open space uses shall be incorporated in the traditional neighborhood development as appropriate.

9.20.3.5 Setbacks:

a. Building Setback, Front - Along Existing Public Rights-of-Ways Internal to the TND: Structures shall have a minimum building setback of 10 feet.

b. There are no building setbacks within the TND.

9.20.3.6 Building Separation: There will be no minimum separation of buildings, but all buildings must comply with the Standard Building Code.

9.20.3.7 Building Heights: Maximum height of all structures will comply with Section 9.18.2.6.

9.20.3.8 Circulation Standards: The circulation system shall allow for different modes of transportation. The circulation system shall provide functional and visual links within the residential areas, mixed use area, and open space of the traditional neighborhood development and shall be connected to existing and proposed external development. The circulation system shall provide adequate traffic capacity, provide connected pedestrian and bicycle routes (especially off street bicycle or multi-use paths or bicycle lanes on the streets), control through traffic, lot access to streets of high traffic volumes shall be discouraged, and promote safe and efficient mobility through the traditional neighborhood development.

9.20.3.9 Pedestrian Circulation: Convenient pedestrian circulation systems that minimize pedestrian-motor vehicle conflicts shall be provided continuously throughout the Traditional Neighborhood Development.

a. Sidewalks shall form an interconnected network.

b. Sidewalks will be provided on a minimum of one (1) side of cul-de-sac streets, unless topographic conditions prohibit.

c. Sidewalk requirements may be waived where open space abuts a street if an accessible pedestrian path or trail is provided within two hundred (200) feet of said street and links with required sidewalks at each end.

d. Sidewalks shall be provided where residential or mixed uses border the street.

e. Sidewalks in residential areas will be a minimum of 5 feet in width, depending on projected pedestrian traffic, and will connect all dwelling entrances to the adjacent public sidewalk.

f. Sidewalks in mixed use areas will connect building entrances to the adjacent public sidewalk and to associated parking areas. Such walkways shall be a minimum of 5 feet in width.

9.20.3.10 Motor Vehicle Circulation: Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles. Traffic calming features may be used to encourage slow traffic speeds.

a. Street Hierarchy: Each street within a traditional neighborhood development shall be classified according to:

b. Major Collector: This street provides access to commercial or mixed -use buildings, but it is also part of the TND's major street network. On-street public parking, whether diagonal or parallel, helps to slow traffic. Additional parking in accordance with Greene County parking requirements shall be provided in lots to the side or rear of buildings. Design speed is 30 mph.

c. Minor Collector: This street provides primary access to individual residential properties and connects streets of lower and higher function. Design speed is 25 mph.

d. Local Street: This street provides primary access to individual residential

properties. Design speed is 20 mph.

e. Alley: These streets provide access to residential properties where street frontages are narrow, where the street is designed with a narrow width to provide limited on-street parking, or where alley access development is desired to increase residential densities. Alleys may also provide delivery access or alternate parking access to commercial properties.

f. Street jogs and offsets will be permitted at a minimum of 75 feet on TND Local streets and Alleys only.

9.20.3.11 Street Widths and Design Criteria:

a. Public Roads: Roads proposed for dedication to Greene County will be designed and constructed in accordance with the Greene County Subdivisions Regulations and Greene County road standards.

b. Private Roads: Private roads may be designed and constructed according to alternate engineering standards. These alternative standards and justification will be provided to the Greene County Planning and Zoning Commission when the Preliminary Plat for the TND is submitted.

c. Developments designed to have private roads will indicate on the Preliminary and Final Plat which roads are to be designated as Private Roads. The Preliminary and Final Plats will have the following Owner's Waiver:

"I (we) hereby certify that I am (we are) the owner(s) of the property shown and described herein and, for roads designated as "Private" on this plat, I (we) hereby waive the right to seek future acceptance of the roads as county owned roads for maintenance purposes, unless prior to such request the "Private Roads" have been brought into compliance with the current Subdivision Regulation of Greene County road standards."

This statement shall be signed and dated by the owners, proprietors, or trustees, if any, prior to the final plat submittal.

9.20.3.12 Parking: Parking shall meet the requirements of Article 6.2. In areas other than single-family residential, on-street parking on private streets available along the frontage lines that correspond to each lot may be counted toward the minimum parking requirements of the lot.

9.20.3.13 Signage: Signs shall meet the requirements of Article X.

9.21 Personal Care Home

9.21.1 Prior to application for a conditional use permit the Applicant shall obtain qualification inspection from the County Building Official to determine if any existing building proposed for use as any type Personal Care Home will be satisfactory for the requested use.

9.21.2 The application for a conditional use permit shall be accompanied by a site plan based upon a boundary survey by a Georgia Registered Land Surveyor. The site plan shall show all existing or proposed improvements on the property including water source, sewage disposal, electric or other public utilities, driveways, parking and distances from any structure to the nearest boundary line. This site plan must be drawn to scale and shall be on media no smaller than 8.5"x11" and no larger that 24"x36".

9.21.3 Any type personal care home under this ordinance must be on a minimum lot size that conforms to the zoning district in which it is located.

9.21.4 Personal care homes must be located on a paved road.

9.21.5 Parking shall be limited to one space per bedroom plus one per paid on-duty staff member. Parking areas shall have adequate turn-around areas so that all vehicles may enter the street in a forward manner.

9.21.6 Parking areas shall be designed so that sanitation, emergency and other public service vehicles can serve the facility without the necessity of backing unreasonable distances or having to make hazardous or dangerous turning movements.

9.21.7 Prior to receiving a Certificate Of Occupancy the applicant must furnish to the County Building Official an official report from the Greene County Health Department that any on-site well, or septic systems are adequate for the number of residents to be served by the facility.

9.21.8 An operating permit for a Personal Care Home from the Georgia Department of Human Resources must be issued and a copy of said permit filed with the Greene County Building Inspector prior to issuance of a Certificate Of Occupancy or the connection of permanent power to said building.

9.21.9 A personal care home will be subject to an annual inspection by the Greene County Building Official.

ARTICLE X: SIGNS

10.1 GENERAL PURPOSES AND FINDINGS.

The Greene County Board of Commissioners finds that signs and outdoor advertising provide an important medium for individuals or entities to convey messages if displayed in a reasonable, safe, non-distracting and orderly manner. Failure to regulate the placement, installation and maintenance of signs and outdoor advertising, which are intentionally designed to attract attention and be unavoidable, threatens the health, safety, welfare and general well being of the citizens of Greene County. Unbridled placement, installation and maintenance activities create traffic hazards due to the visual distractions; infringe upon the tranquility of areas; decrease overall attractiveness and aesthetics of the topography and natural resources; and fail to protect both public and private investments in streets, roadways and property. By enacting this resolution, the County Commission regulates the placement, installation and maintenance of signs and outdoor advertising so as to:

A. Balance the rights of those desiring to convey their messages through signs and outdoor advertising with the right of the public to be protected against unrestricted proliferation of such;

B. Protect the public health, safety and welfare;

C. Avoid unnecessary traffic and pedestrian distractions and hazards;

D. Ensure compatibility among the County's scenic rural corridors, visual beauty and natural resources;

E. Protect property values throughout the County;

F. Promote economic and tourist development; and

G. Ensure fair and consistent enforcement of sign and outdoor advertising regulations.

10.2 Definitions

Except as specifically defined herein, each word used in this Article has its customary dictionary definition. For the purpose of this Article, certain words or terms used herein are defined as follows:

A. Abandoned Sign. A sign which no longer identifies or advertises a bona fide

business, lessor, service, owner, product or activity, and/or for which no legal owner can be found.

B. Administrator. That person designated by the Board to administer and enforce the provisions of this Article.

C. Back-to-Back Sign. A sign constructed on a single set of supports with messages visible on any side, provided that double message boards are physically contiguous.

D. Banners. Pennants and Balloons. Any animated, rotating, fluttering or non-stationary device made of flexible materials designed to attract attention.

B. Board of Adjustment. The duly appointed board authorized by the Board to hear and act upon any appeal of a decision of the Administrator or any request for a variance from any provision of this Article.

F. Canopy. A structure constructed of rigid materials, including, but not limited to, metal, wood, concrete, plastic, canvas or glass, which is attached to and supported by a building or by columns, poles or braces extended to the ground.

G. Canopy Sign. A sign which is suspended from, attached to, supported from or forms a part of a canopy.

H. Changeable Copy Sign. A sign on which message copy is changed manually in the field, through the utilization of attachable letters, numbers, symbols and other similar characters or changeable pictorial panels.

I. Commercial or Industrial Center. Two (2) or more separate occupancies located within the same or adjacent building or buildings on the same commercial or industrial plat or record.

J. Dilapidated Sign. Any sign that is structurally unsound, has defective parts or is in need of painting or maintenance.

K. Directional Sign. A sign, permanently erected or permitted in the public right-of-way or private property by the County or any other governmental agency to denote the name of any thoroughfare, the route to any city, town, village, educational institution, public building, historic place, shrine or hospital, or other area of specific interest to the public.

L. Directory Sign. A sign listing only the names and/or use, or location of more

than one (1) business, activity or professional office conducted within a building, group of buildings or commercial center.

M. Double-Faced Sign. A sign with two (2) faces which are usually, but not necessarily, parallel.

N. Electrical Sign. A self-illuminated sign or sign structure in which electric wiring, connections and/or fixtures are used as part of the sign proper.

0. Existing Sign. Any sign that was legally erected, mounted, or displayed prior to the adoption of this Article.

P. Facade. The entire building wall, including main street wall face, and parapet, facia, windows, doors, canopy and roof on any complete evaluation.

Q. Fixed Projecting Sign. A sign, other than a flat sign, which extends outward for more than six (6) inches from the facade of any building and is rigidly affixed thereto.

R. Flashing Sign. Any lighted or electrical sign which emits light in sudden transitory bursts.

S. Flat Sign. A sign erected parallel to and extending not more than twelve inches (12") from the facade of any building to which it is attached and supported, throughout its entire length, by the facade of the building and not extending above the building.

T. Free-Standing Sign. A sign supported by a sign structure secured in the ground and which is wholly independent of any building, fence, vehicle or other support.

U. Frontage. The length of the property line of any one premises parcel serving as a public right-of-way line.

V. Frontage Wall Face. The building facade, excluding parapet, facia, soffit, mansard and roof, which faces a frontage of the premises.

W. Height of Sign. The vertical distance measured from the average elevation of the nearest road centerline to the top of the sign face or sign structure, whichever is greater.

X. Illuminated Sign.

a. External. Any sign that is directly lighted by an external source.

b. Internal. Any sign that transmits light through its face or any part thereof.

Y. Inflatable Sign. A sign that is either expanded to its full dimensions or supported by gasses contained within the sign, or sign parts, at a pressure greater than atmospheric pressure.

Z. Ingress/Egress Sign. A sign which designates only the direction of ingress or egress of a parking area or driveway, such as "In," "Out," "One-Way," "Do Not Enter," or "No Exit."

AA. Nonconforming Sign. Any sign which has a valid permit, was erected or displayed prior to the effective date of this Article or any subsequent amendment hereto and does not conform with any provision of this Article.

BB. Occupancy. Any use of or activity upon the premises.

EE. Painted Wall Sign. A sign painted directly on any exterior building wall or door surface, exclusive of window and door glass areas on any outside wall or roof or on glass of any building.

FF. Panel. The primary surface of a sign upon which the message of the sign is carried.

GG. Parapet. A vertical false front or wall extension above the roof line.

HH. Pennant: See Section 10.2.D.

II. Permitted Sign. A sign for which a valid permit has been issued.

JJ. Political Sign. A sign erected by a political candidate, group or agent thereof for the purpose of advertising a candidate or stating a position regarding an issue upon which the voters of the County shall vote.

KK. Portable Sign. Any sign which is not permanently affixed to a building, structure or the ground, or which is attached to a mobile vehicle.

LL. Premises. The plat of record which is affected, either directly or indirectly, by the contents of this Article.

MM. Project Sign. Any sign erected and maintained on the premises temporarily while undergoing construction by an architect, contractor, developer, finance organization, subcontractor or materials vendor upon which property such

individual is furnishing labor, services or material.

NN. Public Right-of-Way Line. The line where the property meets the public right-of-way at a public street or public waterway, provided that this definition shall not include unimproved alleys, easements or other similar dedicated uses.

Public Way. Any street, highway, road, path or right-of-way, whether privately or publicly owned, which is designed or used for vehicular or pedestrian traffic, either by public right or custom, or by invitation of two (2) or more common owners.

PP. Real Estate Sign. A temporary sign erected by the owner, or his/her agent, identifying the real property upon which the sign is located for rent, lease or sale.

QQ. Roof. The exterior upper covering of the top of a building.

RR. Roof Sign. A sign erected over or on, and wholly or partially dependent upon, the roof of any building for support, or attached to the roof in any way.

SS. Rotating Sign. Any sign which revolves around one or more fixed areas.

TT. Seasonal/Holiday Sign. A sign used for emphasizing the celebration of a nationally recognized holiday which is erected for a limited period of time.

UU. Sidewalk or Sandwich Sign. A movable sign not secured or attached to the ground or any building or structure.

VV. Sign. Any device or representation for visual communication that is used for the purpose of bringing the subject thereof to the attention of others, which is located on or attached to premises, real property, structures on real property or a vehicle.

WW. Sign, Area of The square feet area enclosed by the perimeter of the Sign Face. With respect to signs which are composed of individual symbols, letters, figures, illustrations, message, forms or panels, sign area shall be considered to include all lettering, wording, and accompanying designs and symbols, together with the background on which they are displayed, any frame around the sign and any "cutouts" or extensions, but shall not include any supporting structure or bracing.

XX. Sign Face. The part of the sign that is or can be used to identify, advertise or communicate information or for visual representation which attracts the attention of the public for any purpose. Sign Face includes any background material, panel, trim, color and direct or self illumination used that differentiates the sign from the

building, structure, backdrop surface or object upon which or against which it is placed. The sign structure shall not be included as a portion of the Sign Face, provided that no message, symbol or any of the aforementioned Sign Face criteria are displayed on or designed as part of the sign structure.

YY. Sign Structure. A supporting structure erected, used or intended for the purposes of identification or attracting attention, with or without a sign thereon, situated upon or attached to the premises, upon which any sign may be fastened, affixed, displayed or applied, provided however, this definition shall not included a building, fence, wall or earthen berm.

ZZ. Snipe Sign. A sign which is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, or fences, or to other objects, and the advertising matter appearing thereon is not applicable to the present use of the premises upon which such sign is located.

AAA. Swinging Sign. A sign installed on an arm, mast or spar that is not, an addition, permanently fastened to an adjacent wall or upright pole, or constructed to prevent a swinging movement.

BBB. Temporary Sign. Any sign or information transmitting structure intended to be erected or displayed for a limited period.

CCC. Time and Temperature Sign. An electrical sign utilizing lights going on and off periodically to display the current time and temperature in the community.

DDD. Traffic Direction/Safety Sign. A sign consisting of type and/or an arrow and is designed, sized or erected solely for the purposes of vehicular or pedestrian traffic direction or safety on a particular premise.

EEE. Vehicle Sign. A permanent or temporary sign affixed, painted on or placed in or upon any parked vehicle, trailer or other device capable of being towed, which is displayed in public view.

FFF. Window Sign. Any sign which is painted on, applied to, attached to or projected upon or within the exterior or interior of a building glass area, including doors, or located within fifteen (15) feet of the interior of a building glass area, including doors, whose identification, message, symbol, insignia, visual representation, logotype, or any other form which communicates information, can be read from contiguous property or public right-of-way.

GGG. Window Sign. Temporary. A window sign of a temporary nature used to direct attention to the sale of merchandise, or a change in the status of the

business, including, but not limited to, signs for sales, specials, going out of business, and grand openings.

10.3 Existing Signs.

A. Illegal Signs.

Any sign erected or existing as of the effective date of this Article which does not have a valid permit from the Board, or any sign so reclassified pursuant to 10.3.C.1 is hereby deemed to be an illegal sign, and such sign and the person or persons responsible for such sign shall be subject to the provisions of this Article.

B. Legal Signs.

1. Any existing and permitted sign that complies with the provisions of this Article, and any subsequent amendment hereto, is hereby deemed to be a legal sign. Any proposed alteration to or relocation of such sign shall not be undertaken until a permit is issued, unless the proposed alteration is specifically exempted from such permit requirement under this Article.

2. Any legal sign which does not comply with the provisions of this Article solely due to the enactment of any amendment hereto subsequent to the effective date of this Article shall, upon the effective date of such amendment, becomes a nonconforming sign and subject to the provisions of Section 10.3.C.

C. Nonconforming Signs.

1. Any sign erected or existing as of the effective date of this Article which has a valid permit from the County, but which does not conform to the provisions of this Article, or any sign pursuant to 10.3.B.2, is hereby deemed to be a nonconforming sign. A nonconforming sign may be maintained only by painting or refinishing the surface of the sign face or sign structure so as to keep the appearance of the sign as it was when the prior permit was issued or the County permit tag affixed. Upon a determination by the Administrator and notice to the permittee that a nonconforming sign has become dilapidated or structurally unsound, such sign shall be moved within twenty (20) days, unless an appeal of such determination has been previously filed with the Board of Commissioners.

2. Any nonconforming sign may become a legal sign if; after compliance with the provisions of Section 10.6 of this Article, it is brought into conformity with the provisions of this Article.

3. Any nonconforming sign, (whether permanent or changeable) is considered an unnecessary and undesirable sign if for a period of six (6) months it meets one or more of the following conditions:

a. Requires repainting or structural repairs.

b. Contains no advertising message or only a message to make a contact to place an advertisement.

c. Has an advertising message, which is badly worn and/or dilapidated.

The Greene County Code Enforcement Officer will notify the owner of the sign (only if the sign is registered with the County) and the property owner where the signs located, that in thirty (30) days the sign must have the above conditions(s) corrected or the sign will be removed. If the condition is not corrected or the sign removed with thirty (30) days, the County will have the sign removed at the property owner's expense.

10.4 Prohibited Signs.

A. Prohibited Signs. Except as may be hereinafter specifically permitted, it shall be unlawful after the effective date of this Article, or any amendment hereto, for any person to erect, place or use within the County, or visible from any public way or Lake Oconee, any of the following signs:

1. Swinging signs.

2. Snipe signs.

3. Sidewalk and sandwich signs.

4. Banners, pennants and balloons.

5. Interstate signs except as permitted by 10.7.H.

6. A sign which contains any moving, flashing, animated lights, visible

moving or moving parts, or giving the appearance of animation.

7. Roof signs.

8. Vehicle signs. Prohibited vehicle signs does not include personal or company vehicles, licensed and in operable condition, with company name, phone number, address, or company logo on the vehicle.

9. Any sign which emits a sound, odor or visible matter.

10. Any sign that obstructs free ingress to or egress from a required door, window, fire escape or other required exit.

11. Any sign and/or sign structure that obstructs the view of; may be confused with or purports to be a governmental or traffic direction/safety sign.

12. Any sign or sign structure, other than free-standing and vertical wall extension, which any portion extends above the parapet, building roof line or canopy against which the sign is located.

13. Signs using the words "stop," "danger," or any other word, phrase, symbol or character in a manner that misleads, confuses or distracts a vehicle driver.

14. Except as otherwise provided, no sign, whether temporary or permanent, except by a public agency, is permitted within any street or highway right-of-way.

15. Signs painted on or attached to trees, fence posts, rocks, or other natural features, telephone or utility poles or painted on the roofs of buildings visible from any public thoroughfare.

16. Abandoned or dilapidated signs.

17. Any sign on or towed behind a boat, raft, aircraft or helicopter.

18. Signs or other advertising structures that contain obscene or indecent material;

a. Material is obscene if both of the following apply:

(1) To the average person, applying contemporary

community standards, taken as a whole, it predominantly appeals to the prurient interest, that is a shameful or morbid interest in nudity, sex, excretion; and

(2) The material depicts or describes, in a patently offensive way, sexual conduct specifically defined as (a) acts of sexual intercourse, heterosexual or homosexual, normal or perverted, actual or simulated; (b) acts of masturbation; (c) acts involving excretory functions or lewd exhibition of the genitals; (d) acts if bestiality or the fondling of sex organs of animals; or (e) sexual acts of flagellation, torture, or other violence indicating a sadomasochistic sexual relationship.

b. Material is indecent if the sign depicts the following parts of the human anatomy: (1) Any portion of the female breast below the top of the areola; (2) Any portion of the male or female pubic hair, anus, cleft of the buttocks, vulva or genitals.

19. Portable signs.

20. Signs affixed to a private residence or dwelling or displayed upon the grounds thereof, except one (1) personal identification sign not exceeding two (2) square feet and one (1) non-illuminated "For Sale" or "For Rent" sign not exceeding six (6) square feet.

21. Inflatable signs.

22. If illuminated, contains, includes, or is illuminated by any flashing, intermittent, or moving light or lights except those giving public service information such as time, date, temperature, weather, or other similar information.

10.5 Permissible Signs.

A. Permit Required. Unless specifically exempted pursuant to this Section, no sign or sign structure shall be erected, displayed, moved, relocated, or altered, unless specifically exempted pursuant to Section 10.5.C until a permit fee has been paid and a sign permit issued by the Administrator pursuant to Section 10.8 of this Article.

B. Signs Exempt from Permit Requirement. A permit is not required for the following types of signs, after proper notification is made to the Administrator:

1. An official sign or notice issued by any court, public agency or office.

2. A traffic directional, warning or information sign authorized by any public agency.

3. An ingress/egress sign that does not exceed four (4) square feet per sign face.

4. Any sign located within a private residential community, provided that the sign is not visible to the general public from areas outside the community.

C. Sign Alterations Exempt from Permit Requirements. A permit is not required to engage in sign alterations if such alterations involve only:

1. The changing of copy on a permitted changeable copy sign; or

2. The painting or refinishing of the surface of a sign face or sign structure of a permitted sign so as to keep the appearance of such sign as it existed on the date such sign received a permit tag.

10.6 General Sign Standards.

A. Setback from Right-of-Way. In order to provide room for future or current sidewalks, all signs shall be required to be set back at least ten (10) feet from the street right-of-way. However, if a sidewalk exists or has been planned in such a manner as to make this impractical, this setback may be reduced or waived by the Administrator. Further, this setback may be increased as deemed necessary by the Administrator for the protection of the public health, safety or welfare.

B. Sign Illumination

1. Electrical Requirements. Electrical requirements pertaining to signs shall be in accordance with all applicable codes.

2. If illuminated, signs shall be illuminated only by the following means:

a. By a white, steady stationary light of reasonable intensity directed solely at or from within the sign.

b. Light source(s) to illuminate signs shall be shielded from all

adjacent buildings and streets and shall not be of such brightness so as to cause glare hazardous to pedestrians or auto drivers or so as to create a nuisance to adjacent property.

C. Material and Style.

1. The various parts of a sign shall be constructed of compatible materials.

2. All signs shall be standard geometric shapes.

D. Dimension and Quantity.

1. Area and Quantity. The area and quantity of any sign face shall conform to the following:

a. Major residential development consisting of more than five hundred (500) dwelling units shall be permitted one (1) free-standing sign per entrance with not more than two hundred forty (240) square feet of sign face per sign' equally divided among not more than four (4) sign faces. No single sign face shall exceed one hundred twenty (120) square feet.

b. Secondary residential development consisting of five hundred (500) dwelling units or less, but more than three hundred (300) dwelling units, shall be permitted one (1) free-standing sign per entrance with not more than one hundred sixty (160) square feet of sign face per sign' equally divided among not more than four (4) sign faces. No single sign face shall exceed eighty (80) feet.

c. Minor residential development consisting of three hundred (300) dwelling units or less shall be permitted one (1) free standing sign per entrance with not more than eight (80) square feet of sign face per sign, equally divided among not more than four (4) sign faces. No single sign face shall exceed forty (40) square feet.

d. Major commercial development consisting of retail and public commercial uses, either exclusive or mixed with residential uses, which contain more than one hundred thousand (100,000) square feet of heated floor space open to

the public shall be permitted one (1) free-standing sign per entrance but no more than two (2) identification signs for the development. Said signs shall not have more than two hundred forty (240) square feet of sign face per sign' equally divided among not more than four (4) sign faces. No single sign face shall exceed one hundred twenty (120) square feet.

e. Secondary commercial development consisting of retail and public commercial uses, whether exclusively or mixed with residential uses, which contain one hundred thousand (100,000) square feet or less, but more than forty thousand (40,000) square feet, of heated floor space open to the public shall be permitted one (1) free standing sign per entrance but no more than two (2) identification signs for the development. Said sign shall not have more than one hundred sixty (160) square feet of sign face per sign equally divided among not more than four (4) sign faces. No single sign face shall exceed eighty (80) square feet; excepting that if the commercial use herein is mixed with residential use which exceeds five hundred (500) dwelling units, the provisions of subparagraph 1. a.. shall apply to said development.

f. Minor commercial development consisting of retail and public commercial uses, whether exclusively or mixed with residential uses, which contain forty thousand (40,000) square feet or less, but more than two thousand five hundred (2,500) square feet, of heated floor space open to the public shall be permitted one (1) free standing sign per entrance, but no more than two (2) identification signs for the development, with not more than eighty (80) square feet of sign face per sign' equally divided among not more than four (4) sign faces. No single sign face shall exceed forty (40) square feet, excepting that if the commercial use herein is mixed with residential use which exceeds three hundred (300) dwelling units, the provisions of subparagraphs a. or b. shall apply, as the case may be.

g. A commercial development consisting of retail and public commercial uses which contains two thousand five hundred (2,500) square feet or less of heated floor space open to the public shall be permitted one (1) free standing sign. Said sign shall have not more than forty (40) square feet of sign face, equally divided between not more than two (2) sign faces. If an applicant in this category shall waive the right to have a free

standing sign the applicant shall be permitted to exceed the building sign wall graphics, and window graphics limitations of Section 10.7.A by fifty percent (50%).

2. Developments that, because of their composition, may qualify for more than one (1) of the above categories, may select the single category that provides them with the largest sign. The above categories shall not be cumulative.

3. Height. The maximum height of any free standing sign shall not exceed twelve (12) feet above the average elevation of the nearest public highway. The bottom edge of the sign face shall not exceed four (4) feet in height from average grade.

4. Width. The maximum width of the entire sign structure shall not exceed twenty (20) feet.

5. Structure Size. The size of the support structure for any free standing sign shall not exceed the sign face by more than 100%. Unless the primary purposes of the support structure is other than sign support (i.e. fences or walls).

10.7 Special Sign Standards.

A. Sign Standards (Building, Wall, Window, Freestanding).

1. Building and wall graphics signs shall not occupy more than ten percent (10%) of the signable space on any one facade of a building with a maximum size of the sign limited to forty (40) square feet.

2. Window graphics, which otherwise comply with this Article, may be displayed, provided no more than twenty-five percent (25%) of the area of a window may be occupied by signage.

3. Free standing signs on any premises, other than those visible from the main traveled way of Interstate 20 and within six hundred sixty (660) feet of the nearest edge of the right-of-way in Greene County, Georgia, shall be spaced at a minimum two hundred (200) feet interval along each public way which views the premises. In the event that less than two hundred (200) feet of any premises is visible from any one public way, only one (1) sign shall be permitted along that

public way.

4. Any sign shall be erected so as to not obstruct or impair driver vision at business ingress/egress points and intersections.

B. Temporary Signs and Standards.

1. Types Temporary Signs include but are not limited to the following:

a. "Grand Opening," "Going-Out-Of-Business," and "Sale" signs of business and services;

b. Signs for work under construction;

c. Land subdivision or development signs;

d. Signs advertising the sale or lease of property upon which they are located.

2. Area, Height. Location.

a. Area. The total area of temporary signs shall not exceed forty (40) square feet and twenty (20) square feet per sign face, except for real estate signs for residential property, which shall not exceed the limitations of 10.7.C.

b. Height. The maximum height of temporary signs shall not exceed eight (8) feet, while the lower edge shall not exceed four (4) feet in height from the average grade.

c. Location.

(1) No temporary sign shall be located so as to obstruct or impair driver vision at business ingress/egress points and at intersections.

(2) No temporary sign shall be located nearer than one hundred (100) feet to any church, cemetery, public building, historic site or district, and intersection of two (2) or more public streets or highways.

(3) Temporary signs are not to be located any closer than one hundred (100) feet from any other sign on the same premises.

(4) No temporary sign is to be in the public right-of-way.

3. Time Limits

a. "Grand Opening" Signs. Temporary "Grand Opening" signs shall be erected for a period not to exceed thirty (30) days.

b. "Going-Out-Of-Business" and "Sale" Signs. "Going-Out-Of-Business" and "Sale" signs may be erected for a period not to exceed ninety (90) days for "Going-Out-Of-Business" signs and thirty (30) days for "Sale" signs.

c. Project Signs. Signs for work under construction may be erected upon the issuance of a final development permit on the construction site during the construction and shall be removed within seven (7) days following the issuance of the certificate of occupancy.

d. Signs Announcing the Subdivision of Land. Temporary signs announcing the subdivision of land may be erected on the land being developed and shall be removed when ninety percent (90%) of the development lots are conveyed.

e. Display. The display of all other temporary signs not listed above shall not exceed sixty (60) days and shall not be displayed more than two (2) times per year.

f. Removal. Signs advertising the sale or lease of property shall be removed at the completion of the transaction advertised or for a term not to exceed six (6) months, whichever comes sooner. An extension maybe permitted.

C. Real Estate Signs. One (1) commercial real estate sign' not exceeding six (6) square feet in sign area per face and, if free-standing, not exceeding four (4) feet in height shall be permitted. Property with two (2) or more frontages shall be permitted one (1) additional sign per frontage.

D. Canopy Signs. A commercial center shall be permitted one (1) canopy sign per occupancy, not to exceed six (6) feet in length and eighteen (18)

inches in height, placed entirely under a canopy or marquee directly in front of said location, identifying the occupancy.

E. Multiple-Use Shopping, Business, Office and Professional Centers; Free-Standing Directory Signs.

1. Any multiple-use shopping, business, office and professional center or mall shall be allowed to have not more the two (2) free-standing directory signs for individual business, provided they meet the following requirements:

a. Information. Signs shall be for directory information purposes only.

b. Location. Either the area of the directory sign shall be contained within the limits for total signage area at said center or mall or the sign shall not be visible from any public way.

2. Free standing signs on outlying parcels that do not have direct traffic access to the adjacent roadway will be permitted a sign at one-half (½) the size authorized in 10.6.D.

F. Gasoline Filling Areas.

1. Travel Center or Truck Stop. This section shall apply to establishments that are located at an interchange of an Interstate Highway where such Interstate intersects with a State Route with at least one of the establishment's parcel boundaries adjoining the Interstate Right-of-Way and at least one of the establishment's boundaries adjoining the State Route's Right-of-Way, and such establishment includes all of the following:

A minimum of eight (8) double-sided diesel pumps.

A minimum of six (6) double-sided gas pumps.

The primary building footprint must be at least 15,000 square feet.

A convenience store, sit-down restaurant, and a fast-food restaurant must be located within the primary building .

Showers, laundry area, phone booth area, lockers, driver's

lounge, and a game room must be located and available on the premises.

A minimum of parking to accommodate 150 tractor trailer trucks, 100 cars and light trucks, and 8 recreational vehicles must be available on the premises.

SIGNAGE ALLOWED:

FREE-STANDING SIGNS. A total of three (3) free-standing business signs shall be allowed per Travel Center or Truck Stop establishment. The total aggregate area of all free-standing signs shall not exceed thirteen hundred (1,300) square feet with the maximum for any one sign not to exceed one thousand (1,000) square feet. One free-standing sign may be erected up to a maximum of one hundred fifty (150) feet. Any additional free-standing signs shall have a maximum height of seventy (70) feet.

BUILDING AND/OR WALL SIGNS. A maximum of 400 square feet of building or wall signage is allowed. No single building or wall sign shall exceed 200 square feet in aggregate area, and if one such sign is used, all other building and wall signs shall not exceed 100 square feet. There is no maximum number of building or wall signs provided the total aggregate area does not exceed the 400 square feet maximum.

ELECTRONIC MESSAGE CENTER. This sign displays a message which scrolls across the screen to provide information related to the time, weather, public service message, and/or advertisement of products, pricing, and services. A maximum of two (2) electronic message centers are allowed provided that the total aggregate area does not exceed 320 square feet, and any single such sign shall not exceed 220 square feet. If two signs are used, one sign shall only be allowed to display fuel pricing, while the other may be used for fuel pricing, products, weather, and/or services.

OTHER. Safety, traffic movement, directional, and customer convenience signs shall be allowed at the discretion of the Building Official. The size, location, and content must be approved by the Building Official.

2. All Other Fuel Facilities. Any facility not meeting the criteria of a Travel Center or Truck Stop but offering the sale of fuel as a principle component of the business shall be governed by the commercial signage regulations of this Ordinance, and by (a) and (b) below:

a. Petroleum products pumps and dispensers which are within view of a public way shall be permitted to display only information required by law in addition to the brand name and type of product being dispensed.

b. Premises which dispense retail bulk petroleum products by pump shall be permitted one (1) additional sign announcing the price per gallon of no more than four (4) products, with characters not exceeding twelve (12) inches in height. In lieu of the one (1) additional sign permitted above, the price per gallon may be displayed on each individual pump structure with characters not exceeding six (6) inches in height.

G. Flags.

1. Nongovernmental flags are deemed to be signs, except when a single project flag is flown in conjunction with governmental flags and shall be subject to the provisions of this Article, except that no such flag shall exceed forty (40) square feet per face.

2. Governmental flags must be displayed in a dignified, noncommercial manner. No such flag shall exceed forty (40) square feet per face.

H. Interstate Signs. This section shall apply to all outdoor advertising signs visible from the main traveled way of Interstate 20 and within six hundred sixty (660) feet of its nearest edge of the right-of-way in Greene County, Georgia.

1. No sign shall be erected or maintained unless it is in compliance with the regulations of this Article and State laws, rules and regulations.

2. All signs located on sites adjacent to or visible from the main traveled way of Interstate 20 shall conform with O.C.G.A. § 32-6-70, et seq., as amended, (the Georgia Outdoor Advertising Control Section) and shall meet all Federal and State requirements necessary to obtain a permit under said Code Section. In instances where the sign controls of this Article are stricter, these regulations shall apply.

3. Interstate signs shall meet the following requirements:

a. Uniform Size. The outside measurements of all such signs shall be fourteen (14) feet in height and forty-eight (48) feet in length, with or without trim.

b. Height. No sign shall be erected which exceeds seventy (70) feet above the natural ground or the main traveled way of the roadway, whichever is the least restrictive, as measured from the highest part or portion of the sign structure.

c. Extrusions Prohibited. Extrusions beyond the face of the sign, excluding aprons, are prohibited.

d. Spacing. Sign locations shall be no less than five hundred (500) feet apart, as measured from the two (2) closest points.

e. Allow six (6) outdoor advertising signs per interchange adjacent to the Interstate highway, a maximum of three signs per direction of travel. These signs must be within an area zoned B-2 and restricted to an area twelve hundred (1,200) feet long, beginning five hundred (500) feet from the furthest point where the pavement widens or ceases to widen on the main traveled way at entrances to or exits from the main traveled way.

f. The minimum lot size for the construction of an interstate sign is 150 feet by 150 feet.

10.8 Administration

A. Application for Permit.

1. Where to apply. Applications for a sign permit shall be submitted to the Building Inspector.

2. Information Required. The following information shall be submitted with an application for a sign permit:

a. Name, address, telephone number and signature of the owner or duly authorized lessee of the premises granting permission for the construction, operation, maintenance, or displaying of sign or sign structure.

b. Name, address and telephone number of Greene County contractor, if any, including such contractor's Greene County business license number.

c. Legal description and/or street address of premises or property upon which the sign is to be located.

d. The approximate value of the sign to be installed, including the installation cost.

e. Type of sign for which a permit is being sought.

f. Three (3) copies of a sketch, blueprint, blueline print or similar presentation drawn to scale and dimensioned, showing elevations of the sign as proposed on a building facade, awning or canopy; provided, further, the relationship to other existing adjacent signs shall also be shown. In the case of a free-standing sign' said sketch shall include a site plan showing the sign location and any existing or proposed landscaping which is affected by such sign.

g. If requested by the Building Inspector, copy of stress sheets and calculations indicating that the sign is properly designed for dead load and wind pressure in any direction.

h. If applicable, the appropriate Greene County development permit number.

I. If applicable, evidence of approval by an appropriate architectural review board or other applicable governing agency.

j. Such other information as the Building Inspector may require which is necessary to verify full compliance with all applicable provisions contained in the Code of Greene County, Georgia.

B. Free Standing Signs: Location Identification. The proposed location for a new free-standing sign shall be clearly identified by a white stake(s) visible above the ground line at each location at which a support pole will be embedded in the ground. This location will be reviewed by the Building Inspector prior to the issuance of the sign permit.

C. Fees.

1. Regular Fees. In order to defray some of the administrative costs associated with processing permit applications and inspections of signs, at the time of submission of an application for a sign permit, a non-refundable fee shall be paid. When application for a permit is approved, and before a permit is issued, a permit fee shall be paid based on the fee schedule maintained by the Zoning Administrator.

2. Re-inspection Fee. When re-inspection is required, a re-inspection fee shall be charged.

3. Penalty Fee. A double fee will be charged for sign(s) posted without prior permit.

D. Contents of Permit. Upon compliance with the provisions of this Article, the Building Inspector shall make a decision to issue, deny or issue with conditions a permit for such sign or sign structure within forty-five (45) days of receipt of a complete permit application. Permits shall be numbered and shall contain the following information:

1. The type of sign as defined in this Article;

2. The street address of the property upon which said sign is proposed to be located and the proposed location of the sign on said property; in the absence of a street address, an acceptable method of location shall be used;

3. The amount of the fee paid for such permit;

4. The date of issuance; and

5. In the case of a temporary sign, the date of expiration of the permit.

E. Expiration of Permit. A sign permit shall be valid for a period of ninety (90) days from the date of its issuance as noted on the permit. Unless a thirty (30) day extension is granted for good cause by the Building Inspector, failure to erect or complete the otherwise approved work related to the permitted sign within such ninety (90) day period shall result in the expiration of such permit.

F. Sign Inspection.

1. Within ten (10) working days of completion of approved work related to a permitted sign, the permittee or sign contractor shall notify the Building Inspector that such sign is ready for a final inspection. The Building Inspector conducts the final inspection for the purpose of verifying that the sign is in compliance with the requirements of the permit and all other provisions of this Article.

2. Failure to notify the Building Inspector within ten (10) working days of work completion that the sign is ready for inspection shall result in the requirement of an additional fee.

3. Failure to obtain a satisfactory inspection result shall render the permit invalid and the applicant shall be required to reapply for a permit or remove the sign or sign structure.

G. Display of Permit.

1. Display of Permit Tag. Following completion of a satisfactory final inspection, the Building Inspector shall issue and affix a permit tag to the sign.

2. Relocation of permit Tag or Sign. Under no circumstances may the permit tag be moved from one sign to another, nor may the sign to which it is attached be relocated to another location.

3. Transfer of Ownership: Dismantling or Removal of Sign. In the case of ownership transfer, provided no changes are made to the sign, or, if a permitted sign is dismantled or removed, the Administrator shall be notified.

4. Lost or Illegible Permit Tag. If a permit tag is lost, defaced, destroyed or otherwise becomes illegible through normal wear or an act of vandalism, a renewal application shall be submitted to the Building Inspector.

10.9 Enforcement

A. Violation Notice. The Building Inspector and duly authorized staff shall have the authority to issue a sign violation notice and shall be empowered to enter upon the premises of any person subject to this Article for the purposes of enforcing the provisions herein.

B. Violation Sticker. When a sign requiring a permit under the terms of this Article is erected without a sign permit, the Building Inspector and his/her staff shall use the following procedure:

1. Violation Sticker. The inspector shall attach a highly visible sticker of at least forty (40) square inches reading "VIOLATION" to the face of the sign. The sticker shall include the date that is was attached to the sign and instructions to call the Building Inspector to obtain a permit application for the sign. It shall be unlawful for any person other than the Building Inspector or his/her designee to remove the sign violation sticker attached to the sign.

2. Failure to Obtain Permit. Within fourteen (14) days of attachment of the violation sticker, the owner of the sign shall bring the sign into conformity with this Article or submit a completed application for a permit for the sign. If the application for a sign is not submitted on time or if the application is denied, or if the sign is not brought into conformity with this Article in a timely manner, the Building Inspector shall have the sign removed and impounded without any further notice, unless the Building Inspector files a written statement with the County Manager stating why removal and impoundment will be deferred.

C. Impoundment of Signs.

1. The Building Inspector and his/her staff shall have the authority to remove all non-permitted signs placed within any street or highway right-of-way, signs attached to trees, fence posts, telephone and utility poles, other natural features, or signs otherwise prohibited by this Article, and to impound them without notice to the owner.

2. The owner of an impounded sign may recover same upon the payment of fifty dollars ($50.00) for each sign' within ten (10) days of impoundment. In the event an impounded sign is not claimed within ten (10) days, the Building Inspector shall have authority to dispose of such sign.

D. Penalties. Any person who violates the provisions of this Article, upon conviction, shall be guilty of a misdemeanor and shall forfeit and pay such penalties as the court may decide, not to exceed two hundred dollars

($200.00) or thirty (30) days imprisonment, or both, at the discretion of the court for each violation. Each day's continued violation shall constitute a separate offense.

10.10 Appeals and Variances.

A. Appeal. Please see section 15.7

B. Variance. Recognizing that the strict application of the requirements of this Article may work an undue hardship on certain applicants, variances from the strict application of the provisions of this Chapter may be granted by the Board of Commissioners. Each application for a variance under this Section shall be in writing and shall state the reasons for the request for a variance in accordance with rules and fee schedules established by the Board of Commissioners. The application shall be signed by the applicant and the sign company, if any, responsible for the sign for which the variance is being sought. The Board of Commissioners shall grant the variance, grant the variance with conditions, or deny the application within sixty (60) days after the appeal is filed. Any applicant aggrieved by a decision of the Board may appeal as provided by the laws of the State of Georgia.

10.11 Interpretation and Conflict.

A. Minimum Requirements. The standards and provisions of this Article shall be interpreted as being the minimum requirements necessary to uphold the purposes of this Article.

B. Other County Requirements. Whenever this Article imposes a higher standard than required by any other County ordinance or requirement, the provisions of this Article shall govern. Whenever any other County ordinance or requirement imposes a higher standard than required by this Article, the provisions of such Ordinance or requirement shall govern.

C. Private Restrictions. Whenever this Article imposes a higher standard than required by easements, covenants or agreements, the provisions of this Article shall govern.

D. Statutes. When the provisions of any applicable state or federal statute impose a higher standard than required by this Article, the provisions of such statute shall govern.

ARTICLE XI: CONDITIONAL USES AND VARIANCES

11.1 Conditional Use and Variance Procedures

All petitions for conditional use or variance approval shall be submitted to the Zoning Administrator at least 20 days prior to a regularly scheduled Planning Commission Meeting on application forms supplied by the Zoning Administrator along with a fee as determined by the Board of Commissioners. Incomplete applications will not be placed on the agenda. Applications for conditional uses or variance must be accompanied by the following information;

11.2 Conditional Use

11.2.1 Three (3) copies of a written description of the proposal designed to inform the County, in detail, about all aspects of the proposed use and its anticipated impact on the community. The description should include, when pertinent, information on the hours of operation, number of employees, number of dwelling units, vehicle trip ends, noise, water usage, sanitary waste treatment and any other relevant concerns identified by the County or applicant.

11.2.2 Three (3) copies of preliminary building and site plans drawn to scale showing the following information:

11.2.2.1 Three (3) copies of surveyed plat signed by a registered surveyor.

11.2.2.2 Project name.

11.2.2.3 Project owner.

11.2.2.4 Date, scale, and north arrow.

11.2.2.5 Vicinity map.

11.2.2.6 Use of adjacent property.

11.2.2.7 Exterior dimensions of the site.

11.2.2.8 Total project acreage.

11.2.2.9 Location, name and width of all existing or proposed streets.

11.2.2.10 Location of all proposed structures

11.2.2.11 Location of all off-street parking and driveway serving the project.

11.2.2.12 Proposed buffers and/or screening.

11.2.2.13 Location, height, fixture type and wattage of site lighting.

11.2.2.14 Dumpster locations.

11.2.2.15 Rough floor plans, including gross floor area.

11.3 Variance

11.3.1 Three (3) copies of building and/or site plans drawn to scale showing the following information:

11.3.1.1 property owner

11.3.1.2 date, scale and north arrow

11.3.1.3 use of adjacent property

11.3.1.4 exterior dimensions of the site

11.3.1.5 proposed buffers or screening

11.3.1.6 exact dimensions of the requested variance with result indicated on the plat

11.3.1.7 correspondence from affected adjacent property owners stating their approval is recommended

11.3.1.8 building height

11.3.1.9 the submittal of inaccurate or incomplete information may be cause for denial of the request, or, if said discrepancies are realized after approval of the petition or issuance of the relevant local permits, cause for the revocation of the approval and any related permits by the Board of Commissioners.

11.4 Procedures

11.4.1 The Zoning Administrator shall prepare information regarding the petition

for consideration by the Planning Commission at its regularly scheduled meeting.

11.4.2 The Planning Commission shall hold a public hearing on the proposed use in accordance with the notice and hearing provisions for zoning amendment. The Planning Commission shall then review the inspectors report and conduct a comprehensive review of the proposed use and forward a recommendation to the County Commissioners. Said recommendation may be to approve, approve with condition, or deny the request.

11.4.3 The Board of Commissioners shall issue its findings within forty (40) days of the receipt of the Planning Commission recommendation. The Board of Commissioners may approve, approve with conditions, or deny the request.

11.4.4 In determining the compatibility of a conditional use with adjacent properties and the overall community, the Board of Commissioners must make the following findings if the use is to be approved or approved with conditions:

11.4.4.1 adequate provision is made by the applicant to reduce any adverse environmental impacts of the proposed use to an acceptable level;

11.4.4.2 vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered;

11.4.4.3 off-street parking and loading, and the entrance to and exit from such parking and loading, will be adequate in terms of location, amount and design to service the use;

11.4.4.4 public facilities and utilities are capable of adequately serving the proposed use;

11.4.4.5 granting the request would not be an illogical extension of a use which would intrude a damaging volume of agricultural, commercial, industrial, or high density apartment use into a stable neighborhood of well maintained single-family homes, and likely lead to decreasing surrounding property values, neighborhood deterioration, spreading of blight, and additional requests of a similar nature which would expand the problem;

11.4.4.6 granting the request would not lead to congestion, noise and traffic hazards or overload public facilities current or planned;

11.4.4.7 granting this request would conform to the general expectations for the area population growth and distribution according to the Comprehensive Land Use Plan;

11.4.4.8 granting this request would not lead to a major negative change in existing levels of public service, government employees or fiscal stability; and

11.4.4.9 granting this request would not have a "domino effect," in that it becomes the opening wedge for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Land Use Plan.

11.4.4.10 A variance may be authorized for specific individual cases where the literal enforcement of the provisions of this ordinance will result in unnecessary hardship as long as the variance, if granted, is not contrary to the public interest, and public safety and welfare remain secured.

Variances may be granted in such individual cases of practical difficulty or unnecessary hardship only upon a finding by the Planning and Zoning Board that all of the following conditions exist:

11.4.4.10.1 There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
11.4.4.10.2 The application of this ordinance to this particular piece of property would create an unnecessary hardship;
11.4.4.10.3 Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance; and
11.4.4.10.4 The special circumstances surrounding the request for a variance are not the result of known acts by the applicant.

11.4.4.11 Unless otherwise noted, the site plan submitted in support of an approved conditional use or variance shall be considered part of the approval and must be followed.

Approval of a proposed use by the County Commission does not constitute an approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the County Zoning Administrator and not included in the original approval are subject to the provisions of this Article and the review of new detailed plans and reports for said alterations by the governing authority. The applicant for a conditional use must obtain a construction and building permit, if applicable, within one year. The County Building Official may approve two separate one year extensions. At the end of three years, the conditional use permit will expire and the applicant must reapply.

11.4.4.12 Building permits will not be issued without verification of the variance being recorded. The variance plat must be recorded within 30 days of the date of approval by the Board of Commissioners.

ARTICLE XII: ZONING ADMINISTRATION ENFORCEMENT AND PENALTIES

12.1 Zoning Administrator

The Zoning Administrator of Greene County, Georgia, and other persons designated by the Board of Commissioners, are hereby given the authority and responsibility to act as the Code Enforcement Officer for Greene County, Georgia, and to administer and enforce the provisions of this Ordinance. The Zoning Administrator does not have the authority to take final action on applications or matters involving variances, non-conforming uses, or other exceptions which this Ordinance has reserved for public hearings. The Zoning Administrator shall keep records of all and any permits, the Certificates of Occupancy issued, and all submitted subdivision plats, with notations of all special conditions involved. The Zoning Administrator shall file and safely keep copies of all sketches and plans submitted, and the same shall form a part of the records of Zoning Administrator's office and shall be made as public records.

12.2 Building Permits

It shall be unlawful for any building to be structurally altered and/or any building to be located, erected, moved, or added to without obtaining a Building Permit issued by the Zoning Administrator. No Building Permit shall be issued except in conformance with the provisions of this Ordinance and the adopted standard building code. This does not include repair and maintenance of an existing building.

12.3 Application for Permits

12.3.1 An application shall be accompanied by two (2) copies of a dimensional sketch or a to-schedule plan, signed by the owner, or his authorized agent, to include, as a minimum, the following:

12.3.1.1 lot dimensions with property line monuments located thereon;

12.3.1.2 shape, size, height, and location of the buildings proposed to be erected, demolished, altered, or moved, and of any buildings already on the lot, yard dimensions and use of structures, including the number of dwelling units within each structure where appropriate;

12.3.1.3 easements (private and public);

12.3.1.4 water courses;

12.3.1.5 fences;

12.3.1.6 street names and street right-of-way lines; and

12.3.1.7 such other information regarding abutting property as directly affects the application.

12.3.1.8 current erosion and sedimentation requirements set by state law and county ordinances.

12.3.2 Each permit shall be conspicuously posted and displayed on the premises described during the period of construction or reconstruction.

12.3.2.1 If the proposed excavation, filling, construction, or movement set forth in said sketch or plan are in conformity with the provision of this Ordinance, and other appropriate codes and ordinances of Greene County then in effect, the Zoning Administrator shall sign and return one (1) copy of the sketch plan to the applicant and shall issue a Building Permit. The Zoning Administrator shall retain one (1) copy of the Building Permit and one (1) copy of the sketch or plan for his records.

12.3.2.2 If the sketch or plan submitted describes work which does not conform to the requirements of this Ordinance, the Zoning Administrator shall not issue a Building Permit but shall return one (1) copy of the sketch of plan to the applicant along with a signed refusal and shall cite the portions of these Ordinances with which the submitted sketch plan does not comply. The Zoning Administrator shall retain one (1) copy of the sketch plan and two (2) copies of the refusal.

12.3.2.3 Any Building Permit shall automatically expire six (6) months from the date of issuance if the person, firm, or corporation to which the certificate or permit was issued has not clearly demonstrated that the permit is being exercised for the purpose for which it was issued, or if the work so authorized is suspended or discontinued for a period of one (1) year.

12.4 Issuance of Certificate of Occupancy

The Zoning Administrator shall sign and issue a Certificate of Occupancy if the proposed use of land or buildings, as stated on the application for such certificate and signed thereto by the owner or his appointed agent, is found to conform to the applicable provisions or this Ordinance and if the Building, as finally constructed, complies with the sketch or plan submitted for the Building Permit.

12.5 Penalties for Violation

Any person violating any provision of the Ordinance shall be guilty of a misdemeanor, and upon conviction shall be punished for each offense according

to law. Each day such a violation continues shall be considered as a separate offense.

12.6 Remedies

In the event any building is erected, constructed, altered, repaired, converted or maintained, or any building or land is used in violation of this Ordinance, the Zoning Administrator of Greene County, Georgia, is authorized and required to institute injunction, mandamus, warrant for arrest, or other appropriate action or proceeding to prevent or abate the violation in the case of each building or land use. The Zoning Administrator is the Zoning Enforcement Officer. Any person who would be damaged by such violation may also institute action to prevent or abate the violation.

12.7 Developments of Regional Impact (DRI)

The Georgia Planning Act of 1989 authorized the Department of Community Affairs to establish procedures for regional review of development projects that are of sufficient size that they are likely to create impacts beyond the jurisdiction in which the project will be located. The DRI review process involves the host local government, the reviewing Regional Development Center (RDC), and other potentially affected local governments, RDC's and agencies.

Thresholds are used to determine whether a proposed development is a DRI. Because positive and negative impacts of DRI's are not necessarily confined to the host local governments' jurisdictional boundaries, impacts on other jurisdictions need to be assessed.

If a development project is submitted to the Greene County Planning Commission or the Board of Commissioners for review, then the time deadlines imposed in Article XV are suspended until the DRI review process is completed.

ARTICLE XIII: AMENDMENTS

13.1 Authority

The Board of Commissioners may from time to time amend the boundaries of the districts established on the Official Zoning Map of Greene County and/or the ordinances set forth in this Ordinance.

Any proposed amendment to the boundaries of the districts shall first be submitted to Planning Commission for its recommendation. The Planning Commission has thirty (30) days following the public hearing within which to submit its report. If the Planning Commission fails to submit a report within the thirty (30) day period, it is deemed to have recommended approval of the proposed amendments.

13.2 Application for Amendment to the Official Zoning Map

An application for amendment must be filed with the Zoning Administrator at least thirty (30)) days prior the Planning Commission meeting at which the request will be heard. An application for amendment must contain the following information:

13.2.1 A survey of the property prepared by a licensed surveyor showing existing and proposed structures and uses, access drives, easements, utilities, buffers, existing zoning, and any other supporting documentation required by the Zoning Administrator to assist the Board of Commissioners in rendering a decision, including concept plans;

13.2.2 A list of adjoining property owners as shown on the tax rolls;

13.2.3 Any additional information the application or the Zoning Administrator believes to be pertinent.

13.2.4 Additionally, the applicant, if other than the Board of Commissioners, must pay the required application fee to cover the administrative and adverting costs of the application and sign a statement certifying he/she has at least a fifty-one percent (51%) ownership interest in the property.

13.2.5 Once the application is submitted it cannot be amended. Incomplete applications will not be processed.

13.2.6 The Zoning Administrator shall present the application and all its supporting documents, along with a written analysis of the requested zoning's impact, to the Planning Commission prior to the public hearing on the application. The written analysis shall show that the Zoning Administrator has considered the proposed change in relation to the following, where applicable.

13.2.6.1 What is the existing land use pattern in the area?

13.2.6.2 Would approval create an isolated district designation unrelated to adjacent and nearby district designations?

13.2.6.3 Would approval significantly increase or possibly overtax available infrastructure including, but not limited to schools, streets, and public safety services?

13.2.6.4 Are the existing boundaries illogically drawn in relation to existing conditions on the property proposed for change?

13.2.6.5 Would changed or changing conditions make the passage of the proposed amendment necessary?

13.2.6.6 Will the proposed change adversely influence living conditions in the neighborhood?

13.2.6.7 Will the proposed change create or excessively increase traffic congestion or otherwise affect public safety?

13.2.6.8 Will the proposed change seriously reduce light and air to adjacent areas?

13.2.6.9 Will the proposed change adversely affect property values in the adjacent area?

13.2.6.10 Will the proposed change be a deterrent to the improvement or development adjacent property in accordance with existing regulations?

13.2.6.11 Will the proposed change constitute a grant of special privilege to an individual owner as contrasted with the public welfare?

13.2.6.12 Are the substantial reasons why the property cannot be used in accordance with its existing zoning?

13.2.6.13 Is the proposed change out of scale with the needs of the neighborhood or the county?

13.2.6.14 To what extent is the proposed change consistent with the county's Comprehensive Plan?

13.2.6.15 What other factors, if any, should be considered in balancing the interest in promoting the public health, safety morality or general welfare against the right to unrestricted use of the property?

13.3 Public Hearings, Procedures, and Rezoning Standards

13.3.1 Public Hearing Required. Before enacting an amendment to the Official Zoning Map, one (1) public hearing must be held.

13.3.2 Applicant Notification. The Zoning Administrator must notify the applicant of the date, time, and place of the required public hearing.

13.3.3 Publication of Notice. Not less than fifteen (15) days, and not more than forty-five (45) days prior to the date of the public hearing, the Zoning Administrator Inspector shall advertise the date, time, place and purpose of the public hearing in a newspaper of general circulation in Greene County. The notice shall also include the location of the property, the present zoning classification of the property, and the proposed zoning of the property.

13.3.4 Sign. In addition to the newspaper notice and not less than fifteen (15) days prior to the Planning Commission public hearing, the Zoning Administrator shall cause to have posted in a conspicuous place on the lot or parcel to be rezoned, one (1) or more signs, which shall provide adequate notice of the zoning action.

If, because of circumstances peculiar to the location of the property to be posted, the sign will either be inconspicuous or invisible from any well-traveled right-of-way, the sign shall be posted on the property to be rezoned and on other property in such a location that it is likely to be seen by persons potentially interested in the decision.

13.3.5 Notice to Adjacent Property Owners. At least fifteen (15) but not more that forty-five (45) days prior to the date of the public hearing, the Zoning Administrator shall notify all persons owning property within a radius of 300 feet of the property to be affected. The failure to notify as provided herein shall not invalidate any recommendations adopted hereunder.

13.3.6 Planning Commission Action. A public hearing is scheduled by the Zoning Administrator. The Planning Commission may recommend that the application be granted as requested, or it may recommend a modification of the zoning amendment requested in the application, or it may recommend that the application not be granted. The Planning Commission must transmit its recommendation to the Board of Commissioners within thirty (30) days. If the

Planning Commission fails to submit its recommendations within the thirty 30 day period, it is deemed to have recommended approval of the proposed amendment.

The Planning Commission must investigate each zoning application and make its recommendations(s) to the Board of Commissioners. Such recommendations(s) shall become part of the official public record relating to the application.

13.3.6.1 Withdrawal. If an application for an amendment to the Zoning Ordinance or Official Zoning Map is withdrawn in writing by the applicant at any time after the publication of the newspaper notice and posting of the required sign, but prior to the public hearing, then the same property may not be considered for zoning by the Planning Commission until the expiration of at least sixty (60) days immediately following the withdrawal of the rezoning application. The withdrawal must be in writing and signed by the applicant.

The application will be considered to have been withdrawn if the applicant, his/her authorized agent or his/her attorney fails to appear at the Planning Commission hearing. By withdrawing in this manner, the same property may not be considered for rezoning by the Planning Commission until the expiration of at least sixty (60) days from the date of the scheduled public hearing for which the applicant failed to appear.

13.3.7 Board of Commissioners Action. The Board of Commissioners shall review the record prepared by the Planning Commission and vote on the proposed amendment to the zoning map. The Commission may approve, approve with conditions, or deny the application. Within seven (7) days of its decision, the Commission shall notify the applicant. If the Board of Commissioners fails to act on the application within thirty (30) days of its submission to the Board, the application is deemed to have been approved.

13.3.7.1 Denial. If the Official Comprehensive Zoning Map amendment is denied by the Board of Commissioners, then the same property may not be considered for rezoning until the expiration of at least one (1) year immediately following the denial of the rezoning by the Board of Commissioners.

13.3.8 Zoning Amendment Criteria. In the adoption of an amendment to the official Zoning Map, the Board of Commissioners shall consider factors relevant in balancing the interest in promoting the public health, safety, morals or general welfare against the right of the individual to the unrestricted use of property and

must specifically consider the following factors as they may be relevant to the application:

13.3.8.1 The existing land use pattern;

13.3.8.2 The possible creation of an isolated district unrelated to adjacent and nearby districts;

13.3.8.3 The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities, and streets;

13.3.8.4 The cost of the County and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures;

13.3.8.5 The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality;

13.3.8.6 Whether the proposed zoning map amendment will be a deterrent to the value or improvement or development of adjacent property in accordance with existing regulations;

13.3.8.7 Whether there are substantial reasons why the property cannot be used in accordance with existing regulations;

13.3.8.8 The aesthetic effect of existing and future use of the property as it relates to the surrounding area;

13.3.8.9 The extent to which the proposed zoning map amendment is consistent with the comprehensive plan;

13.3.8.10 The possible effect of the proposed zoning map amendment on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community;

13.3.8.11 The relation that the proposed zoning map amendment bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will help carry out the purposes of these zoning regulations;

13.3.8.12 The consideration of the preservation of the integrity of residential

neighborhoods shall be considered to carry great weight;

13.3.8.13 In those instances in which property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall be considered to carry great weight.

After hearing evidence at the zoning hearing, the Planning Commission shall apply the evidence of the zoning amendment criteria in making their decision. It will not be required that the Planning Commission consider every criteria contained in the Standards of Review. It shall be the duty of the applicant to carry the burden of proof that the proposed zoning map amendment promotes the public health safety, morality or general welfare.

13.3.9 Procedure for Conducting a Public Hearing for a Zoning Map Amendment. All public hearings held pursuant to this ordinance shall be conducted as follows:

13.3.9.1 The presiding officer shall allow the Zoning Administrator to present an overview of the application. Following this presentation, the applicant or the applicant agent or attorney shall be allowed to present the applicant's case and then shall be afforded an opportunity, prior to the closing of the public hearing, to answer questions and respond to objections of others in attendance. There is a minimum of ten (10) minutes for presentation of data, evidence, and opinion by proponents of each zoning decision and a minimum of ten (10) minutes for presentation by opponents of each proposed zoning decision.

13.3.9.2 Others desiring to speak or make a statement shall be given reasonable opportunity to do so but must first be recognized by the presiding officer. Upon rising to speak, the person recognized will state his/her name. The presiding officer may also request that the person furnish a home or business street address, as may be appropriate. The person speaking will be allowed two (2) minutes to express opinions and make points on each separate element of the proposed revision which they wish to address, with a maximum to ten (10) minutes allowed per person.

13.3.9.3 Groups, affiliations, and associations shall designate a spokesperson who shall speak for the group. The spokesperson will be allowed a total of thirty (30) minutes to express opinions and make points on the proposed revisions.

13.3.9.4 Both proponents and opponents of the matter under consideration shall be given comparable time and opportunity by the presiding officer to

speak.

13.3.9.5 Questions shall be directed only to the presiding officer who shall respond or designate another person for the response.

The presiding officer may limit or terminate the discussion, statements or comments because of time, repetitiveness or irrelevancy.
After all discussion concerning the zoning application is concluded, the presiding officer shall close the public hearing for that particular zoning application, and shall address each zoning criteria listed in §13.3.8. The rationale as well as the determination for each standard will be duly recorded in the minutes.

13.3.10 Meeting Format.

13.3.10.1 Minutes of the meeting will be taken by the Planning Commission Secretary. Should a complete transcript of the meeting be requested it will be provided at the expense of the person making the request.

13.3.10.2 Following is an outline of how the meeting will be held:

1. Hearing called to order.
2. Proposal or ordinance summarized.
3. Applicant or proponent states his case.
4. Persons in favor testify.
5. Persons against testify.
6. Hearing closed.
7. Recommendations submitted by Planning Board to official body.

13.4 Evaluation Criteria

The same criteria shall be used to evaluate and determine if changes proposed by the Board of Commissioners and/or the Planning Commission are to be recommended.

13.5 Publication of Standards

The above criteria shall be available to the public to aid in the preparation for a change in the Zoning Ordinance or the Official Zoning Map of Greene County, Georgia.

ARTICLE XIV: DISCLOSURE REQUIREMENTS

14.1 Disclosure of Financial Interests

A county official who knows or reasonably should know he or she:

a. Has a property interest in any real property affected by a rezoning action upon which that official's local government will have the duty to consider or,

b. Has a financial interest in any business entity which has a property interest in any real property affected by a rezoning action which that official's local government will have the duty to consider; or

c. Has a member of the family having any interest described in paragraph (a) or (b) of this section, shall immediately disclose the nature and extent of such interest, in writing, to the Board of Commissioners.

The county official who has an interest as defined in paragraph (a), (b), or (c) of Section 14.1 of this ordinance, shall disqualify himself from voting on the rezoning action. The disqualified county official shall not take any other action on behalf of himself or any other person to influence action on the application for rezoning. Disclosures provided for in the section shall be a public record and available for public inspection at any time during normal working hours.

14.2 Disclosure of Campaign Contributions

14.2.1 When any applicant for zoning action has made, within two (2) years immediately preceding the filing of the applicant's application for the rezoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the Board of Commissioners showing:

14.2.1.1 The name and official position of the local government official to whom the campaign contribution was made; and

14.2.1.2 The dollar amount and description of each campaign contribution made by the applicant to the city official during the two years immediately proceeding the filing of the application for the rezoning action and the date of each such contribution.

14.2.2 When any opponent of a rezoning action has made, within two years

immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating $250.00 or more to a local government official which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

14.2.2.1 The name and official position of the local government official to whom the campaign contribution was made; and

14.2.2.2 The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

14.2.3 Any disclosure required by §14.2 shall be filed at least five (5) calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

14.2.4 Any person knowingly failing to comply with the disclosure requirements or violating the provision of this section is guilty of a misdemeanor.

ARTICLE XV: LEGAL STATUS PROVISIONS

15.1 Conflict With Other Laws

When the provisions of this Ordinance specify more restrictive standards than required by any other statute, the requirements of this Ordinance shall govern. Whenever, the provisions of any other statute require more restrictive standards, the provisions of such statute shall govern.

15.2 Separability

Should any section or part of a section or any provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

15.3 Repeal of Conflict in Ordinances

All Ordinances and parts of ordinances in conflict herewith are repealed.

15.4 Incorporation by Reference of Maps

The official district zoning maps and atlas of maps of Greene County, Georgia, are by reference incorporated herein and made a part hereof.

15.5 Copies

This zoning ordinance of Greene County, Georgia shall be and is hereby executed in triplicate, each signed copy being an original to be marked and distributed as follows:

15.5.1 Planning Commission Copy. Delivered to the Greene County Planning Commission chair and maintained in that office.

15.5.2 County Work Copy. Shall be maintained in the Zoning Administrator's office for day to day use in zoning and planning.

15.5.3 Minute Book Original. Shall be incorporated into the minutes of the meeting of the Board of Commissioners of Greene County and maintained by the County Clerk. The Minute Book original shall hereafter be deemed the original or official copy. Any subsequent amendment shall be made only by official action as prescribed herein. The original shall not be altered but amendments shall be identified on separate sheets each separately numbered and supported by the date and official action ordinance amendment in which the change was approved. In the case of a comprehensive amendment to the zoning ordinance, a copy of all proposed changes may be incorporated into one (1) document. Since a comprehensive amendment may incorporate substantial material changes as well as insignificant technical changes, all substantial material

changes must be made available to the public separate from the complete zoning ordinance and clearly identifiable. Substantial changes must be approved individually by the Board of Commissioners.

15.6 Enforcement

If the Zoning Administrator determines that any person is in violation of this ordinance, the Zoning Administrator shall issue an order requiring the owner to cease and desist and/or to comply with this ordinance including orders requiring restoration of pre-existing conditions and orders requiring restitution to the county by means that are deemed appropriate by the county. In addition, the county may bring a civil action for enforcement and may seek equitable and injunctive relief under this ordinance.

Any person violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction shall be punished by imprisonment of not more than 6 months or by a fine of not more than $500.00, or both, for the first offense and by imprisonment of not more than one (1) year or by a fine of not more than $1,000.00, or both for each subsequent offense. Additionally, any violation of any provision of this ordinance of failure to comply with any of its requirement shall be grounds for immediate suspension or revocation of any and all permits.

15.7 Appeals

15.7.1 Appeal from the Zoning Administrator. Any person or persons jointly or severally aggrieved by any decision of Greene County Zoning Administrator shall have the right of appeal to Greene County Board of Commissioners if such appeal is filed with the Clerk of the Greene County Board of Commissioner within thirty (30) days of the rendering of the decision.

15.7.2 Appeal from Board of Commissioners. Any party aggrieved by any decision of the Greene County Board of Commissioners may seek review of such decision by a Court of Record, as provided by law.

15.8 Effective Date. This Ordinance shall take effect and be in force from and after its adoption, the public welfare demanding it.

_____	_____
Chairman, Board of Commissioners	Adoption Date
_____	_____
County Clerk	Effective Date