

**STATE OF GEORGIA
COUNTY OF CHEROKEE**

ORDINANCE No. 2011 – Z - 001

An Ordinance to amend The 1992 Zoning Ordinance of Cherokee County concerning Permitted Land Uses; to promote the public health, safety and welfare; and for other purposes.

WHEREAS, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in article IX, Section II, Paragraph I thereof, that the governing authority of the county may adopt clearly reasonable ordinances, resolutions, and regulations;

WHEREAS, O.C.G.A. § 36-1-20 authorizes counties to enact ordinances for protecting and preserving the public health, safety, and welfare of the population of the unincorporated areas of the County;

WHEREAS, the governing authority of Cherokee County, to wit the Board of Commissioners, desires to exercise its authority in adopting this Ordinance;

WHEREAS, the Cherokee County Board of Commissioners (the “Board”) finds that it is in the public interest to amend the 1992 Zoning Ordinance of Cherokee County, more specifically Article 4, Article 6, Article 7, Article 9 and to repeal and replace Table 7.2: Permitted Uses;

WHEREAS, a notice of public hearing was duly published as required by O.C.G.A. § 36-66-4; and

WHEREAS, pursuant to O.C.G.A § 36-66-4, a public hearing by the Board of Commissioners was held on November 16, 2010, after public notice as required by law, at which time owners of property affected and other citizens of the county were given the opportunity to attend and comment;

NOW, THEREFORE, BE IT ORDAINED by the Cherokee County Board of Commissioners and it is hereby enacted pursuant to the authority of the same that The 1992 Zoning Ordinance of Cherokee County, specifically Article 4, Article 6, Article 7, Article 9 shall be amended as shown in Attachment A and Table 7.2: Permitted Uses shall be repealed and replaced with Attachment B, with all changes effective March 2, 2011.

SO ORDAINED this 1st day of March, 2011.

Final Ordinance Changes for Commercial Districts & Permitted Uses

Article 4 – Rules and Definitions

4.3 Definitions.

Animal Husbandry. The production of animals (livestock) and/or the by-product thereof. It does not include pets, such as dogs and cats.

Day Care Center. **[Remove]**

Day Care Facility. A structure or portion of a structure wherein is provided care and supervision of persons away from their place of residence for less than twenty-four (24) hours per day on a regular basis for compensation. For the purposes of this Ordinance, the term “day care” shall include but not be limited to the terms “nursery school,” “early learning center,” “pre-kindergarten,” “private kindergarten,” “play school,” and “pre-school.”

Day care facilities for children are defined by the number of children and the type of structure in which they are located as shown in the table below:

Types of Day Care Facilities for Children	# of children
Family Day Care Home (<i>In-Home</i>)	1 - 6
Group Day Care Home (<i>Residential-Style Structure</i>)	7 – 18
Commercial Day Care Center (<i>Commercial Building</i>)	19 +

A day care facility for children may offer educational programs up through Kindergarten, as well as before and after-school programs for school age children.

Family Day Care Home. **[Remove]**

Farming. The business of cultivating land, or employing it for the purposes of animal husbandry; the fertilization of the soil as well as caring for and harvesting the crops.

Fur Farm. **[Remove]**

Group Day Care Home. **[Remove]**

Group Home. A group home is a generic term that can describe many different types of residential situations for children or adults. Typically, a group home provides housing, meals and other personal services 24 hours-a-day to two or more non-related individuals where the owner or administrator and staff are not related to the residents. For the purposes of this ordinance, the term “group home” shall include but not be limited to the terms “personal care home”, “community living arrangement”, “child care institution” and “child-welfare facility”.

Husbandry. **[Remove]**

Article 6 – Zoning Districts and Boundaries

6.1 Establishment of Districts.

In order to carry out the intent and purpose of this resolution, Cherokee County is hereby divided into the following districts:

AG	General Agricultural District
R-80	Estate Residential District
R-60	Single-Family Residential
R-40	Single-Family Residential
R-30	Single-Family Residential
R-20	Single-Family Residential
R-15	Single-Family Residential
RD-3	Single-Family Residential
RZL	Single-Family Residential
RA	Single-Family Attached Residential District
RTH	Townhouse Residential District
RM-10	Multi-Family Residential District
RM-16	Multi-Family Residential District
OI	Office/Institutional District
CP	Corporate Park District
NC	Neighborhood Commercial District
GC	General Commercial District
LI	Light Industrial District
HI	Heavy Industrial District
TND	Traditional Neighborhood Development

Article 7 – District Uses and Regulations

7.1 Purpose.

7.1-1 General Agricultural District (AG). The purpose of this district is to maintain the integrity of agricultural activities predominate in the rural area of Cherokee County. Within the district, the subdivision of land for suburban development is discouraged, while agriculture and livestock production are strongly encouraged in order to maintain the rural character of these areas. On-site sales should be limited to live animals, plants and produce that have been raised on the property. Businesses that support agriculture, such as feed stores, farm equipment dealers, farm product wholesalers, would not be appropriate in this district.

7.1-2 Estate Residential District (R-80, R-60). The purpose of this district is to permit residential development in those areas that are expected to become more nearly urban in character. The areas involved are generally in transition from agricultural to residential development and are considered appropriate for low density residential development. Limited agricultural uses, such as crop production and animal husbandry, on tracts of 5 acres or more are also compatible with this district.

7.1-3 Single-Family Residential Districts (R-40, R-30). The purpose of these residential districts is to enable residential development of a low density urban character. The regulations are designed to permit and encourage residential development in areas where urbanization is taking place. Limited agricultural uses, such as crop production and animal husbandry, on tracts of 5 acres or more are also compatible with this district.

7.1-10 Corporate Park District (CP). The purpose of this district is to provide for suitable areas for developments that are primarily for offices for businesses, professional services, and sales activities with a limited amount of retail uses within master-planned developments or parks. This district should be accessible to an arterial. An overall concept plan is required within this zoning district in order to guide each development.

7.1-11 Neighborhood Commercial District (NC). **[ReNUMBER]**

7.1-12 General Commercial District (HC). **[ReNUMBER]**

7.1-12 Highway Commercial District (HC). **[Remove]**

7.1-13 Light Industrial District (LI). The purpose of this district is to provide suitable areas for industrial development but whose proximity to residential or commercial districts makes it desirable to limit the intensity of industrial operations and processes. This district limits industrial, manufacturing and warehousing uses to those which are wholly conducted indoors, with the exception of limited amounts of outdoor storage which shall be screened and situated in a side or rear yard. The district should be accessible to a major arterial or State Highway. Permitted uses are restricted to those which are not characterized by smoke, dust, fumes, gas, heat, glare, fire hazards, noise, vibrations and other nuisances.

7.1-13 Office Distribution District (OD). **[Remove]**

7.1-14 Heavy Industrial District (HI). The purpose of this district is to provide suitable areas for industrial operations and processes conducted both indoors and outdoors. Due to the intensity of these uses, the district should be located on or have ready access to a major arterial or State Highway and separated from residential areas by significant natural barriers and/or buffers.

7.1-16 Planned Industrial Development (PID). **[Remove]**

7.3 Application of Standards.

7.3-9 Side Yards.

- b. **[Remove]**.

7.4 Development Standards Additional Requirements.

7.4-7 Corporate Park (CP)

- a. No more than 20% acreage of the development may be used for free-standing retail uses. The entire site area, including building footprints, associated parking and landscaped areas, would count toward the acreage cap. Ground floor accessory retail uses with a multi-storey office building are not considered free-standing retail uses.
- b. Distributive functions such as loading, unloading, storage, and packaging shall be limited to ten (10) percent of the total building area and five (5) percent of the total lot area.

7.4-8 Neighborhood Commercial (NC) **[Renumber]**

7.4-9 Highway Commercial (HC) **[Remove]**

7.4-9 General Commercial (GC) **[Renumber]**

7.4-10 Office Distribution (OD) **[Remove]**

7.4-10 Light Industrial (LI) **[Renumber]**

7.4-11 Heavy Industrial (HI) **[Renumber]**

7.6 Permitted Uses. No principal building, structure or land use shall be permitted except in the zoning districts indicated and for the purposes permitted in the Table 7.2 Permitted Uses Table.

Each use is mutually exclusive and does not encompass other uses listed in the table. A principal use listed in that table in any district denoted by the letter “O” is permitted by right for open use without additional requirements as provided in Section 7.7; Permitted Uses Additional Requirements. A principal use listed in that table in any district denoted by the letter “R” is permitted by right if additional requirements have been met as provided in Section 7.7; Permitted Uses Additional Requirements; other requirements of state law; this Resolution; and all other applicable regulations.

The Permitted Uses in Table 7.2 are organized utilizing the Land Based Classification Standards (LBCS) developed by the American Planning Association and the North American Industrial Classification System (NAICS) used by the U.S. Census Bureau. The LBCS classifies land uses across five dimensions, Activity, Function, Structure Type, Site Development Character, and Ownership. For the purposes of this ordinance, the Function classification has been used because it refers to the economic function or type of establishment using the land. The NAICS is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. Cherokee County uses the NAICS codes to classify businesses for the purpose of issuing Occupational Tax Certificates (i.e. Business Licenses). The use of these two classification systems together allows for a comprehensive and detailed regulation of Land Use.

[Remove 7.7 and replace with text below:]

7.7 Permitted Uses Additional Requirements.

7.7-1 Residential Households (LBCS 1100)

- a. Manufactured Home Regulations.

- (1) Definition: "Manufactured home" means a structure, transportable in one or more section, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built of 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 of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq. (Ga. L. 1968, p.415, Section 2; Ga. L. 1973, p.4, Section 2; Code 1981, Section 8-2-131; Ga. L. 1982, p. 1376, Section 3, Section 7; Ga. L. 1989, p. 14, Section 8.)
- (2) Development Standards: As to manufactured homes constructed in compliance with the HUD Code (June 15, 1976), the following development standards must be met:
 - (i) The home has a length not to exceed three (3) times its width measured at the most narrow point and have a minimum floor area of 900 square feet.
 - (ii) The pitch of the home's roof has a minimum vertical rise of 2.3 feet for every 12 feet of horizontal run and the roof is finished with a type of shingle that is commonly used in standard residential construction.
 - (iii) The exterior siding will consist of wood, vinyl, hardboard or stucco brick comparable in composition, appearance and durability to the exterior siding and use in standard residential construction. Such homes will not be allowed to utilize metal siding.
 - (iv) A manufactured home must be placed and anchored on permanent foundation, either slab or pier, which meets the requirements of the Standard Building Code until such time as the Building Code is supplanted by state law or regulations pertaining to placement and anchoring of manufactured housing, January 1, 1993. Thereafter, State law shall control. In addition, masonry curtain wall, unpierced except for the required ventilation and access, must be installed so that it encloses the area under the manufactured home to ground level.
 - (v) Landscaping must consist of at least grass seed and straw.
 - (vi) Utility meters for the manufactured home are to be mounted to the structure rather than on a utility pole. This does not apply to units within existing manufactured home parks.
 - (vii) A manufactured home must have at each door, steps and landing, as per Section 1113-Stairway Construction, Chapter X1 of the Georgia State Building Code.
 - (viii) All the above requirements must be met prior to the issuance of a Certificate of Occupancy and plans must be submitted to the Building Department verifying the above standards. (Ord. No. 2008-Z-002, 09-16-08)
- (3) Zoning Districts:
 - (i) Manufactured Housing is not allowed in the R-30, R-20, R-15, RD-3, RZL, RM-10, RM-16, OI, CP, NC, GC, LI or HI Zoning Districts except temporarily according to the terms of this Ordinance.
 - (ii) Single-wide manufactured homes are only allowed in the AG zoning district with a minimum of two (2) acres or more acres on a paved road.

- (iii) Single-wide manufactured homes are only allowed in the AG zoning district with a minimum of five (5) acres or more acres on an unpaved road.
 - (iv) Single-wide manufactured homes so allowed in the AG zoning district shall not be required to meet the requirements contained in Section (ii) of this Ordinance.
- (4) Manufactured homes existing in Cherokee County as of August 25th, 1991 may continue to exist in whatever district it may be located as a legal non-conforming use and may be replaced if destroyed by natural disaster, such as storms, tornadoes, or natural fires. Additionally, such manufactured homes or mobile homes may be upgraded or replaced by manufactured homes, meeting the HUD code standards without having been destroyed and without losing the legal non-conforming or grand-fathered status as a parcel in use of that property. All existing manufactured homes, parks and subdivisions will continue to exist as a legal non-conforming uses after the adoption or amendment of the Cherokee County Zoning Ordinance. (Resolution #94-9, amended 6-14-94).
- (5) Real estate sales or construction manufactured housing shall be permitted upon a temporary basis until 100% of the subdivision or phase being constructed has been issued Certificates of Occupancy. (Ord. No. 2008-Z-002, 09-16-08)
- (6) Hardship Situations: A manufactured home may be temporarily placed upon an individual lot when the applicant can show extreme hardship resulting from loss of use of a home or building due to fire, flood or other damage making it unfit or; unsafe for use or occupancy; resulting from extensive remodeling of a home or business making it unsuitable for use or occupancy; or a health or health related problem of a family member which warrants proximity of that relative for monitoring purposes. In cases of hardship, where a temporary use permit is granted, such use is limited to a period not to exceed twelve (12) months without specific written approval of the Board of Commissioners, who may require new evidence of the conditions upon which the hardship was based. Prior to the issuance of a temporary use permit based on hardship, the applicant must execute a statement that he acknowledges and agrees that the permit is valid only so long as the conditions of the permit are met, that upon the termination of any of the conditions, the applicant shall cause the removal of the manufactured home at his own expense and failure to do so grants to Cherokee County the right to remove the same from the premises at the applicant's expense.
 - (i) An application for hardship due to the loss of use of a home or building due to fire, flood, or other damage making it unfit or unsafe for occupancy must be supported by affidavits as to the facts alleged, which affidavits are submitted to the Zoning Administrator at the time of application on the form provided by Planning and Zoning.
 - (ii) An application for hardship due to extensive remodeling of a home or building making the structure unsuitable for use or occupancy must be supported by affidavits as to the facts alleged, which affidavits are submitted to the Zoning Administrator at the time of application on the form provided by Planning and Zoning.
 - (iii) An application for hardship due to a health or health related problem of a family relative which warrants proximity of that relative for monitoring purposes must be supported by affidavits as to the facts alleged, which affidavits are submitted to the Zoning Administrator at the time of application on forms provided by Planning and Zoning. Both the lack of space within the applicant's home to accommodate the family relative and the health or health related problem must be evidenced and certified to the Zoning Administrator and the application based upon health considerations must be accompanied by an affidavit from a

physician stating the health problems necessitating monitoring. The affidavit from the doctor stating the health problem shall contain the sworn statement of such physician that:

- a. The family relative for whom the temporary use of a mobile home is requested requires 24-hour nursing care involving the physical presence of a monitor, nurse or attendant or the presence of such monitor, nurse or attendant within voice communication of the attended relative; OR
 - b. The health or health related condition or disability of the family relative has existed for six (6) or more months before the date of the application for the temporary use permit, and/or in the professional medical opinion of the physician completing the affidavit, the condition of disability is likely or continue for six (6) or more months. (Ord. 2008-Z-002, 09-16-08)
 - c. A manufactured home may be placed on a site temporarily for six (6) months for residential purposes while a site-built home is constructed in all residential zoning districts. Upon appeal to the Board of Commissioners, one (1) six (6) month extension shall be allowed. The applicant/property owner shall sign an acknowledgement letter authorizing Cherokee County to stop the provision of utilities to the manufactured home at the end of the approved time limit for this temporary placement of a manufactured home. (Ord. No. 2008-Z-002, 09-16-08)
- b. Parking of Commercial, Industrial, and Heavy Vehicles. Parking of commercial, industrial, and heavy vehicles, and any other vehicles, in AG and residential districts shall be governed by the Cherokee County Property Maintenance Ordinance. (Ord. No. 2009-Z-006, 10-20-09)

7.7-2 Hotels, Motels or Other Accommodations (LBCS 1300)

- a. Lodge, Retreat, and/or Campground (facilities to include lodging and food service for social, educational, and/or recreational purposes) are permitted provided that:
 - (1) Minimum lot size shall be 10 acres.
 - (2) Permitted curb cut access shall not be derived from a local street.
 - (3) A minimum 50-foot wide buffer is required adjacent to all property except Right-of-Way.
 - (4) Length of the stay for all but permanent staff shall not exceed 30 consecutive days.
 - (5) Sanitary facilities or trash receptacles shall be located a minimum of 200 feet from any residential district and/or AG district when used for single family.
 - (6) Recreational facilities associated with the use shall be for staff and guests only.
 - (7) One parking space per lodging unit or five (5) per 1000 square feet of floor area, whichever is greater.
- b. Bed and Breakfast Inns
 - (1) Definition - A use that takes place within a structure that was primarily used as a single-family dwelling, consisting of renting from one to six dwelling rooms on a daily basis to tourists, vacationers, and business travelers, where only breakfast meals are served and provided for those guests only. The homeowner shall reside on site and employment shall not exceed three full time employees in addition to the owner (s).
 - (2) Location – Bed and Breakfast Inns should be located in areas with aesthetic value and/or historical significance, i.e. recognized landmark, lakes, view of mountains, etc.

- (3) Applicable Zoning Districts – Bed and Breakfast Inns shall be permitted in AG, R-80, R-60, and R-40 zoning districts outside existing platted subdivisions.
 - (4) Parking Requirements - All parking (including handicap parking) shall be onsite, and it shall be provided in the side and/or rear of the property. The total number of parking spaces shall be based on the formula of one parking space per guest room, and one parking space for each employee. Parking areas shall be set back a minimum of ten feet and screened from adjacent properties.
 - (5) Length of Stay for Guests – No guest may stay at the facility for more than fourteen days within any thirty day period. There shall be no cooking facilities within the guest rooms. Furthermore, the facility shall not be used for receptions, parties, or public gatherings.
- c. Hotels/Motels/Motor Lodges: New Commercial facilities only – the following minimum standards shall apply to what will be defined as hotels/suite hotel/motel/motor lodge:
- (1) Any hotel/suite hotel/hotel/motel/motor lodge in which more than thirty-five percent (35%) of the units include kitchenettes or kitchen facilities¹, the following shall apply:
 - (i) Minimum acreage is two (2) acres.
 - (ii) All rooms shall be accessed through a main or central lobby.
 - (iii) No rooms shall access to the exterior of the building unless required by fire/safety regulations.
 - (iv) Architectural style/design to be approved per Cherokee County Development Regulations and Commercial Architectural Standards.
 - (v) “Continental” style dining for the guests of the facility only is allowed within or near the main or central lobby without additional parking.
 - (vi) At a minimum, provisions for weekly cleaning of each suite must be provided.
 - (vii) Each suite must be protected with a smoke detector and sprinkler system approved by the Fire Marshal.
 - (viii) Each suite shall be required to include an automatic power shut off timer for each stove/cook top unit or other type burner.
 - (ix) There shall be no outside storage allowed or long term parking of heavy equipment, or parking of construction or related equipment.
 - (x) No facility under this section is to be converted or used primarily as an apartment or condominium.

¹ For the purpose of this section, kitchenettes or kitchen facilities are defined as a kitchen sink, a stove/cook top, microwave and/or a refrigerator.

7.7-3 Retail Sales or Services (LBCS 2100)

- a. Vehicle repair and service shall be conducted in a wholly enclosed building.
- b. Vehicles or farm equipment for sale or display are permitted provided that all vehicles are setback at least ten (10) feet from the street right-of-way.
- c. General merchandise repair is permitted provided that:
 - (1) Such service shall be conducted in a wholly enclosed building.
 - (2) No outdoor storage of material, equipment or items being repaired is permitted.
 - (3) Such repair service shall not generate any noise, odors or fumes which can be detected beyond the walls of the building in which housed.

- d. Heavy repair services and trade shops, including sheet metal, upholstery, electrical, plumbing carpentry, sign painting and other similar activities are permitted provided that all activities shall be conducted within a building or fenced area.
- e. Building & Landscape Material Sales (including wholesale) are permitted provided that:
 - (1) Outdoor lumber yards or storage areas shall be setback fifty (50) feet from any road right-of-way and screened with landscaped berm or a six (6) feet high privacy fence.
- f. Lawn and Garden Centers may not sell or store bulk (i.e. loose or unpackaged) Building or Landscape Materials.
- g. Agricultural produce stands for produce grown on-site are permitted provided that any structure for such sales meets the following criteria:
 - (1) Located thirty five (35) feet or more from any property line.
 - (2) Building Footprint (including all areas under roof) is less than 5,000 sqft.

7.7-4 Real Estate, Rental and Leasing (LBCS 2300)

- a. Outdoor storage areas for vehicles (automobiles, boats, RVs, trailers, etc) shall be screened from view with an opaque vegetative screen in front of a six (6) feet high privacy fence.
- b. Special Event Facilities, including but not limited to banquet halls, reception halls, and wedding chapels, are permitted in the AG district provided the following requirements are met:
 - (1) Parcel shall be a minimum of 5 acres and the occupancy of the Assembly space is limited to a maximum of 200 people.
 - (2) The Special Event Facility shall be subject to the commercial development standards set forth in Article 7.5-3 and the Cherokee County Development Regulations.
 - (3) The Special Event Facility shall have the outward appearance of a residential or agricultural structure. All buildings must comply with adopted building and life safety codes.
 - (4) The Special Event Facility shall be open only for scheduled, event-based operations. Events include personal celebrations such as weddings, showers, birthday parties, fundraisers and similar occasions. All operations shall cease by 11:00 pm.
 - (5) A traffic control plan approved by the County Engineer shall be followed during hours of operation.
 - (6) Lighting shall be designed in accordance with the Article 25 – Outdoor Lighting and Road Glare Ordinance.
 - (7) Outdoor loudspeakers shall not be permitted.

7.7-5 Business, Professional, Scientific and Technical Services (LBCS 2400)

- a. Laboratory research facilities are permitted provided that:
 - (1) Except district CP, the gross floor area shall not exceed 20,000 square feet.
 - (2) Such facilities are not objectionable by reason of emission of noise, vibration, smoke, dust, gas, fumes, odors, radiation and create fire or explosion hazards.
 - (3) There shall be no outdoor storage of goods.

- b. The fabrication, repair and maintenance of outdoor advertising signs are permitted only in LI & HI provided that all activities shall be conducted within a building or fenced area.
- c. Veterinary Services is permitted in AG, R-80, R-60 & R40 but is limited to the treatment of large animals, including but not limited to horses, goats, llamas, alpacas, deer, donkeys, camels, bovine, swine, and sheep, etc.
- d. Veterinary Services that include outdoor boarding facilities are subject to section 7.7-7a.
- e. Repossession Services with outdoor storage areas is permitted provided that:
 - (1) The storage areas shall not exceed 5,000 square feet.
 - (2) The storage area shall be enclosed with a solid fence not projecting into the required front yard, not less than eight (8) feet high and in no case less than such height as will effectively screen all storage and operations from view.
 - (3) Sales of auto parts shall not be permitted on the site.

7.7-6 Personal Services (LBCS 2600)

- a. Reserved

7.7-7 Pet and Animal Sales or Services, excluding Veterinary (LBCS 2700)

- a. Animal Shelters, Boarding, Breeding and Kennels for the 24-hour care of domestic pets & animals shall be permitted provided that:
 - (1) All outdoor runs and fenced exercise areas shall be setback a minimum of 75 feet from any adjacent property in residential use.
 - (2) Outdoor runs and fenced exercise areas are encouraged to be located to the side and rear of the primary building. When outdoor runs and fenced exercise areas are located in the front yard area, fencing materials will need to be approved by Planning staff.
- b. Pet Day Care, Pet Sitting, Pet Grooming, and Obedience Training with less than 24-hour care of domestic pets & animals shall be permitted provided that any outdoor fenced areas meet the primary building setbacks.

7.7-8 Manufacturing Uses (LBCS 3100 - 3400)

- a. Light manufacturing establishments involved in the production, processing, assembly, manufacturing, compounding, preparation, cleaning, servicing, storage, testing or repair of materials, goods or products are permitted in LI; however, the manufacturing and production of any product which emits noxious noise, odor or fumes shall not be permitted.
- b. Heavy manufacturing establishments, other than those classified as light manufacturing, involved in the conversion of raw materials, such as ore, crude oil, timber, or unprocessed farm products, into usable finished products, are permitted in HI provided that wastes waste and air pollutants generated from the manufacturing process shall comply with all County, State and Federal anti-pollution regulations.
- c. Feed mill production and packing is permitted provided that any structure for such processing is located no closer than one hundred (100) feet to any property line.
- d. Sawmills are permitted provided that outdoor storage shall be at least fifty (50) feet from the street right-of-way line.
- e. Temporary or portable sawmills are permitted provided that:
 - (1) Except in districts AG, GC and LI such mill shall only be permitted on a lot containing not less than five (5) acres.
 - (2) A temporary use permit is required for a period not to exceed six (6) months.

- (3) Such mill may only process timber removed from the property on which it is located.
- (4) No machine operation is located closer than 200 feet to any property line. If the adjoining district is zoned for residential use, such use shall be set back no less than five hundred (500) feet to a residential structure on adjoining property.

7.7-9 Wholesale Trade Uses (LBCS 3500)

- a. Wholesale trade and distribution establishments, including packing or wholesale commodities for distribution are permitted provided that:
 - (1) There shall be no outdoor storage of goods unless storage is permitted elsewhere in the district.
 - (2) Unless in a district in which manufacturing is permitted, no fabricating of goods to be sold shall be permitted.
 - (3) Unless in a district in which heavy manufacturing is permitted, no wholesaling activity shall be permitted which processes the goods handled in a manner that produces liquid or solid wastes or noise, odor, fumes or dust which can be detected beyond the walls of the building in which such wholesaling activity is housed.
- b. Junk Yards, Scrap Metal Handling & Salvage are permitted provided that:
 - (1) The yard shall be located not closer than three (300) feet to properties zoned or used for residential or commercial purposes.
 - (2) The yard shall be completely enclosed with a solid fence not projecting into the required front yard, not less than eight (8) feet high and in no case less than such height as will effectively screen all storage and operations from view from any adjacent property or right-of-way.
 - (3) The incidental sale of auto parts removed from cars on the site shall be permitted.

7.7-10 Warehouse and Storage Service Uses (LBCS 3600)

- a. Reserved

7.7-11 Transportation Service Uses (LBCS 4100)

- a. Private airstrips for personal use require approval from the Board of Commissioners.
- b. In AG, Scenic and Sightseeing Transportation is limited to hot air balloon operations.
- c. Towing Service with storage areas is permitted provided that:
 - (1) The vehicle storage areas shall not exceed 5,000 square feet.
 - (2) The vehicle storage area shall be enclosed with a solid fence not projecting into the required front yard, not less than eight (8) feet high and in no case less than such height as will effectively screen all storage and operations from view.
 - (3) Sales of auto parts shall not be permitted on the site.

7.7-12 Communications and Information Uses (LBCS 4200)

- a. Telecommunication Towers
 - (1) Applicability
 - (i) Public Property. Towers or antennas located on property owned, leased or otherwise controlled by the governing authority shall be exempt from the requirements of this section, provided a license or lease authorizing such tower or antenna has been approved by the governing authority.

- (ii) Amateur Radio. Receive-Only Antennas. This regulation shall not govern any tower or the installation of any antenna that is under seventy (70) feet in height and is owned and operated by a federally-licensed amateur radio operator or is exclusively for receive only antennas.
- (iii) Pre-existing Towers and Antennas. Any tower or antenna for which a permit has been properly issued prior to the effective date of this regulation shall not be required to meet the requirements of 7.7-12a(2)(v) and 7.7-12a(2)(vi). Any such towers or antennas shall be referred to in this regulation as “pre-existing towers” or “pre-existing antennas”.

(2) General Guidelines and Requirements.

- (i) Purpose and Goals. The purpose of this regulation is to establish general guidelines for the siting of towers and antennas. The goals of this regulation are to:
 - a. Encourage the location of towers in non-residential areas and minimize the total number of towers throughout the community,
 - b. Encourage strongly the joint use of new and existing tower sites throughout the county,
 - c. Encourage users of towers and antennas to locate them to the extent possible, in areas where the adverse impact on the community is minimal,
 - d. Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas, and
 - e. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently.
- (ii) Principal or Accessory Use. Towers and antennas may be considered either principal or accessory uses. A different existing use or an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to setback requirements, lot coverage requirements and other such requirements, the dimensions of the entire parcel of land shall control, even though the tower or antenna may be located on leased parcels within said parcel of land. Towers that are constructed, and antennas that are installed, in accordance with the provisions of this section shall not be deemed to constitute the expansion of a non-conforming use or structure.
- (iii) Inventory of Existing Sites. Each applicant for an antenna or tower shall provide to the Planning and Zoning Department an inventory of its existing towers that are either within the jurisdiction of the governing authority or within one-quarter (0.25) mile of the border thereof, height and design of each tower. The Planning and Zoning Department may share such information with other applicants applying for approval under this section or other organizations seeking to locate antennas within the jurisdiction of the governing authority, provided the Planning and Zoning Department is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.
- (iv) Aesthetics; Lighting. The guidelines set forth in this section 7.7-12a(2)(iv) shall govern the location of all towers and the installation of all antennas governed by this section; provided, however, that the governing authority may waive these requirements if it determines that the goals of this section are better served thereby.

- a. Towers shall either maintain a galvanized steel finish or subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness.
 - b. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend the tower facilities to the natural setting and built environment.
 - c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to or closely compatible with the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
 - d. Towers shall not be artificially lighted unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.
- (v) Federal Requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the antennas and towers governed by this section shall bring such antennas and towers into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations unless a more stringent compliance schedule is mandated by the controlling federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the antenna or tower at the owners' expense. Any such removal by the governing authority shall be in the manner provided in Sections 41-2-8 through 41-2-17 of the Official Code of Georgia.
- (vi) Building Codes; Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the governing authority concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance within such standards. If the owner fails to bring such tower into compliance within said thirty (30) days, the governing authority may remove such tower at the owners' expense. Any such removal by the governing authority shall be in that manner provided in Sections 41-2-8 through 41-2-17 of the Official Code of Georgia.

(2) Permitted Uses.

- (i) General. The uses listed in the Section C are deemed to be permitted uses. Nevertheless, all such uses shall comply with Sections 7.7-12a(2)(iv), 7.7-12a(2)(v) and 7.7-12a(2)(vi).
- (ii) Specific Permitted Uses. The following uses are specifically permitted:
 - a. Locating a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna; in GC, NC, CP, OI, OD, HI and LI zoning districts; provided,

however, that such tower or antenna shall be set back from any property line a distance equal to the height of the tower or antenna.

- b. Locating a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna; in AG, R-80, R-60, R-40, R-30, R-20, R-15, RM-10, and RM-16 districts; provided, however, that all such tower or antenna shall be “alternative tower structures” shall be set back from any property line a distance equal to the height of the tower or antenna.
 - c. Installing an antenna on an existing structure other than a tower (such as a building, light pole, water tower or other freestanding non-residential structure) that is fifty (50) feet in height or greater, so long as said additional antenna adds no more than twenty (20) feet to the height of said existing structure.
 - d. Installing an antenna on any tower of existing height, so long as the addition of said antenna adds no more than twenty (20) feet to the height of said existing tower; provided, however, that such a specific use shall not include the placement of additional buildings or other supporting equipment used in connection with said antenna. (Amended 8-28-98, Ordinance No. 98-0-015.)
- (iii) Availability of Suitable Existing Towers or Other Structures. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the governing authority that no existing tower or structure can accommodate the applicant’s proposed antenna. Evidence submitted by a certified engineer to demonstrate that no existing tower or structure can accommodate the applicant’s proposed antenna shall consist of the following:
- a. No existing towers or structures are located within the geographic area required to meet the applicant’s engineering requirements.
 - b. Existing towers or structures are not of sufficient height to meet the applicant’s engineering requirements.
 - c. Existing towers or structures do not have sufficient structural strength to support the applicant’s proposed antenna and related equipment.
 - d. The applicant’s proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures or the antenna on the existing towers or structures would cause interference with the applicant’s proposed antenna.
 - e. The fees, costs or contractual provisions required by the owner in order to share an existing tower or structure for sharing are in excess of the cost of new tower development.
 - f. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
- (iv) Setbacks and Separation. The following setbacks and separation requirements shall apply to all towers and antennas for which local government approval is required; provided, however, that the governing authority may reduce the standard setbacks and separation requirements if the goals of this Section would be better served thereby.
- a. Towers must be set back a distance equal to the height of the tower from any on-site property line.
 - b. Towers, guy wires and accessory facilities must satisfy the minimum zoning district setback requirements.

- c. In zoning districts other than industrial or commercial zoning districts, towers over ninety (90) feet in height shall not be located within one-quarter (0.25) of a mile from any existing tower that is over ninety (90) feet in height.
- (v) Security Fencing. Towers shall be enclosed by security fencing not less than six (6) feet in height and shall also be equipped with an appropriate anti-climbing device.
- (vi) Landscaping. The following requirements shall govern the landscaping surrounding towers; provided, however, that the governing authority may waive such requirements if the goals of this Section would better be served thereby.
 - a. Tower facilities shall be landscaped with a buffer of plant materials that provides a solid visual screen from adjacent residential property. The standards buffer shall consist of a landscaped strip at least five (5) feet wide outside the perimeter of the compound.
 - b. In locations where the visual impact of the tower would be minimal, the landscaping requirements may be reduced or waived.
 - c. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be sufficient buffer.
- (3) Removal of Abandoned Towers or Antennas. Any tower or antenna that is not operated for a continuous period of twelve (12) months shall be considered abandoned and the owner of such tower or antenna shall remove same within ninety (90) days of receipt of notice from the governing authority notifying the owner of such abandonment. If such antenna or tower is not removed within said ninety (90) days, the governing authority may in the manner provided in Sections 41-2-8 through 41-2-17 of the Official Code of Georgia, remove such antenna or tower at the owners' expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower. (As amended October 25, 1996 by the Board of Commissioners).
- b. Ham Radio Operator Broadcast Towers. Poles, master towers and antennas used in operation of amateur radios licensed by the Federal Communication Commission shall be governed by the following requirements:
 - (1) Amateur Radio Service Antenna Structures (not withstanding) any other code section of this Ordinance may be erected to such heights appropriate to accommodate communications provided that no such structure shall be placed less than one-half (1/2) its height from the nearest property line, provided all such structures are painted neutral colors to minimize visual intrusion and that all such structures are equipped with suitable anti-climbing devices. All antenna structures must comply with FCC and FAA regulations.
 - (2) Antennas shall meet all manufacturers' specifications. The mast or tower shall be of non-combustible and non-corrosive hardware. Hardware such as brackets, turnbuckles, clips and similar type equipment subject to rust or corrosion shall be protected with a zinc or cadmium coating by either galvanizing or a sheradizing process after forming. These finishes are selected to guard against corrosion and to protect the elements against electrolytic action due to the use of adjoining dissimilar metals.
 - (3) Every antenna must be adequately grounded.
 - (4) No antenna towers are permitted in the front yard area of any Zoning District. Guy wires, support anchor structures and a maximum of one wire antenna are permitted

within the front yard area in all zoning districts. All guy wires and support anchor structures within a front yard may not be located between the front of the house and the front property line and should be as close as possible to the side property line. Guy wires and wire antennas within a front yard may be anchored to a tree located on the property instead of a support anchor structure.

- (5) Guy wires support anchor structures and wire antennas may be located within the required setbacks in all Zoning Districts.

7.7-13 Utilities and Utility Services (LBCS 4300)

- a. Public utilities such as electric transformer stations, gas regulator stations and telephone exchanges are permitted provided that:
 - (1) Any building or structure, except an enclosing fence shall be set back not less than twenty (20) feet from any property line and shall meet all applicable yard requirements in excess thereof.
 - (2) Such uses shall be enclosed by a fence not less than eight (8) feet in height.
 - (3) The required front yard and other open space on the premises outside the fenced area shall be grassed, landscaped and maintained in an appropriate manner.
 - (4) The storage of vehicles and equipment on the premises shall be prohibited.
- b. Solid Waste Transfer Stations and Landfills are permitted in the HI district. For purposes of amendments to this Resolution, the Cherokee County Landfill and Waste Disposal Ordinance enacted July 24, 1990, is incorporated herein and made a part of this Ordinance. Where a conflict between the provisions exists, the stricter provisions shall apply.
- c. Inert Waste Landfills are permitted in district HI, provided that the following conditions have been met:
 - (1) Such facility shall conform to State of Georgia Rules and Regulations for Solid Wastes Management.
 - (2) The operation can and shall be conducted in such a manner that air, land and water pollution and public health hazard nuisances are prevented.
 - (3) Such facility shall not be located in any wetland, or area being designated as 100-year floodplain.
 - (4) Such facility shall not be located near a significant groundwater recharge area.
 - (5) Such facility shall not be situated within two (2) miles up gradient of any surface water intake for a public drinking water source.
 - (6) The location, the boundaries and the proposed method of operation shall have been approved by the Cherokee County Health Department and the County Engineer. The Health Department and County Engineer shall both collect reasonable and appropriate fees for the inspection in advance.
 - (7) Such facility shall be accessible without excessive travel over residential streets. Proposed truck traffic routes and entrances to the facility shall be approved in advance of the Board's hearing by the County Engineer. Turn lanes and expansion necessary to improve sight distance and other safety requirement shall be made a condition by the Board.
 - (8) All-weather access roads shall be provided to the disposal site.
 - (9) Such facility shall be suitably fenced to prevent the spread of papers and other materials and shall be screened and planted so that it is not visible from any residential, commercial or industrial structure or from any street.

- (10) A minimum of two (200) feet buffer area with dense natural foliage shall be provided between the property line and the operation line. No clearing and grubbing shall take place in buffer areas except as required for the construction of drainage devices, groundwater monitoring wells and access roads.
- d. Private Sewage Treatment Facilities serving multiple developments are limited to the HI zoning district.

7.7-14 Arts, Entertainment, and Recreation Uses (LBCS 5100 - 5500)

- a. Amusements and outdoor recreational facilities such as driving ranges (golf or baseball), miniature golf courses, tennis courts, sports training facilities and related commercial activities are permitted provided that:
 - (1) The facility shall be enclosed by a wall or fence and buffer area with ten (10) feet in depth to screen adjacent property.
 - (2) Central loudspeakers shall be prohibited.
- b. Outdoor recreational facilities may be permitted in AG district provided the following conditions can be met:
 - (1) Parcel must be 10 acres or more.
 - (2) A perimeter buffer of 50 feet is required adjacent to surrounding property. The buffer must meet County standards for year around visual screening.
 - (3) Central loudspeakers shall be prohibited.
 - (4) A traffic control plan approved by the County Engineer shall be followed during hours of operation.
- c. Indoor recreational facilities may be permitted provided the following conditions can be met:
 - (1) Outdoor loudspeakers shall be prohibited.
 - (2) A traffic control plan may be required at the discretion of the County Engineer.
- d. Golf courses and clubhouses not associated with a residential neighborhood are permitted provided that:
 - (1) The golf course shall be a full nine-hole or more course.
 - (2) Any building or structure established in connection with such use shall be set back no less than one hundred (100) feet from any property line except where such property line is a street line.
 - (3) Lighting shall be designed in accordance with the Article 25 – Outdoor Lighting and Road Glare Ordinance.
 - (4) Central loudspeakers shall be prohibited.
- e. Community or neighborhood centers including subdivision clubhouses with or without swimming and tennis facilities are permitted provided that:
 - (1) The facility shall be designed to provide adequate screening of the facility to create a visual and sound buffer for adjacent properties. The facility shall be designed to accommodate no more than those residing within two (2) adjoining residential developments.
 - (2) Buildings and structures established in connection with such use shall be set back not less than seventy-five (75) feet from any property line:
 - (i) The setback may be reduced to twenty (20) feet from an interior property line of the property line of the property on which the use is located if a ten (10) foot

landscaped buffer is provided along said property line and a six (6) foot privacy fence is erected and maintained along said line so as to provide a visual and noise screen for adjacent property; provided, however, the setback after reduction shall not be less than one hundred (100) feet from an exterior property line unless also reduced in accordance with above.

- (3) Swimming pools must comply with all applicable ordinances and must have necessary approvals from the Health Department and Cherokee County Building Inspections Department;
- (4) Outdoor activity shall cease by 11:00 p.m.
- (5) Lighting shall be designed in accordance with the Article 25 – Outdoor Lighting and Road Glare Ordinance.
- (6) Parking Spaces
 - (i) A minimum of twenty (20) on-site parking spaces shall be provided for amenities which include a swim facility or swim/tennis with up to four (4) courts. Additional spaces at the minimum of four (4) spaces per court shall be provided for each court over four (4) in number. A minimum of ten (10) spaces for every two (2) courts shall be provided for amenities which include tennis courts only;
 - (ii) In addition to the requirement above, a minimum of five (5) spaces for each fifty (50) residents or pro-rated portion thereof, over one hundred (100) shall be provided; and
- f. Shooting Ranges are permitted provided that:
 - (1) Reserved.

7.7-15 Educational Services (LBCS 6100)

- a. Group Day Care Homes are permitted within AG, R-80, R-60, R-40, R-30, R-20, R-15 districts with the following requirements:
 - (1) Group Day Care Homes must be licensed by the State of Georgia and meet all applicable requirements.
 - (2) All proposed locations for Group Day Care Homes must meet the minimum lot area requirements for the designated zoning district.
 - (3) A Group Day Care Home shall be located on an arterial, major or minor collector road.
 - (4) The Group Day Care Home shall retain the outward appearance of a single-family home.
 - (5) Outdoor loudspeakers shall not be permitted.
 - (6) All exterior play structures, such as swing sets, playground equipment, etc., shall be located at least fifty (50) feet from any side or rear property line. If a year-round vegetative screen is provided at 85% opacity the setback may be reduced to 25 feet.
 - (7) Off-street parking shall conform to the parking regulations as provided in Article 12.
- b. Commercial Day Care Centers are permitted within OI, NC, GC, CP and LI districts with the following requirements:
 - (1) Commercial Day Care Centers must be licensed by the State of Georgia and meet all applicable requirements.

- (2) Commercial Day Care Centers shall be subject to the commercial development standards set forth in Article 7.5-3 and the Cherokee County Development Regulations.
 - (3) All exterior play structures, such as swing sets, playground equipment, etc., shall be located at least fifty (50) feet from any side or rear property line. If a year-round vegetative screen is provided at 85% opacity the setback may be reduced to 25 feet.
 - (4) Outdoor loudspeakers shall not be permitted.
- c. Private or Parochial Schools are permitted provided that:
- (1) Such development shall have a minimum of five (5) acres in area.
 - (2) The main entrance of such development shall be on an arterial, major or minor collector road.
 - (3) A Private or Parochial School shall be subject to the commercial development standards set forth in Article 7.5-3 and the Cherokee County Development Regulations.
 - (4) A Commercial Day Care Center shall be allowed to be operated in conjunction with and as an integral part of a Private or Parochial School provided that the requirements set forth in Article 7.7-15b are met.
 - (5) A Private or Parochial School may be an accessory use to an existing or planned institution as long as the above conditions are met.

7.7-16 Public Administration, Government and Safety (LBCS 6200 - 6400)

- a. Reserved.

7.7-17 Health and Human Services (LBCS 6500)

- a. Group Homes are permitted in AG and all residential districts provided that:
- (1) The home is approved and licensed by the State of Georgia or any agency through which it acts.
 - (2) The number of individuals to live in the home does not exceed two (2) people per bedroom or building and site plans are to be submitted and considered as to how individuals are to be housed.
 - (3) The Group Home shall retain the outward appearance of a single-family home.
 - (4) Off-street parking for group homes within a single-family residential district shall conform to the parking regulations as provided in Article 12.

7.7-18 Religious Institutions (LBCS 6600)

- a. Churches and other places of religious worship are permitted provided that:
- (1) The buildings are located not less than fifty (50) feet from any street and not less than thirty (30) feet from any side or rear property line.
 - (2) Parking is not provided in the front yard setback area.
 - (3) If adjacent to residential zoned property, a buffer of at least fifty (50) feet wide shall be provided along the property lines adjacent to said zoning; provided, however, that this buffer may be reduced to no less than twenty (20) feet in width adjacent to the sanctuary building or "Sunday School" educational building and parking related to these buildings.
 - (4) Regardless of zoning classification, all buildings and related appurtenances shall comply with the provisions of Ordinance 2004-Z-001. (05-16-06)

7.7-19 Death Care Services (LBCS 6700)

- a. The development of a cemetery, mausoleum, including a mortuary or funeral home is permitted provided that:
 - (1) Such development may front only on a collector or major street or state highway and the entrance and exits to it shall be only from the street on which it fronts.
 - (2) Such development shall be bordered by a ten-foot wide buffer strip along all of its exterior property lines not bordering the frontage street and not extending into the required front yard.
 - (3) An existing cemetery in an AG zoning district may be extended in an AG, R-80 or R-60 District if a dense vegetative screen or combination screen and fence or ten-foot buffer is provided along the side and rear property lines.

7.7-20 Associations, Nonprofit Organizations, etc. (LBCS 6800)

- a. Reserved

7.7-21 Construction-Related Businesses (LBCS 7100 - 7400)

- a. Outdoor Storage Yards for vehicles, equipment and materials are permitted provided that:
 - (1) The storage yard shall be enclosed with a privacy fence not projecting into the required front yard, not less than eight (8) feet high to effectively screen all storage and operations from view.
 - (2) Sales of materials shall not be permitted on the site.

7.7-22 Crop Production (LBCS 9100)

- a. Commercial horticulture, which includes the growing of fruits, trees, nuts, vegetables and plants is permitted provided that no structure used in such activity is located closer than one hundred (100) feet to any property line.

7.7-23 Support Functions for Agriculture (LBCS 9200)

- a. Livestock sales pavilions or auction facilities, show rings or other arena for the display, exhibition, training or sales of livestock are permitted provided that no animal quarters are located closer than seventy-five (75) feet to any property line. Adequate off-street parking shall be provided for livestock trailers, recreational vehicles, etc., associated with the proposed use in addition to the minimum requirements of the Zoning Ordinance.

7.7-24 Animal Production (LBCS 9300)

- a. The raising and keeping of livestock for non-commercial purposes (i.e. personal pleasure) shall be allowed in all residential districts on tracts of two (2) acres or more, but limited to one animal per acre.
- b. Animal quarters may be located no closer than seventy-five (75) feet to any property line when used in the care and breeding of livestock such as cattle, hogs, sheep, horses, i.e. farm animals.
- c. Commercial stables and riding academies are permitted in R-80, R-60 & R-40 districts provided that:
 - (1) The parcel is a minimum of 5 acres.
 - (2) The quantity of livestock on the parcel does not exceed 1 animal per acre.
- d. The raising and keeping of wild animals is permitted provided that the owner or custodian of such wild animals has received an appropriate permit and meets all the

requirements of the State of Georgia and further provided that no animal quarters are located closer than two hundred (200) feet to any property line.

7.7-25 Forestry and Logging (LBCS 9400)

- a. Reserved

7.7-26 Fishing, Hunting and Trapping, Game Preserves (LBCS 9500)

- a. Reserved

Article 9 – Home Occupations

9.4 Permitted Home Occupations.

9.4-1 Upon proof presented to the Zoning Administrator of Cherokee County that the owner of any parcel of land located in Cherokee County, desiring to maintain a Family Day Care Home has complied with and met all State Regulations as required by the appropriate department of the State of Georgia having authority over the same, further showing that said compliance and approval is current, then maintenance of a Family Day Care Home shall be an allowed Home Occupation in the following declared zoning districts of Cherokee County, subject to the conditions and limitations hereinafter stated, to-wit:

- (a) A Family Day Care Home up to and including a total of six (6) children, for which the possessor of the home receives compensation, shall be allowed as a permitted use in zoning classifications AG, R-80, R-40, R-30, R-20 and R-15, provided that the parcel has a total acreage for said zoning classification.
- (b) **[Remove]**
- (c) **[Remove]**