

EXPLANATION OF DOCUMENTS:

Underlined language equals added text.

~~Struck through language~~ equals deleted text.

Putnam County, Georgia

Code of Ordinances

Part II – CODE OF ORDINANCES

Chapter 66 - ZONING ^[42]

ARTICLE I. - IN GENERAL

ARTICLE II. - ZONING DISTRICTS

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AG-2 AGRICULTURE DISTRICT

R-1R SINGLE-FAMILY RESIDENTIAL DISTRICT

R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

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MHP MANUFACTURED HOME PARK DISTRICT

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FOOTNOTE(S):

⁽⁴²⁾ **Editor's note**— A resolution of July 17, 2007, repealed ch. 66, which consisted of §§ 66-1—66-711, and enacted new provisions to be designated ch. 66, §§ 66-1—66-179, to read as herein set out. Former ch. 66 pertained to similar subject matter. See the Code Comparative Table for legislative history.

⁽⁴²⁾ **Cross reference**— Buildings and building regulations, ch. 18; development regulations, ch. 28; environment, ch. 30; floods, ch. 34; planning, ch. 42; signs, ch. 48.

ARTICLE I. - IN GENERAL

Sec. 66-1. - Authority of chapter.

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Sec. 66-8. - Administration.

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Sec. 66-20. - Definitions.

Secs. 66-21—66-30. - Reserved.

Sec. 66-1. - Authority of chapter.

Pursuant to the authority conferred by Ga. Const. Art. IX, § II, ¶ IV, as amended, and for the purposes of promoting the health, safety, morals or general welfare of the community of Putnam County and other purposes, this chapter regulates the location, construction and use of buildings, structures and land; and divides the unincorporated county into districts for such purposes and establishes boundaries therefore; provides for the method of administration and amendment; and prescribes penalties for the violation of its provisions.

(Res. of 7-17-2007(4))

Sec. 66-2. - Purpose of chapter.

This chapter is made and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to prevent flooding of improved property; to provide adequate light and air; to protect the aesthetic beauty of the county; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sanitation, schools, parks, housing, communications, health care and other public requirements; to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of the county; and to improve the quality of life through protection of the county's total environment including, but not limited to, the prevention of air, water and noise pollution. Such regulations are 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 the county.

(Res. of 7-17-2007(4))

Sec. 66-3. - Title of chapter.

This chapter shall be known and may be cited as the "Putnam County Zoning Ordinance of 2007."

(Res. of 7-17-2007(4))

Sec. 66-4. - Interpretation and application of chapter provisions.

In interpreting and applying this chapter's provisions, the requirements contained in this chapter are declared to be minimum requirements necessary to carry out the purposes of this chapter. Except as provided in this chapter, this chapter shall not be deemed to interfere with, abrogate, annul or otherwise affect in any manner whatsoever any easements, covenants or other agreements between parties. Whenever the provisions of this chapter impose greater restrictions upon the use of land or buildings or upon the height of buildings or require a larger percentage of lot to be left unoccupied than the provisions of other ordinances, rules, regulations, permits or any easements, covenants or other agreements between parties, the provisions of this chapter shall govern unless elsewhere provided in this chapter.

(Res. of 7-17-2007(4))

Sec. 66-5. - Compliance with chapter required.

No land, building or structure shall be used; no building or structure shall be erected; and no existing building, use or structure shall be moved, added to, enlarged or altered except in conformity with this chapter.

(Res. of 7-17-2007(4))

Sec. 66-6. - Jurisdiction of chapter.

This chapter shall apply only in the unincorporated areas of the county.

(Res. of 7-17-2007(4))

Sec. 66-7. - Repeal of conflicting ordinances and validity of prior approvals and actions.

(a)

This chapter is the Putnam County Zoning Ordinance of 2007, and all other conflicting ordinances or resolutions are hereby repealed; provided, however, that nothing in this section shall be construed as repealing or modifying the conditions of operation or conditions of zoning, or use, or building permits issued under previous zoning ordinances or resolutions; however, modification or repeal of these past conditions of approval may be accomplished as provided by this chapter.

(b)

All variances and exceptions heretofore granted by the planning and zoning commission or the board of commissioners, on appeal, shall remain in full force and effect, and all terms, conditions and obligations imposed shall remain in effect insofar as required for the initiation of any proceedings against these violations and for the prosecution of any violations heretofore commenced.

(c)

Should any section or provision of this chapter 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.

(Res. of 7-17-2007(4))

Sec. 66-8. - Administration.

On a day-to-day basis the director of planning and development department shall administer this chapter's provisions.

(Res. of 7-17-2007(4))

Cross reference— Administration, ch. 2.

Sec. 66-9. - Effective date.

This chapter shall take effect and be in force from and after its adoption, the public welfare demanding it.

(Res. of 7-17-2007(4))

Secs. 66-10—66-19. - Reserved.

Sec. 66-20. - Definitions.

(a)***Generally.*** This section is intended to define terms frequently used throughout this chapter. It is not intended to be exhaustive, and definitions also may appear in article IV of this chapter (the performance standards). Words not specifically defined in this section shall be construed to have the customary or preferred meaning given by Webster's New Collegiate Dictionary, latest edition published.

(b)

Use and interpretation. The following shall apply to the use of all words in this chapter:

(1)

Words used in the present tense shall include the future tense.

(2)

Words used in the singular shall include the plural and vice versa.

(3)

The word "shall" is mandatory.

(4)

The word "may" is permissive.

(5)

The nouns "zone," "zoning district" and "district" have the same meaning and refer to the zoning districts established by this chapter.

(6)

The noun "use" shall mean the manner in which a structure, building or parcel of land actually is occupied.

(7)

The noun "map" means the "Official Zoning Districts Map of Putnam County, Georgia," (aka the "Official Zoning Map" (see section 66-32)) adopted contemporaneously with this chapter, but as amended from time to time as permitted in this chapter.

(8)

The word "structure" includes, but is not limited to, the word "building."

(9)

The word "lot" is a lot in a recorded subdivision and does not include the words "piece," "plot," and "parcel."

(10)

The word "should" is suggested but not mandatory.

(11)

The words "his" or "her" are not intended to be gender specific.

(c)

Specific definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this subsection, except where a more specific definition or use of the term may be found among articles I, II, III, and IV of this chapter as may be amended from time to time by the board of commissioners:

Accessory building means a subordinate building, which is customarily incidental to the principal

building located on the same lot.

Accessory use means a subordinate use, which is customarily incidental to the principal use and which is located on the same lot with the principal use.

Acre means 43,560 square feet.

Adult entertainment. Adult entertainment uses are defined as any establishment in which more than 20 percent of its stock in trade is offered for sale for any form of consideration, which includes arcades, book stores, cabarets, movie theaters and any similar establishment that are characterized by an emphasis on the depiction, description, display or featuring of specified anatomical areas or specified sexual activity appealing to prurient interests.

Specified anatomical areas means and includes (a) less than completely and opaquely covered: human genitals, pubic region, buttock, and female breasts below a point immediately above the top of the areola; and, (b) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activity means and includes (a) intercourse, oral copulation, masturbation or sodomy; or (b) excretory functions as a part of or in connection with any of the activities described in (a) above.

Allowed use means a use by right, which is specifically authorized in a particular zoning district.

Amusement facility means an establishment in which 30 percent or more of the gross floor area is utilized by amusement machines or their patrons. This can be a primary or secondary use within the establishment.

Amusement machines means any mechanical, electronic and/or coin-operated game and/or device for the amusement of patrons. This definition shall not be construed to include coin-operated music players, coin-operated mechanical kiddy rides or coin-operated television.

Applicant means the owner of record of land, or an agent appointed in writing by the owner.

Assembly halls include armories, union halls, conference halls, business meeting locations, civic halls, religious facilities, and internal gathering places for activities of a similar nature.

Automobile repair garage means any area of land, including structures thereon, used for the retail service of major repairs, minor repairs and painting of automobiles, including the incidental services of lubricating and cleaning. Those garages in which major repairs and painting may occur will also be referred to as "automotive repair garages." **Bar/tavern/pub/cocktail lounge** means a commercial structure open for public use in which alcoholic beverage sales may constitute more than 50 percent of the gross sale of goods. All such facilities must operate in compliance with O.C.G.A. § 3-3-40 et seq., as amended, or any other applicable state law.

Basement means an area below the first floor, having more than one-half of its clear floor-to-ceiling height below the average grade of the adjoining ground. Synonymous with the term "cellar."

Bedroom means that room within a dwelling unit, which is normally used to provide sleeping accommodations for the residents of the unit, regardless of its daytime use.

Berm is an elongated raised earthen mound intended to be a permanent natural barrier mitigating the effects of sound and sight from one use to another. See also "buffer".

Block means a piece or parcel of land usually bounded on all sides by public streets or other transportation routes, such as railroad lines, or by physical barriers such as water bodies or public open spaces, and not transversed by a through street. Blocks may be divided into lots.

Board of commissioners means the local legislative body of Putnam County, Georgia, which is empowered to make changes to the official zoning maps and text amendments to the zoning ordinance.

Buffer means that portion of a lot set aside as a natural undisturbed vegetative screen that may be replanted to achieve the desired screening purpose. A buffer may be used to separate differing use districts or to separate uses on one property from uses on another property of the same use district or a different use district. See also "berm".

Building means any structure used or intended for supporting or sheltering any use or occupancy.

Building code means any state minimum standard code as defined in O.C.G.A. § 8-2-20 and made effective by O.C.G.A. § 8-2-25.

Building permit means a permit, issued by the department of planning and development, which authorizes actual construction, alteration, placement, or relocation of a physical structure on any property within the unincorporated limits of the county.

Building, principal means a building in which is conducted the principal use of the lot on which it is located.

Campground or Campsite means an area or place designated for camping activities. A place where people can put up a tent or park a camper and that may have toilet and shower facilities for campers to use.

Camper means a motor vehicle with space and equipment, either in a rear compartment or in an attached trailer, for sleeping and simple housekeeping.

Carport means an accessory roofed structure providing space for one or more vehicles that may have one or more walls but no door to secure the contents. It is not a garage.

Clinic means a use where medical examination and treatment is administered to persons or to animals as outpatients or that may be lodged on an overnight basis after surgery or treatment has been administered.

Comprehensive plan means the adopted Eatonton/Putnam County Comprehensive Plan.

Conditional rezoning means the attachment of special conditions to a rezoning by the board of commissioners that are not found in the text of this chapter and are considered appropriate to mitigate adverse effects of the proposed use.

County means Putnam County, Georgia.

Covenant means a private agreement or contract running with and intended to burden and benefit a particular tract of land. Under no circumstances does the county enforce such covenants.

Coverage. See "lot coverage."

Crematorium means an establishment containing a furnace, which is used to reduce a dead body to ashes by burning.

Custodial care includes the following terms:

Assisted living facility means a residential facility providing living quarters restricted to individuals who require access to services but not daily nursing or medical intervention.

Incidental uses and/or services may include protective supervision, personal care, social and

recreational services, assistance with medical requirements, assistance with meals, and laundry and transportation service.

Day nursery/kindergarten means a facility for pre-elementary school children, ranging in age from three through six years.

Day care means a facility that takes care of children during the day or after school, generally ranging in age from three through 12.

Group home means residences in which two or more unrelated persons with disabilities reside that provide one or more personal care services including but not limited to assistance with or supervision of self administered medication and essential activities of daily living such as eating, bathing, grooming, dressing, and toileting, that do not provide nursing or medical care and are licensed by the State Department of Human Resources as a personal care home under Title 31.

Hospice means a home for terminally ill persons with less than six months to live in which palliative care and social services, including bereavement counseling, are provided.

Nursing/convalescent home means a use in which domiciliary care is provided to three or more elderly or convalescing nonfamily members who are provided with food, shelter and medical care.

Retirement home means an apartment building or buildings designed for occupancy primarily for elderly persons, which may contain, for the convenience of its residents, common eating areas, personal/infirmary care, common recreational areas and accessory retail uses.

Density means, as used in principally multifamily residential districts, the number of dwelling units permitted per gross acre.

Developer is synonymous with the term "applicant".

Development means the culmination of a land improvement process through which an allowed use is created.

Development agreement means an express written agreement between the board of commissioners and a developer seeking approval of a zoning change, setting forth specific requirements, conditions and/or variances (and may include preliminary development plan) to a proposed zoning change under division 3 of this chapter.

Development permit means a permit issued pursuant to the Development Regulations of Putnam County, which authorizes initial clearing, grubbing, grading, dredging, excavating, filling, construction of roadways and drainage structures, or other site preparation for the use, construction upon or alteration of any property within the unincorporated limits of the county.

Director means the primary employee or designee authorized to administer and enforce this chapter. The term also includes "director of planning and development department" or the "director of the department of planning and development". The director is directly responsible to the county manager.

District means a section of the county within which the zoning regulations are uniform.

Dwelling means a building or portion of a building arranged or designed to provide living quarters for one or more families on a permanent or long-term basis.

Dwelling unit means one or more rooms connected together and constituting a separate, independent housekeeping establishment physically set apart from any other dwelling unit in the same structure.

Dwelling unit, occupancy types:

Apartment means a multifamily building in which the single-family dwelling units are for rent on a short- or long-term basis.

Mixed-use means a building with both residential (condo/apartment) and commercial (retail/office) in combination.

Multifamily attached dwelling (duplex, triplex, quadruplex) means a residential building designed exclusively for occupancy by multifamilies in separate dwelling units living independently of each other.

Single-family dwelling means a dwelling in which one family resides.

Dwelling unit, structural types:

Single-family dwelling means a building, whether site-built, modular or manufactured designed for occupancy by one family.

Townhouse means a one-, two- or three-story building with the single-family dwelling existing vertically with none other above and containing more than two single-family dwelling units side-by-side.

Mid-rise means a two- or three-story building containing multiple single-family dwelling units in a variety of structural arrangements.

Eating establishments:

Cafeteria means an eating establishment where persons serve themselves or are served from one common food service area.

Drive-in restaurant means an eating and/or drinking establishment, which caters to motor-driven vehicle business where the person being served consumes food/drink while sitting in a vehicle or where curb or carryout services are provided.

Drive-through restaurant means a food service establishment, which sells food from a counter or window for consumption on-premises or off-premises. Tables may be provided and food may be served at a table, but may not be ordered from a table.

Restaurant means a facility, which provides food served exclusively inside an enclosed building. It may include inside and outside seating areas.

Family means one or more persons related by blood, marriage or adoption or not more than six unrelated persons living as a single household.

~~***Family apartment means a dwelling unit for a single family as an accessory use in those districts where permitted.***~~ ***Family Apartment means an accessory dwelling unit for a single family, located on the same lot with, and subordinate to, a primary single-family residence.***

Floodplain means that area within the intermediate regional flood contour elevations (IRF) subject to periodic floods as designated by the Director of FEMA, based upon the U.S. Corps of Engineers' floodplain information reports and other federal, state or county hydrologic studies.

Floor area means the sum of all floors of a structure as measured to the outside surfaces of exterior walls or the center of common or connected walls, including common public areas such as lobbies, restrooms and hallways; but excluding attic space with headroom of less than seven feet, uncovered steps or fire escapes, open porches, accessory water or cooling towers, permanent

mechanical and elevator housing, accessory off-street parking spaces, accessory off-street loading berths and basement storage area.

Funeral Home or Mortuary means a building used for human funeral services. The building may contain space and facilities for embalming and other procedures used in preparation of the dead for burial; the storage of caskets, funeral urns and other related funeral supplies; the storage of funeral vehicles; a funeral chapel.

Garage, private means an accessory building or a portion of a main building used for the parking or storage of automobiles of the occupants of the main building.

Grade means the average elevation of the finished surface of the ground adjacent to all sides of any structure.

Height means the vertical distance measured from the average finished grade along all walls of a structure to the highest point of the coping, or gutter, or parapet of a flat roof or to the average height between eaves and ridge for gable, hip and gambrel roofs.

Home occupation means an occupation customarily carried on by an occupant in a dwelling unit as a secondary use, which is clearly incidental to the residential use of the dwelling unit.

Hospital means a structure in which is provided inpatient health care for people, including general medical and surgical services, psychiatric care and specialty medical facilities. Outpatient facilities within such structures in which such services are provided are included.

Individual water well or water supply system means a system of piping, pumps, tanks or other facilities, utilizing groundwater to supply a single family dwelling.

Industrialized building means any structure or component thereof, which is manufactured in accordance with the Georgia Industrial Building Act and the rules of the commissioner of community affairs issued pursuant thereto and which must bear a seal of approval issued by the commissioner of the department of community affairs.

Junked vehicle means any wrecked or nonoperable automobile, truck or other automotive vehicle, which does not bear a current license plate.

Junkyard means any use on public or private property involving the parking, storage or disassembly of junked vehicles, or wrecked or nonoperable automobiles, trucks or other automotive devices; storage, bailing or otherwise dealing in bones, animal hides, scrap iron and other metals; used paper, used cloth, used plumbing fixtures, old stoves, old refrigerators and old household appliances; and used brick, wood or other building materials. These uses shall be considered junkyards whether or not all or part of these operations are conducted inside a building or in conjunction with, in addition to or accessory to other uses of the premises.

Kennel means any location where boarding, caring for and keeping of is carried on, and also raising, breeding, caring for or boarding dogs, cats or other small animals for commercial purposes.

Landfill, private means an area of land on which or an excavation in which solid waste is placed for permanent disposal and which is not associated with a development permit, surface impoundment, injection well, or compost pile, as those terms are defined by current Georgia Law or current DNR regulations. Private landfills are prohibited anywhere in Putnam County.

Loading dock means a space within the main building or on the same lot, providing for the standing, loading or unloading of trucks and other carriers.

Lodgings, transient:

Bed and breakfast means a building in which lodging and board is provided for more than three and fewer than 20 persons.

Boarding house means a building, where for compensation, both lodging and meals are provided for not more than 10 persons, providing that a single-family dwelling shall not be deemed to be a boarding house by reason of a contribution to or expense sharing arrangement with the owner or tenant occupying the dwelling by a person related by blood or marriage.

Hotel means a building in which lodging, or board and lodging, are provided for more than 20 persons and offered to the public for compensation, and in which ingress and egress to and from each sleeping room is made through the interior of the building.

Inn means a building in which lodging, or board and lodging, are provided and offered to the public for compensation, having no more than 20 guestrooms.

Motel means a building in which lodging or board and lodging are provided for transient guests and offered to the motoring public for compensation in which ingress and egress to and from all rooms is made primarily from an exterior walkway rather than from an interior lobby.

Lot means a tract of land in single ownership, which is legally transferable as a single unit of land. The term "lot" is not synonymous with the term "parcel." A lot must meet the requirements of the zoning district in which it is located and must front on a public street or on an approved private street.

Lot, corner means a lot abutting upon two or more streets at their intersection.

Lot, double frontage means a lot having a frontage on two streets, as distinguished from a corner lot.

Lot, frontage means the shortest property line of a lot coincident with a right-of-way line.

Lot, interior means a lot other than a corner lot in a subdivision that front on a subdivision street.

Lot, lease access means the land that Georgia Power owns from the lake or navigable stream to the 350-foot contour line.

Lot, on-lake means any lot that is directly adjacent to a lake or navigable stream or a lease access lot.

Lot coverage means the percentage of a lot, which may be covered with buildings or structures, excluding walks, drives and other similar uses and recreational facilities which are accessory to a permitted use.

Lot of record means a lot which is part of an approved subdivision, a plat of which has been recorded in the office of the clerk of the county superior court; or a parcel of land or a parcel not a part of an approved subdivision the deed of which has been recorded in the office of the clerk of the county superior court prior to the adoption of this chapter and which at the time of its recordation, conformed to all the applicable regulations precedent to the adoption of this chapter.

Lot width is the length of a line drawn parallel to the front property line that is measured at the front setback line.

Manufactured home means a structure, transportable in one or more sections, 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 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 of Housing and Urban Development (HUD) 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.* The term “manufactured home does not include campers, travel trailers, recreational vehicles (RVs), motor homes or modular homes.

Manufactured home lot means a parcel of land in a manufactured home park for the placement of a single manufactured home and for the exclusive use of its occupants.

Manufactured home park means a parcel of land under single ownership on which three or more manufactured homes are located for the purpose of residential use.

Manufactured home stand means that part of a manufactured home lot which has been reserved for the actual physical placement and tie down of a manufactured home for nontransient use.

Marina means an area on a lake in which boats may be stored or serviced and from which boats and boating supplies, including food, fuel and recreational items, may be purchased or rented.

Maximum square feet means the total allowable floor area that may exist on a lot or in a development.

Meat processing and packaging means a facility where the preparation and storage of animal products for human consumption occurs, but does not include the slaughtering of animals.

Mining:

Surface mining means any activity constituting all or part of a process for the removal of minerals, ores or other solid matter for sale or for consumption in the regular operation of a business.

Mini-warehouse/self-storage means a building or group of buildings in a controlled-access and secured compound that contains varying sizes of individual, compartmentalized and controlled-access stalls or lockers for the dead storage of customers' goods or wares.

Mobile office/sales center means a temporary sales center, in a mobile or "spec" structure, that may be used to market homes during the development and building phase of a subdivision.

Model home means a dwelling used initially for display purposes, which typifies the type of units that will be constructed in the subdivision and complies with this chapter.

Modular home means a factory fabricated transportable building consisting of units designed to be incorporated at a building site on a permanent foundation into a permanent structure to be used for residential purposes and which bears a seal of compliance with regulations of the International Building Code Congress, Inc.

Nonconforming lot, use and building means a lot of record, use or building which fails to comply with any provision of this chapter either at the effective date of the resolution from which this chapter is derived, or as the result of subsequent amendments; synonymous with the term "grandfathered lot, use or building."

Nonresidential use means all commercial, office, institutional, manufacturing, industrial, recreational, and similar uninhabited uses.

Open space means a natural area providing limited human interaction, which may include playgrounds, walking trails, picnic areas, parks or similar uses.

Owner means any person, firm or corporation, or any other legal entities having legal title to the land.

Parcel means a development or undeveloped tract of land in a single ownership, which may be subdivided into individually owned lots. A parcel must meet the requirements of the zoning district in which it is located and must front on a public street or on an approved private street.

Parking bay means an area where more than one vehicle is parked side by side and, in some configurations front-to-front as well as side-by-side that is most commonly associated with multifamily and commercial uses.

Parking lot/garage means any area designed for temporary accommodation of motor vehicles whether for a fee or as a service.

Parking space means an area where a vehicle is parked.

Plat means a map, plan or layout of a county, city, town, section or subdivision indicating the surveyed location and boundaries of properties.

Principal use means the primary purpose for which land, a structure or a building is used.

Private school means an educational use not operated by the Putnam County Board of Education.

Property lines:

Front property line means the line coincident with the street right-of-way line between the two corners of the property on the street right-of-way line. See "lot frontage" and "setback".

Rear property line means the line most nearly parallel to the front property line and located between the side property lines.

Side property lines means the lines most nearly parallel to each other running between the front and rear property lines.

Public well or water supply system means a system for the provision of piped water to the public for human consumption, if such system has at least fifteen service connections, or regularly serves an average of at least twenty-five individuals daily, at least sixty days out of the year.

Quarry means the removal of rock, minerals and other natural materials, together with the necessary accessory buildings, machinery and appurtenances thereto.

Recreational vehicle means a self-propelled vehicle with self-contained kitchen, living and sanitary facilities that is designed to accommodate and transport people for recreational enjoyment. (See also "travel trailer.")

Religious facilities includes churches, convents, monasteries and other places of worship.

Residential district means any district the primary purpose of which is for residential dwelling units.

Right-of-way means a portion of land over which a local, state or federal government has designated a right of use.

Right-of-way, future means the rights-of-way of arterial and collector roads as shown on the comprehensive plan.

Road and street network, state system: As periodically categorized and defined by the Georgia Department of Transportation (GDOT).

Arterial means a high-capacity road with the primary function of delivering traffic from collector roads to freeways, and between urban centers at the highest level of service.

Collector means a low to moderate-capacity road which serves to move traffic from local streets to arterial roads; also designed to provide access to residential properties.

Freeway means streets used primarily for fast or heavy through traffic and which are divided with full control of access and no crossing at grade. The required future right-of-way for freeways will be based upon design criteria established by the Georgia Department of Transportation.

Road and street network, county system: The design and construction standards for these roads are found in the development regulations.

Alley means a service way providing a secondary means of access to abutting properties. An alley does not constitute "lot frontage".

County arterial means a road that links places of importance such as schools, subdivisions, communities, etc. to towns, cities or other places of importance including arterial roads or other higher classified roads on the state system and serve as important intracounty travel corridors. An arterial on the county roadway network, whose average daily traffic (ADT) count is 2,000 or over shall be considered an arterial road. A list of county arterials is maintained by Putnam County Planning and Development.

County collector means streets, which carry traffic from local streets to the major system of arterials or to activity centers. It carries a relatively high traffic volume.

Local street means it provides the principal means of vehicular access to abutting property and it connects to streets of higher classification such as the state and county systems.

Sanitarian means the legally entitled official of the Putnam County Health Department.

Sanitary disposal station means a facility provided for the emptying of waste-holding tanks.

Sawmill, portable/temporary means a sawmill moved onto one tract of land for purposes of clearing prior to actual permitted development.

Service station means any area of land, including structures thereon, used for the retail sale of gasoline or oil, automotive accessories and incidental services, including facilities for lubricating, hand washing and cleaning, or otherwise servicing automobiles, but excluding painting, major repair or automatic washing. Minor auto repair and maintenance shall include the installation of tires, carburetors, ignition parts and other minor accessory parts as shall be incidental to the normal upkeep of an automobile, but shall not include engine or body dismantling. This use also may include accessory convenience stores.

Setback generally means the minimum required distance between a property line and a building or a structure. Depending on the shape of the property, there could be more than one side setback or no rear or more than one rear but there will always be a front setback.

Setback, front means a line drawn between the two side lot lines, parallel (or as close as practical) to the front property line the minimum distance required by the applicable zoning district.

Setback, rear means a line drawn between the two side lot lines, parallel (or as close as practical) to the front setback line the minimum distance required by the applicable zoning district.

Setback, side means a line drawn parallel to a side lot line the minimum distance required by the applicable zoning district.

Sign means any display of words, shapes or images designed to convey a message to the viewer, located on the exterior of any dwelling, building or structure, or located anywhere on a lot upon a

dedicated supporting structure or device, including poles, banners, windows and similar devices.

Sign area. See chapter 48 for sign regulations.

Site built construction means a dwelling unit constructed on a building site from basic materials delivered to the site; and which is constructed in accordance with the International Building Code and CABO.

Site plan means a detailed scaled and dimensioned drawing based on a certified boundary survey, showing but not limited to the specific locations of all buildings, building elevations, structures, drainageways, roads, internal roadway circulation, means of ingress and egress, recreation areas, parking areas, landscape strips and buffers, public roads and facilities adjacent to the property for which the site plan has been drawn.

Slaughterhouse means a facility for the killing and butchering of animals for their meat and by-products.

Story. See definition in the International Building Code.

Sketch/concept plan means a drawing to scale, based on a certified boundary survey, reflecting the requirements of a rezoning or subdivision or development request.

Street means a public or private thoroughfare used by vehicular traffic, which may contain public and private utilities and drainage structures.

Structure means that which is built or constructed.

Subdivider. See "development regulations."

Subdivision is the division of land into two or more parcels. A "major" subdivision is the creation of five or more parcels.

Technical review process may be initiated for certain large scale developments and involves potentially affected federal, state, and county agencies and departments performing an impact analysis pertaining to their area of responsibility and/or expertise. The technical review process is initiated at the discretion of the director of planning and development and a list of participating agencies/departments will be maintained in the planning and development department.

Tenant dwelling means a residential dwelling unit located on a farm and occupied by a nontransient farm worker and his family, who is employed by the farm owner.

Travel trailer means a vehicular unit of no more than 400 square feet that is designed as a temporary mobile dwelling for travel, recreational and vacation purposes and possessing a current Georgia license plate. It shall not be construed to be a dwelling unit as defined in this chapter (see "recreational vehicle").

Travel trailer/RV park means any lot on which are temporarily parked two or more travel trailers or recreational vehicles, for a period of less than 30 days per calendar year, per travel trailer or recreational vehicle.

Truck stop means a facility for the sale of gasoline and related products for primary use by trucks with more than four wheels and two axles. Such facilities may include, if internal to a structure, restaurants, areas for bathing and retail sales of convenience goods.

Yard means that area of a lot between the principal building and adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward. A yard shall not be confused with a setback. See "setback" for further information.

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

Secs. 66-21—66-30. - Reserved.

ARTICLE II. - ZONING DISTRICTS

DIVISION 1. - IN GENERAL

DIVISION 2. - NONCONFORMING USES, STRUCTURES AND LOTS

DIVISION 3. - DISTRICTS

DIVISION 1. - IN GENERAL

Sec. 66-31. - Establishment and conversion of zoning districts.

Sec. 66-32. - Designation on official zoning map.

Sec. 66-33. - Interpretation of district boundaries.

Sec. 66-34. - General requirements.

Sec. 66-35. - Exceptions to general development standards.

Sec. 66-36. - Undefined uses.

Secs. 66-37—66-50. - Reserved.

Sec. 66-31. - Establishment and conversion of zoning districts.

The zoning districts as shown in the following table as "new zoning districts" are hereby established. Those zoning districts as were established under the previous Zoning Ordinance of Putnam County are hereby renamed as shown in such table. All regulations, requirements and provisions of this zoning ordinance applicable to a zoning district established under this chapter shall apply to the previously named zoning districts as shown in such table.

Previous Zoning Districts	New Zoning Districts
AG (Agricultural district)	AG-1 (Agriculture district)
	AG-2 (Agriculture district)
R-1 (Residential low-density district)	R-1 (Single-family residential district)
R-1R (Residential low-density restricted)	R-1R (Single-family residential district)
R-2 (Residential low-density district)	R-2 (Single-family residential district)
R-3 (Residential medium-density district)	RM-1 (Multifamily residential district)
R-4 (Residential medium-density district)	RM-1 (Multifamily residential district)
R-5 (Residential cluster housing district)	RM-3 (Multifamily residential district)
R-S (Residential special district)	
R-M (Residential multifamily district)	RM-2 (Multifamily residential district)
MHP (Manufactured home park district)	MHP (Manufactured home park district)
	Village district
O-I (Office and institutional district)	C-1 and C-2 (Commercial districts)
C-1 (Local commercial district)	C-1 (Commercial district)
C-2 (General commercial district)	C-2 (Commercial district)
	C-3 (Commercial district)
SC (Special commercial district)	
I-L (Light industrial district)	I-M (Industrial-manufacturing district)
H-L (Heavy industrial district)	I-M (Industrial-manufacturing district)
AH (Airport hazard district—overlay)	

L-D (Lake district—overlay)	
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Note: The listed zoning districts may be referred to hereinafter without their numeric suffix.

(Res. of 7-17-2007(4))

Sec. 66-32. - Designation on official zoning map.

The boundaries of the various zoning districts are shown upon the official zoning maps of Putnam County, as they may be amended from time to time and which are hereby made a part of this chapter and which shall be maintained in the office of the clerk to the board of commissioners as a public document available for public inspection and examination. The official zoning maps shall be those tax parcel maps entitled, "The Official Zoning Maps of Putnam County, Georgia, July 17, 2007," signed by the chairman of the board of commissioners, which contain land lot, district, parcel and street boundaries located in the county; and the "Aerial Photo-Sheet Index" map. All such official zoning maps and all notations, references and information shown thereon shall be as much a part of this chapter as if all the matter and information set forth by the maps were fully described in this section.

(Res. of 7-17-2007(4))

Sec. 66-33. - Interpretation of district boundaries.

Where uncertainty exists as to the boundaries of any district shown on the Official Zoning Maps, the following rules shall apply:

(a)

Where boundaries are indicated as approximately following the centerline or right-of-way line of streets and alleys, land lot lines, militia district lines or lot lines, these lines shall be construed to be these boundaries.

(b)

In unsubdivided property or tracts, where a district boundary divides a lot, the location of these boundaries, unless they are indicated by dimensions, shall be determined by use of the scale appearing on these maps.

(c)

Where boundaries are so indicated that they are approximately parallel to the centerline or right-of-way line of streets, alleys or highways, these boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning maps. If no distance is given, this dimension shall be determined by the use of the scale shown on the maps.

(d)

In case any further uncertainty exists, the board of commissioners shall determine the location of boundaries as a request for interpretation and only after public hearing as per the policies and procedures set forth in division 2 of article IV of this chapter.

(e)

No single lot or parcel shall be located in more than one zoning district, nor shall only a portion of a lot or parcel be rezoned. In the event an owner desires to rezone a portion of a tract, the land must be separated into a lawful lot, and the remainder must also be a lawful lot, which requires a re-survey and a recorded plat. In the event a lot appears to have been placed in two separate zoning districts, the interpretive rules above shall apply, and the entire lot shall be considered to be located in the district that covers the greatest area of the lot. The sole exception shall be parcels split by a municipal boundary, since the County's zoning powers do not extend into a municipality.

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

Sec. 66-34. - General requirements.

Statements in this section apply to the entirety of this chapter. The specific applications are dependent on the extent of the dissimilarity between the existing zoning district and the new one the following shall apply:

(a) The use may not create noise, dust, vibration, smell, excessive traffic, smoke, glare or electrical interference so as to arise to the level of a nuisance.

(b)

No outside display of merchandise shall create traffic or other safety hazard.

(c)

Allowed uses. Within the various zoning districts, as described in this article and shown on the official zoning map, no land, building or structure shall be used as a matter of right except in accordance with the uses and standards of this chapter.

(d)

Buffers and berms.

(1)

A buffer or berm, at the director's discretion, unless the board of commissioners has mandated otherwise, shall exist between any Village, C, or I-M district and any R, RM, or MHP district or existing use.

(2)

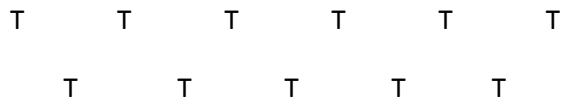
Required buffers must be separated by at least a five-foot setback from a parking area or a structure.

(3)

All buffers shall be replanted, where sparsely vegetated, with evergreen trees of at least two inches measured at diameter breast height (DBH) and with evergreen shrubs to create an understory among the trees. An evergreen ground cover shall exist throughout the buffer.

(4)

The spacing of trees when creating a buffer shall be approximately 10 feet between each tree at time of planting. In order to create a solid appearance, another row of trees shall be planted 10 feet behind the first row, also spaced 10 feet apart so that the trees in one row visually fill the gaps in the next row (as depicted in the following diagram).



(5) Where the use to be protected exists (or will exist) above or below the new one, the slope of the cut/fill shall constitute the buffer, provided the angular length of the slope is at least equal (in feet) to the width of the required buffer. The densest plantings of trees and understory occurs at the top of the slope diminishing as the slope proceeds downward. An evergreen ground cover shall be planted on the slope. A six-foot high fence constructed of opaque material shall be placed at the top of the cut slope.

(6)

A berm shall be no flatter than a three to one slope achieving a height above the ground throughout its entire length of not less than six feet. It may exist throughout the length of a buffer or as a separate entity within a setback.

(7)

A berm shall be planted with evergreen trees, shrubs, and ground cover in the same fashion as a buffer. If natural vegetation does not exist along a buffer area, a berm must be installed.

(8)

Unless certifiable low water consumption plantings are used, an irrigation system shall exist through the buffer or berm to ensure the continued vitality of the vegetation.

(9)

When the ground between the new and the existing uses is relatively flat, either a buffer or a berm, at the discretion of the director, shall be used. A berm may be located within a setback but a buffer may not.

(e)

Double frontage and corner lots. Lots that adjoin a public street on any side shall provide the minimum required front setback on each street.

(f)

Lot sizes. The following minimum lots sizes are established as follows **for all Residential Zoned Districts**, unless greater amounts are required by the Putnam County Board of Health. No variance may be granted for a reduction in minimum lot size.

(1)

Individual well and septic system:

a.

Off-lake lot: 1.1 acre.

b.

On-lake lot: 1.5 acre.

(2)

Public well and septic system:

a.

Off-lake lot: 30,000 square feet (.69 acre).

b.

On-lake lot: 36,250 square feet (.83 acre).

(3)

Individual well and sewer:

a.

Off-lake lot: 30,000 square feet (.69 acre).

b.

On-lake lot: 36,250 square feet (.83 acre).

(4)

Public well and sewer: 20,000 square feet (.46 acre).

(g)

Modular and manufactured, homes are structural types that house a single family. However, unless the zoning district specifically lists these structural types as a permitted use for single-family purposes, they are not permitted.

(h)

Notwithstanding other provisions of this chapter, fences, walls, hedges, driveways and buffer areas may be permitted in any required yard or along the edge of any yard, provided that fences, walls or hedges on a corner lot in a residential district shall not exceed four feet in height. See performance standards for specific

requirements on fences and walls.

(i)

Other regulations. The property owner should be aware of and consult the other ordinances that may apply to the development or use of any property, including but not limited to any conditions applied by the Board of Commissioners at the time the property was rezoned, the International Building Code; Chapter 18, Buildings and Building Regulations; Chapter 22, Businesses; Chapter 28, Development Regulations; Chapter 30, Environment; Chapter 32, Fire Code; Chapter 46, Roads and Bridges; Chapter 48, Signs; and Chapter 50, Solid Waste and Scrap Tires.

(j)

Parking requirements. See development standards in each district for residential requirements. For commercial and industrial/manufacturing see chapter 28, development regulations.

(k)

Projections into setbacks. Every part of a required setback shall be open to the sky and unobstructed except for the ordinary projections of sills, belt courses, cornices, eaves, chimneys, buttresses and other ornamental and architectural features, provided that these features do not project more than three feet into any required setback. Decks, porches, patios, carports, and similar structures (including steps to access the foregoing) are not permitted to project into the setback area.

(l)

Street access. Except as provided in this chapter, each building shall be located on a lot or parcel that abuts a public paved street or has access to a public street by means of a recorded access easement. However, should an owner of a tract of property subdivide it so as to provide smaller parcels only to other family members for their residential use, then the new parcels so created may be accessed by recorded, permanent and private easements between the original owner (grantor) and his grantees, upon approval of the director.

(m)

Parking of trailers: commercial vehicles with more than four wheels, recreational vehicles, travel trailers, campers, buses, motorized homes, boat trailers and haulers, and boats shall not be parked in the front yard in any residential district. Travel trailers, recreational vehicles, campers, motorized homes, boat trailers and haulers, and boats may be parked or stored in an enclosed garage or carport or in rear or side yards, provided that they remain more than twenty (20) feet from the rear property line and ten (10) feet from the side property line. No such vehicle shall be occupied for sleeping or as a residence, either permanently or temporarily, when so parked.

(n)

All exterior lighting shall be deflected away from adjacent properties and the public right-of-way.

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

Sec. 66-35. - Exceptions to general development standards.

(a)

Double buffer. When a required buffer area would abut and be continuous to an established buffer area, which meets all requirements of this chapter, then this additional required buffer area need not be established.

(b)

Height requirements. The height limitations as stated in this chapter shall not apply to:

(1)

Barns, silos or other farm structures when located on farms, belfries, cupolas and domes, monuments, water towers, windmills, chimneys, smokestacks, flagpoles, radio or television towers, masts and aerials; and

(2)

Bulkheads, elevators, penthouses, water tanks and scenery lofts and similar structures, provided that these structures shall not cover more than 25 percent of the total roof area of the building on which these structures are located.

(c)

Special building height restrictions. Where a new Village, C, or I-M district is adjacent to an R, RM, or MHP district or to an existing residential use, the building height of the nonresidential structures shall not exceed two stories along the property line(s) adjacent to the herein listed residential districts.

(d)

Special setbacks.

(1)

Setbacks of the I-M when adjacent to an R, RM, or MHP zoning district or to a property on which a residential use is located shall be set back 200 feet. Setbacks in C districts similarly situated shall set back 100 feet and the same shall apply to the Village district unless the residential component of the Village district is adjacent to any R, RM, or MHP district or uses, in which case, the setback may be reduced to 50 feet.

(2)

The setbacks of subsection (e d)(1) above may be reduced by 50 percent if, in the opinion of the director, a buffer or berm would provide equal or better protection. The above reductions do not apply to the Village district.

(3)

Setback on arterial roads: 50 feet.

(e)

Combining of acreage between lake lots and Georgia Power property. The owner of a lot who has exclusive use of property owned by Georgia Power by written lease, license, or other document may combine the acreage of said lot with the acreage of the property owned by Georgia Power in order to meet the requirements of the development standards of the zoning district in which said lot is located provided that both the lot and property are depicted as a single lot filed in the land records of Putnam County.

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

Sec. 66-36. - Undefined uses.

It is impossible to set forth each and every use of land, which may exist now or in the future in the county. If approval is sought for a use not specifically identified, the director shall consider the requested use to determine whether it is substantially similar to identified uses. For purposes of this section, the term "substantially similar" shall mean that the unidentified use shares the same characteristics as an identified use in terms of nature of operation, size of operation, impact from operation and requirements of the use. The director's decision in this regard may be appealed to the board of commissioners pursuant to the provisions in this chapter pertaining to the appeal of an administrative decision. The decision shall be kept in the official records of the county so as to ensure consistency of decision-making about heretofore-unidentified uses.

Sec. 66-37. – Planned developments.

Planned Development standards were repealed in 2007. Any reference to Planned Developments is hereby eliminated throughout or in any portion of this Zoning Ordinance.

Projects which received final approval under the prior Planned Development standards shall be considered conforming provided such projects conform to the site plan and conditions upon which they were approved, and the projects have either been completed or work is diligently being carried on within any time limits that

may have been stipulated with final approval. Any expansion shall conform to the regulations of the particular zoning district; no expansion in area beyond the area approved as a Planned Development shall be considered. Any modifications to the previously approved final Planned Development site plans shall be reviewed under the RM-3 Multi-Family Residential Standards in Section 66.95-66.97 of this Ordinance.

es. of 7-17-2007(4))

Secs. 66-37—66-50. - Reserved.

DIVISION 2. - NONCONFORMING USES, STRUCTURES AND LOTS

Sec. 66-51. - Nonconformities.

Sec. 66-52. - Nonconforming development; in general.

Sec. 66-53. - Nonconforming uses.

Sec. 66-54. - Nonconforming structures.

Sec. 66-55. - Nonconforming lots.

Secs. 66-56—66-70. - Reserved.

Sec. 66-51. - Nonconformities.

This division sets out the provisions that protect uses, structures, and lots that lawfully existed prior to the adoption of the chapter or a subsequent amendment, but no longer conform to the new regulations. The primary intent of the treatment of nonconformity is to allow continuation of these uses, structures and lots until the end of their useful life, while encouraging conformance to the new regulations when it becomes reasonable to do so.

(Res. of 7-17-2007(4))

Sec. 66-52. - Nonconforming development; in general.

Lawful nonconforming uses, structures and lots are declared by this chapter to be incompatible with land uses, structures, and lots that conform to the requirements of the zoning districts in which the nonconformity exists. However, such nonconforming uses, structures, and lots may continue as set forth in this division. (Refer to chapter 48, section 48-10, for nonconforming signs.)

(Res. of 7-17-2007(4))

Sec. 66-53. - Nonconforming uses.

(a)

Nonconforming uses, defined. A nonconforming use is a use or activity that was lawfully established prior to the adoption, revision or amendment of this chapter, but which, by reason of such adoption, revision or amendment, is no longer a use or activity permitted by right or no longer meets or conforms to the requirements of this chapter.

(b)

Continuance of nonconforming uses.

(1)

To avoid undue hardship, the lawful but nonconforming use of any structure or land at the time of the

enactment of the chapter or any subsequent amendment may be continued even though the use does not conform to the provisions of this chapter, except that the nonconforming use:

a.

Shall not be changed to another nonconforming use.

b.

Shall not be extended to occupy a greater area of land.

c.

Shall not be extended to occupy a greater area of a building or structure unless such additional area of the building or structure existed at the time of the passage or amendment of this chapter and was clearly designed to house the same use as the nonconforming use occupying the other portion of the building or structure.

(2)

Any intended but not yet existing nonconforming use for which a vested right was acquired prior to the adoption of this chapter or the adoption of an amendment to it shall be prohibited unless such intended nonconforming use for which a vested right was acquired is actually commenced within one year of the adoption of this chapter or the adoption of an amendment to it regardless of the intent or expectation to commence or abandon such nonconforming use.

(c)

Re-establishment of a discontinued nonconforming use. A lawful but nonconforming use of any structure or land shall not be re-established after its removal from the property, or after its discontinuance for six months or more, regardless of the intent of the owner or occupier to resume the nonconforming use. The nonconforming use of a property for occupancy by a manufactured home may be resumed if it is replaced by a conforming structure.

(Res. of 7-17-2007(4))

Sec. 66-54. - Nonconforming structures.

(a)

Nonconforming structures, defined. A nonconforming structure is a structure or building whose size, dimensions, location on a property or other features were lawful prior to the adoption, revision or amendment of the chapter, but which, by reason of such adoption, revision or amendment, no longer meets or conforms to one or more such requirements of this chapter. (Refer to chapter 48, section 48-10, for nonconforming signs.)

(b)

Continuance of nonconforming structures.

(1)

A nonconforming structure may continue to be occupied and used, except that:

a.

A nonconforming structure shall not be repaired, rebuilt or altered after damage or destruction of 50 percent or more of its fair market value, unless the structure is a residence **and meets all requirements set forth by the Putnam County Health Department.**

b.

A nonconforming structure may be repaired, rebuilt or altered to its original configuration after damage or destruction not exceeding 50 percent of its fair market value.

c.

Allowed reconstruction is to begin within one year after the damage or destruction is incurred; and

d.

The value shall be the then fair market value of the building or structure as determined by the Putnam County Tax Assessor.

(2)

A nonconforming structure, which is not a residence, shall not be enlarged or altered in a way that increases its nonconformity, but it may be repaired to the extent necessary to maintain it in a safe and sanitary condition.

(3)

A nonconforming manufactured structure may be replaced with another nonconforming manufactured structure provided the structure is a residence, but it must be placed in the same location and not exceed previous nonconformity.

(4)

The strengthening or restoration to a safe condition of any nonconforming structure or part thereof declared to be unsafe by an official charged with protecting the public safety or health shall be allowed upon order of such official.

(Res. of 7-17-2007(4))

Sec. 66-55. - Nonconforming lots.

(a)

Nonconforming lots, defined. A nonconforming lot is a lot of record whose area, frontage, width or other dimensions, or location were lawful prior to the adoption, revision or amendment of this chapter, and which, by reason of such adoption, revision or amendment, no longer meets or exceeds one or more such requirements of the applicable zoning district.

(b)

Nonconforming lots of record. When two or more adjoining and vacant lots with continuous frontage are in a single ownership as of the adoption of this chapter, and these lots have a total frontage or lot area of less than two-thirds of what is required by the district in which they are located, these lots shall be replotted or re-parceled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(c)

Continuation of nonconforming lots.

(1)

Where the owner of a lot at the time of the adoption of this chapter or the owner's successor in title thereto does not own sufficient land to enable such person to conform to the dimensional requirements of the chapter, either:

a.

Such lot may be used as a building site for a single-family residence in a district where residences are permitted; or

b.

Such lot may be used as a building site for any other use permitted in the zoning district;

provided, that said lot requirements or building setbacks are not reduced below the minimum specified in this chapter by more than 50 percent; and provided that the minimum requirements of the

Putnam County Board of Health can be met for lots on septic systems. (*Res. of 7-17-2007(4); Amend. of 1-12-2010*)

Secs. 66-56—66-70. - Reserved.

DIVISION 3. - DISTRICTS

AG-1 AGRICULTURE DISTRICT

Sec. 66-71. - Purpose.

Sec. 66-72. - Uses allowed.

Sec. 66-73. - Development standards.

Sec. 66-71. - Purpose.

This district is primarily designed to protect and to promote dairying and other forms of agriculture in Putnam County. Stand alone commercial or industrial uses not directly associated with and on the same property as the operation of an agricultural enterprise are not permitted.

(*Res. of 7-17-2007(4)*)

Sec. 66-72. - Uses allowed.

The uses allowed in the AG-1 zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses:

Animal husbandry, livestock sales.

Slaughterhouse.

Meat processing and packaging facilities.

Fruits/vegetable/field crops/greenhouses/nurseries.

Produce stands.

Forestry and timber/logging but not including a permanent sawmill or the preparation or treatment of lumber for commercial sale.

Landscaping materials and plant stock.

Fish hatcheries.

Fishing lake, ~~public and hunting club.~~

Public and private hunting club

Bait sales.

Cabin/hunting lodge/~~campground~~.

Camping and overnight recreation area/Campground

Kennels, noncommercial.

Riding stable.

Dwellings: one for property owner.

Single-family:

Site-built.

Manufactured.

Modular.

Bed and breakfast.

Day cares/day nurseries/kindergartens.

Group home/hospice with greater than six individuals.

Athletic field.

Racetrack.

Churches.

Clinic.

Helicopter pad.

Transmission/communication towers.

Carnivals, rodeos, and sporting events (temporary).

(b)

Accessory uses that may be contained within the principal use or shall exist on the same property as the principal structure are as follows:

Commercial:

Barbershop.

Beauty salon.

Small engine repair.

Welding.

Grooming of animals.

Home occupation, general.

Dwellings: In addition to the primary residence, the owner may subdivide three additional parcels for family use only, with a minimum of 1.25 acres each without rezoning as long as there is a deeded and platted easement from a public road to these parcels.

Group home of six or fewer individuals not including supervisory staff.

Hospice of six or fewer patients.

Swimming pool.

Tennis court.

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

Sec. 66-73. - Development standards.

(a)

Minimum lot size: 20 acres.

(b)

Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.

(c)

Minimum lot width at the building setback line: 100 feet.

(d)

Minimum setback requirements are as follows:

(1)

Front setback: 30 feet or where minimum lot width is achieved, whichever is greater.

(2)

Side setback: 20 feet.

(3)

Rear setback: 20 feet. From lake or river: 100 feet.

(e)

Maximum height of structures: three stories (except silos or water towers).

(f)

Minimum residential heated floor area: 450 square feet.

(g)

Minimum off-street parking spaces is two spaces for the principal use and one additional off-street space for each 1,000 square feet of accessory use.

(h)

Maximum of three tenant dwellings.

(i)

~~**Accessory buildings: maximum of two per lot, excluding garages, carports and well houses.**~~

(j)

Slaughterhouses are only allowed on a minimum of 20 acres; not allowed on existing non-conforming lots of record.

(k)

Racetracks are not allowed on existing non-conforming lots of record.

(Res. of 7-17-2007(4))

AG-2 AGRICULTURE DISTRICT ^[43]

Sec. 66-74. - Purpose.

Sec. 66-75. - Uses allowed.

Sec. 66-76. - Development standards.

Sec. 66-74. - Purpose.

This district is intended to provide for large lot single-family residential subdivisions, having a limited number of agricultural uses.

(Res. of 7-17-2007(4))

Sec. 66-75. - Uses allowed.

The uses allowed in the AG-2 zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses.

Cabin/hunting lodge.

Camping and Overnight Recreation Areas/Campground

Churches.

Dwellings: Single-family:

Site-built.

Manufactured home.

Modular home.

(b)

Accessory uses as part of a subdivision.

Athletic field.

Parks and playgrounds.

Swimming pools, clubs and other recreation facilities for the exclusive use of the property owners in the subdivision.

Water treatment plant, private.

Meat processing and packaging facilities.(c)

Accessory uses that shall be on the same property as the primary use are as follows:

Family apartment.

Home occupation, general.

Group home of six or fewer individuals excluding supervisory staff.

Hospice of six or fewer patients.

Produce standards: Produce stands shall be temporary or seasonal stands for the sale of produce. There shall be a minimum of four off-street parking spaces. Such stands shall have access to at least a collector street and shall not be operated so as to create a traffic hazard.

Meat processing and packaging facilities.

Personal equine facility.

Swimming pools.

Tennis courts.

(Res. of 7-17-2007(4))

Sec. 66-76. - Development standards.

(a)

Minimum lot size: Five acres.

(b)

Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.

(c)

Minimum lot width at the building setback line: 100 feet.

(d)

Maximum lot coverage by buildings: 35 percent.

(e)

Minimum setback requirements are as follows:

(1)

Front setback: 30 feet or where minimum lot width is achieved, whichever is greater.

(2)

Side setback: 20 feet.

(3)

Rear setback: 20 feet. From lake or river: 100 feet.

(f)

Maximum height of structures: three stories.

(g)

Minimum heated floor area: 1,200 square feet.

(h)

Minimum off-street parking spaces: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a subdivision recreational facility depending on the number of people the health department determines can be in the pool areas and the fire marshal determines the occupancy rating for any building.

(i)

Only one dwelling unit per lot, except for one family apartment.

(j)

Accessory buildings: maximum of two per lot, excluding **one** garages, ~~and~~ **or** carports and **one** well houses. *(Res. of 7-17-2007(4))*

FOOTNOTE(S):

(43) **Cross reference**— Animals, ch. 14.

R-1R SINGLE-FAMILY RESIDENTIAL DISTRICT

Sec. 66-77. - Purpose.

Sec. 66-78. - Uses allowed.

Sec. 66-79. - Development standards.

Sec. 66-77. - Purpose.

The purpose of this district is to encourage the development of subdivisions with larger homes with larger floor areas than the other single-family districts. The uses in this district are severely restricted as compared to other single-family districts.

(Res. of 7-17-2007(4))

Sec. 66-78. - Uses allowed.

The uses allowed in the R-1R zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses.

Churches.

Dwellings: Single-family:

Site-Built.

Modular.

(b)

Accessory buildings: Maximum of two per lot.

(c)

Accessory uses as part of a subdivision.

Athletic field.

Parks and playgrounds.

Swimming pools, clubs and other recreation facilities for the exclusive use of the property owners in the subdivision.

Water treatment plant, private.

(d)

Accessory uses that shall be on the same property as the principal use are as follows:

Family apartment, which is enclosed as part of the principal structure.

Home occupation, general.

Swimming pool, private.

Tennis courts, private.

(Res. of 7-17-2007(4))

Sec. 66-79. - Development standards.

(a)

Minimum lot size: See subsection 66-34(~~h~~ (f)).

(b)

Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.

(c)

Minimum lot width at the building setback line: 100 feet.

(d)

Maximum lot coverage by buildings: 35 percent.

(e)

Minimum setback requirements are as follows:

(1)

Front setback: 30 feet or where minimum lot width is achieved, whichever is greater.

(2)

Side setback: 20 feet.

(3)

Rear setback: 20 feet. From lake or river: 100 feet.

(f)

Maximum height of structures: Three stories.

(g)

Minimum heated floor area: 1,600 square feet.

(h)

Minimum off-street parking: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a subdivision recreational facility depending on the number of people the health department determines can be in the pool areas and the fire marshal determines the occupancy rating for any building.

(i)

Only one dwelling unit per lot, to include one family apartment.

(j)

Enclosed garages (attached or detached) only: carports are prohibited in this district.

(k)

Accessory buildings: one per lot, excluding one garages and one well houses. *(Res. of 7-17-2007(4); Amend. of 3-18-2008)*

R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

Sec. 66-80. - Purpose.

Sec. 66-81. - Uses allowed.

Sec. 66-82. - Development standards.

Sec. 66-80. - Purpose.

The R-1 district is similar to the R-1R with respect to the uses permitted, but differs with respect to the minimum floor area and allowed uses.

(Res. of 7-17-2007(4))

Sec. 66-81. - Uses allowed.

The uses allowed in the R-1 zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses.

Bed and breakfast/boardinghouse.

Churches.

Dwellings: Single-family:

Site-built.

Modular.

Manufactured.

(b) Accessory buildings: Maximum of two per lot.

(c)

Accessory uses as part of a subdivision.

Athletic field.

Parks and playgrounds.

Swimming pools, clubs and other recreation facilities for the exclusive use of the property owners in the subdivision.

Water treatment plant, private.

(d)

Accessory uses that shall be on the same property as the principal use are as follows:

Day care of six or fewer children.

Family apartment.

Group home of six or fewer individuals excluding supervisory staff.

Home occupation, general.

Hospice of six or fewer patients.

Swimming pools, private.

Tennis courts, private.

(Res. of 7-17-2007(4))

Sec. 66-82. - Development standards.

(a)

Minimum lot size: See subsection 66-34(~~h~~ (f)).

(b)

Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.

(c)

Minimum lot width at the building setback line: 100 feet.

(d)

Maximum lot coverage by buildings: 35 percent.

(e)

Minimum setback requirements are as follows:

(1)

Front setback: 30 feet or where minimum lot width is achieved, whichever is greater.

(2)

Side setback: 20 feet.

(3)

Rear setback: 20 feet. From lake or river: 100 feet.

(f)

Maximum height of structures: three stories.

(g)

Minimum heated floor area:

(1)

1,200 square feet: site-built, modular.

(2)

1,000 square feet: manufactured.

(h)

Minimum off-street parking: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a subdivision recreational facility, depending on the number of people the health department determines can be in the pool areas and the fire marshal determines the occupancy rating for any building.

(i)

Only one dwelling unit per lot, except for one family apartment.

(j)

Accessory buildings: maximum of two per lot, excluding one garages, or carports and one well houses.

(Res. of 7-17-2007(4))

R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT

Sec. 66-83. - Purpose.

Sec. 66-84. - Uses allowed.

Sec. 66-85. - Development standards.

Sec. 66-83. - Purpose.

This district is intended to encourage residential subdivisions of homes with less floor area than the other single-family districts to foster the development of starter homes.

(Res. of 7-17-2007(4))

Sec. 66-84. - Uses allowed.

The uses allowed in the R-2 zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses.

Bed and breakfast/boardinghouse.

Cabin/hunting lodge.

Churches.

Dwellings: Single-family:

Site-built.

Modular.

Manufactured.

(b)

Accessory buildings: Maximum of two per lot.

(c)

Accessory uses as part of a subdivision.

Athletic field.

Parks and playgrounds.

Swimming pools, clubs and other recreation facilities for the exclusive use of the property owners in the subdivision.

Water treatment plant, private.

(d)

Accessory uses that shall be on the same property as the principal use are as follows:

Day care of not more than six children.

Family apartment.

Group home of six or fewer individuals excluding supervisory staff.

Home occupation.

Hospice of six or fewer individuals.

Swimming pools, private.

Tennis courts, private.

(Res. of 7-17-2007(4))

Sec. 66-85. - Development standards.

(a)

Minimum lot size: See subsection 66-34(h (f)).

(b)

Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.

(c)

Minimum lot width at the building setback line: 100 feet.

(d)

Maximum lot coverage by buildings: 35 percent.

(e)

Minimum setback requirements are as follows:

(1)

Front setback: 30 feet or where minimum lot width is achieved, whichever is greater.

(2)

Side setback: 20 feet.

(3)

Rear setback: 20 feet. From lake or river: 100 feet.

(f)

Maximum height of structures: Three stories.

(g)

Minimum heated floor area: Site built/modular: 1,000 square feet; Manufactured home: 600 square feet.

(h)

Minimum off-street parking: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a subdivision recreational facility, depending on the number of people the health department determines can be in the pool areas and the fire marshal determines the occupancy rating for any building.

(i)

Only one dwelling unit per lot, except for one family apartment.

(j)

Accessory buildings: maximum of two per lot, excluding one garages, or carports and one well houses. (Res. of 7-17-2007(4))

MHP MANUFACTURED HOME PARK DISTRICT

Sec. 66-86. - Purpose.

Sec. 66-87. - Uses allowed.

Sec. 66-88. - Development standards.

Sec. 66-86. - Purpose.

Manufactured home park district, abbreviated in this division as MHP, is a parcel of land under single ownership on which three or more manufactured homes are located for the purpose of residential use and does not include sales, manufacture or storage of such units.

(Res. of 7-17-2007(4))

Sec. 66-87. - Uses allowed.

The uses allowed in the MHP zoning district as a matter of right are subject to section 66-34, general requirements of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses.

Churches.

Dwellings:

Site-built or modular home for exclusive use of owner/manager residing on site.

Manufactured homes.

Travel trailers/recreational vehicles, less than 30 days.

(b)

Accessory uses and structures incidental to any permitted use within the park.

Athletic field.

Home occupation, general.

Community facilities:

Neighborhood recreation facilities.

Day care with six or fewer children.

Laundry facility.

Parks/playgrounds, community or individual.

Store, small. For the exclusive use of the MHP residents.

Swimming pool, community or individual.

Tennis centers, clubs and facilities (private).

Water treatment plant, private.

(Res. of 7-17-2007(4))

Sec. 66-88. - Development standards.

(a)

Development standards for total MHP area.

(1)

Minimum MHP lot area: Ten acres.

(2)

Maximum density: Five manufactured homes per acre.

(3)

Minimum MHP setback requirements (before individual lots are established):

From state/federal highway: 150 feet.

From county roadway: 100 feet.

Front: 50 feet.

Sides: 25 feet, 100 feet if the side abuts other R districts.

Rear: 40 feet, 100 feet if the side abuts other R districts or from lake or river.

(4)

Minimum open space requirement: 15 percent, which may include recreational uses.

(5)

Streets: Streets within MHPs shall be privately owned, constructed and maintained. Streets shall be constructed in accordance with chapter 28, development regulations, for local streets and shall provide direct accessibility to each lot and residential unit. No lot or unit shall be accessible except by way of an internal street. Internal streets shall have a minimum of a 40-foot right-of-way and a minimum of 20 feet of paved surface.

(6)

Parking and traffic requirements:

a.

Minimum entrance width: 50 feet.

b.

Parking spaces: Two per manufactured home space.

c.

Internal driveways must be paved and have a minimum width of 12 feet.

(7)

Buffer or berm: 25 feet (or 50 feet when adjacent to other R or RM districts) densely planted with evergreen and hedge-type shrubs designed to provide full screening on the park.

(8)

Illumination: Street lighting shall be provided not less than every 250 feet to ensure the safe movement of pedestrians and vehicles at night. Such lighting shall not create a direct glare into surrounding residential areas.

(9)

Unit requirements: See chapter 18, buildings and building regulations.

(10)

Travel trailer/RV's: See travel trailer/RV park guidelines in article III, performance standards.

(11)

Commercial uses: If permitted accessory commercial uses are developed on the site, those uses must comply with the setback, buffer, minimum lot size and minimum lot width of the C-1 district in this article. Any portion of a manufactured home park tract used for such purposes cannot be counted as available acreage for purposes of calculating dwelling unit density. No more than ten percent of the park may be used for commercial purposes.

(b)

Minimum development standards for each manufactured home lot: Each home shall be located on an individual lot. Each lot shall have all corners clearly marked. Each lot shall have the parking areas required in this section and, in addition, shall have a concrete patio of at least 100 square feet, which shall be convenient to the entrance of the home. In no event shall the home and parking areas cover more than one-third of the space of the individual lot.

(1)

Minimum lot area: 8,600 square feet.

(2)

Minimum lot width at building setback line: 50 feet.

(3)

Minimum lot depth: 80 feet.

(4)

Minimum required setbacks/yards:

a.

From right-of-way of interior streets: 25 feet.

b.

From adjacent units: 20 feet end-to-end, and 40 feet side-to-side.

(c)

Accessory buildings: maximum of two per lot, excluding one garages, or carports and one well houses.

(Res. of 7-17-2007(4))

RM-1 MULTI-FAMILY RESIDENTIAL DISTRICT

Sec. 66-89. - Purpose.

Sec. 66-90. - Uses allowed.

Sec. 66-91. - Development standards.

Sec. 66-89. - Purpose.

This district is the lowest density multiple-family district. It may be used as a transition district between the single-family districts and the districts permitting nonresidential uses. The density limit allows two dwelling units on the minimum lot area and more as the lot area becomes larger. This district is the first and the lowest density of the three multifamily districts.

(Res. of 7-17-2007(4))

Sec. 66-90. - Uses allowed.

The uses allowed in the RM-1 zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses.

Bed and breakfast/boardinghouse.

Churches.

Dwelling:

(1)

Structural types:

Site-built.

Modular.

Manufactured.

(2)

Occupancy types:

Duplex.

Triplex.

Quadruplex.

Group home greater than six individuals.

Hospice with greater than six patients.

(b)

Accessory uses as part of a development.

Athletic field.

Central laundry facility.

Parks and playgrounds.

Swimming pools, clubs, tennis courts and other recreation facilities for the exclusive use of the residents.

Water treatment plant, private.

(c)

Accessory uses.

Day care of not more than six children.

Group home of six or fewer individuals excluding supervisory staff.

Home occupation, general.

Hospice of six or fewer individuals.

(Res. of 7-17-2007(4))

Sec. 66-91. - Development standards.

(a)

Minimum parcel size: 20,000 square feet.

(b)

Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.

(c)

Minimum lot width at the building setback line: 125 feet.

(d)

Maximum lot coverage by buildings: 35 percent.

(e)

Minimum setback requirements are as follows:

(1)

Front setback: 30 feet.

(2)

Side setback: 20 feet.

(3)

Rear setback: 20 feet. From lake or river: 100 feet.

(f)

Maximum height of structures: Two stories.

(g)

Minimum heated floor area: 750 square feet.

(h)

Minimum off-street parking: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a subdivision recreational facility, depending on the number of people the health department determines can be in the pool areas and the fire marshal determines the occupancy rating for any building. Parking shall be provided on the same lot as the use it serves.

(i)

Density: Four dwelling units per acre.

(j)

Accessory buildings: maximum of two per lot, excluding one garages, or carports and one well houses. *(Res. of 7-17-2007(4); Amend. of 3-18-2008)*

RM-2 MULTI-FAMILY RESIDENTIAL DISTRICT

Sec. 66-92. - Purpose.

Sec. 66-93. - Uses allowed.

Sec. 66-94. - Development standards.

Sec. 66-92. - Purpose.

This is the medium density multifamily district. It requires a greater minimum lot area, while allowing for more dwelling units per acre and a variety of housing types. It could be used as a transition district between the single-family districts and the districts permitting nonresidential uses.

(Res. of 7-17-2007(4))

Sec. 66-93. - Uses allowed.

The uses allowed in the RM-2 zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses.

Bed and breakfast/boardinghouse.

Churches.

Convalescent home, hospice/nursing home/assisted living.

Dwelling:

(1)

Structural types:

Site-built.

Modular.

Manufactured.

(2)

Occupancy types:

Duplex.

Triplex.

Quadruplex.

Townhouse.

Group homes greater than six individuals.

Hospice with greater than six patients.

(b)

Accessory uses as part of a development.

Athletic field.

Central laundry facility.

Marinas.

Parks and playgrounds.

Swimming pools, clubs, tennis courts and other recreation facilities for the exclusive use of the residents.

Water treatment plant, private.

(c)

Accessory uses.

Day care of not more than six children.

Group home of six or fewer individuals excluding supervisory staff.

Home occupation, general.

Hospice of six or fewer individuals.

(Res. of 7-17-2007(4))

Sec. 66-94. - Development standards.

(a)

Minimum parcel size: Two acres (with community water and an approved EPD septic system or sewer).

(b)

Minimum road frontage: 50 feet. On a cul-de-sac: 40 feet.

(c)

Minimum lot width at the building setback line: 125 feet.

(d)

Maximum lot coverage by buildings: 35 percent.

(e)

Minimum setback requirements are as follows:

(1)

Front setback: 30 feet.

(2)

Side setback: 20 feet.

(3)

Rear setback: 20 feet. From lake or river: 100 feet.

(f)

Maximum height of structures: Three stories.

(g)

Minimum heated floor area: 1,000 square feet.

(h)

Minimum off-street parking spaces: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for a subdivision recreational facility, depending on the number of people the health department determines can be in the pool areas and the fire marshal determines the occupancy rating for any building. Parking shall be provided on the same lot as the use it serves.

(i)

Density: Six dwelling units per acre. (All numerical values not yielding a whole number shall be rounded down to the lesser whole number.)

(j)

Accessory buildings: maximum of two per lot, excluding one garages, or carports and one well houses. *(Res. of 7-17-2007(4); Amend. of 3-18-2008)*

RM-3 MULTI-FAMILY RESIDENTIAL DISTRICT

Sec. 66-95. - Purpose.

Sec. 66-96. - Uses allowed.

Sec. 66-97. - Development standards.

Sec. 66-95. - Purpose.

The primary purpose of this district is to facilitate, through a sensitive single design solution, the incorporation of a development into the natural environment by using an increased density as the reward. Properties in this district shall be developed as integrated whole with offering a variety of housing design solutions in one ownership.

(Res. of 7-17-2007(4))

Sec. 66-96. - Uses allowed.

The uses allowed in the RM-3 zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses.

Amusement, recreational and entertainment activities carried on wholly within a permanently enclosed building.

Churches.

Dwellings:

(1)

Structural types:

Site-built.

Modular.

(2)

Occupancy types:

Single-family dwelling.

Duplex.

Triplex.

Quadruplex.

Townhouse.

Mid-rise.

Hotel/inn.

Private schools.

(b)

Commercial uses may be allowed subject to the following conditions:

(1)

Maximum commercial land area is ten percent of total acreage not to exceed ten acres.

(2)

May not be developed until at least 50 percent of the dwelling units are occupied.

(3)

May not have vehicular access directly from the existing public street from which the development derives its means of ingress and egress.

(4)

Uses are restricted to retail commercial (excluding an automobile service station), services, and professional offices.

(c)

Accessory uses as part of the development. (No accessory uses as home occupations are permitted.)

Athletic field.

Marinas.

Parks and playgrounds.

Pedestrian system (includes walking trails and bicycle paths).

Restaurant (if commercial permitted).

Sewage treatment plant.

Swimming pools, clubs, tennis courts, golf courses and other recreation facilities.

Water treatment plant, private.

(Res. of 7-17-2007(4))

Sec. 66-97. - Development standards.

(a)

Minimum parcel size: 20 acres (with community water and an approved EPD septic system or sewer).

(b)

Total parcel size, if commercial is included, must have a minimum of 50 acres.

(c)

Minimum lot width shall not be less than 500 feet, excluding the first 200 feet of lot depth from the road.

(d)

Minimum requirements are dependent on what can be determined from the concept plan with respect to how the proposed development relates to surrounding properties and what efforts and design solutions are in place to mitigate potential adverse effects on the natural environment, and how the development utilizes the topography to best achieve a harmonious design.

(1)

A 50-foot-wide natural undisturbed buffer or a berm, replanted where sparsely vegetated, shall exist adjacent to all property lines.

(2)

Minimum setback from lake or river: 100 feet.

(3)

Environmentally sensitive areas, i.e. wetlands, flood zones, etc. These areas shall be demarcated in the field and shall remain undisturbed.

(4)

All drainage courses shall remain pristine with 25-foot-wide buffers on each side.

(5)

No vehicle parking areas shall exist between the proposed buildings and the boundary property lines.

(6)

Maximum lot coverage by buildings: 35 percent.

(e)

Maximum density per lot is eight dwelling units per acre with 35 percent open space or ten units per acre with 50 percent open space.

(f)

Minimum heated floor area: 1,000 square feet.

(g)

Building height: Three stories.

(h)

Minimum off-street parking space: Two spaces per dwelling unit. The director shall determine the number of off-street parking spaces necessary for any recreational facility, depending on the number of people the health department determines can be in the pool areas and the fire marshal determines the occupancy rating for any building. Parking for the commercial portion shall be one space for each 200 square feet of total commercial floor area. Parking shall be provided on the same lot as the use it serves.

(j)

Accessory buildings: maximum of two per lot, excluding one garages, or carports and one well houses.

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

VILLAGE DISTRICT

Sec. 66-98. - Purpose.

Sec. 66-99. - Plan.

Sec. 66-100. - Uses allowed.

Sec. 66-101. - Development standards.

Sec. 66-98. - Purpose.

The purpose of this district is to encourage developers to create a "village" atmosphere of various types of residential solutions intermixed with small scale commercial. The end product should provide opportunities for residents and nonresidents to interact as the commercial and public spaces and uses are experienced. The village should answer the needs of people who choose not to live in the conventional single-family house with all of the attendant time consuming aspects of it. Village life should be an active environment attractive to people who prefer to find answers to their needs within walking distance of their front door.

(Res. of 7-17-2007(4))

Sec. 66-99. - Plan.

The architectural goal is to recreate the center of a small town where most daily needs can be satisfied through an overall site design. Most housing types, occupancies and forms of small shop commercial expression are part of the landscape of the village. The pedestrian scale should be emphatically apparent with vehicles hidden from view. Vegetation, benches, kiosks, gazebos, [and] ornamental lighting should punctuate the design in significant quantities to be meaningful to the overall design solution. Residential may be at grade, over or among the commercial spaces or

freestanding. An equalization of both use categories is unlikely to occur by chance, thus a three-fifths to two-fifths relationship shall be the rule. Either use category may be the larger of the two but both shall exist. This relationship is determined by equating the total floor area of one to that of the other. For residential it is heated floor area and for commercial it is the total floor area including all interior spaces regardless whether for storage, preparation, or retail.

(Res. of 7-17-2007(4))

Sec. 66-100. - Uses allowed.

The uses allowed in the village zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses.

Athletic field.

Bed and breakfast/boardinghouse.

Churches.

Commercial uses as set forth in subsection 66-103(b).

Convalescent home, group home/hospice/nursing home/assisted living.

Day care.

Dwelling:

(1)

Structural types:

Site-built.

Modular.

(2)

Occupancy types:

Duplex.

Triplex.

Quadruplex.

Townhouse.

Home occupation, general.

Marinas.

Parks and playgrounds.

Private Schools.

Swimming pools, clubs, tennis courts and other recreation facilities.

Water treatment plant, private.

(Res. of 7-17-2007(4))

Sec. 66-101. - Development standards.

(a)

Parcel size:

Minimum parcel size: 15 acres (with community water and an approved EPD septic system or sewer).

Maximum parcel size: 35 acres (with~~out~~ community water and ~~with~~ an approved EPD septic system or sewer).

(b)

Minimum setback from lake or river: 100 feet.

(c)

This district shall provide sidewalks, curb, gutter and streetlights throughout.

(d)

Berms must be constructed adjacent to all residential districts or adjacent to any lot used for residential.

(e)

Maximum potential total commercial floor area shall not be greater than 10,000 square feet per acre of the entire lot being rezoned.

(f)

The maximum potential residential density shall not exceed eight dwelling units per acre of the entire lot being rezoned, with each dwelling unit having a minimum of 1,000 heated square feet.

(g)

Allocation of commercial: So that no one or two commercial uses consume the entirety or majority of the total commercial floor area, the total commercial floor area shall be allocated as follows:

(1)

If the total commercial floor area is 100,000 square feet or less, the following applies:

Only one use as large as 10,000 square feet, excluding exterior eating and/or displays.

The balance of the total commercial floor shall be distributed accordingly:

30 percent in uses between 800 to 2,400 square feet.

70 percent in uses between 2,401 and 3,600 square feet.

(2)

If the total commercial floor area is greater than 100,000 square feet the following applies:

Only two uses as large as 12,000 square feet each, excluding exterior eating and/or displays.

The balance of the total commercial floor area shall be distributed accordingly:

30 percent in uses between 800 to 2,400 square feet.

70 percent in uses between 2,401 and 3,600 square feet.

(h)

Internal open space requirement: Excluding vegetation that exists in all buffers or berms on the periphery of the village or within the parking bays, there shall exist internal to the collection of buildings forming the village and intermingled among the residential and commercial environment, open space designed to provide shade, seating, seasonal color, building separation, and recreation activities. At least ten percent of the combined total commercial and residential floor areas proposed by the property owner shall exist in this type of open space. The open space shall consist of a combination of planting beds of annuals or perennials, trees, ornamental grasses and shrubs.

(i)

Parking: Commercial requirement is five spaces per each 1,000 square feet of total floor area; residential is two spaces per dwelling unit. Parking shall be underneath the buildings or behind the residential and commercial uses.

(j)

Maximum height of structures: Five stories; if adjacent to Lakes Sinclair and Oconee: Three stories.

(k)

Hours of operation: All commercial uses shall cease operation by 1:00 a.m. if within 100 feet of any residential use within the village.

(l)

Signage: Within the commercial aspect of this development, only directional and building signs are permitted. Freestanding signs and blinking change of copy or articulated signage and signs that project above the gutter line of the uppermost floor or on the roof are prohibited. Lighted signs within a direct line of sight from any residential dwelling in the village shall be extinguished by 1:00 a.m. See chapter 48, signs, for further requirements.

(m)

Loudspeakers or sound emanating from within a use are prohibited.

(n)

Outdoor storage is prohibited.

(o)

Accessory buildings: maximum of two per lot, excluding **one** garages, **or** carports and **one** well houses.

(p)

Minimum buffer around development: 100 feet.

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

C-1 COMMERCIAL DISTRICT ^[44]

Sec. 66-102. - Purpose.

Sec. 66-103. - Uses allowed.

Sec. 66-104. - Development standards.

Sec. 66-102. - Purpose.

This is the district wherein typical community commercial uses are to be found. As a group these uses satisfy the local consumer's daily needs for professional, retail, and for goods and services as well as the

needs of the transient and recreational consumers with limited residential use. It is intended that all establishments be operated wholly within permanently enclosed buildings.

(Res. of 7-17-2007(4))

Sec. 66-103. - Uses allowed.

The uses allowed in the C-1 zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses:

Ambulance service.

Amusement, recreational and entertainment activities carried on wholly within a permanently enclosed building.

Athletic club.

Automobile service station.

Automobile parts and tire store; retail.

Auto wash carried on wholly within a permanently enclosed building which is secured and shuttered during non-business hours.

Churches.

Clinic, Urgent care facility.

Community facilities:

Assembly halls.

Cultural facilities (museums, galleries, live theater).

Fraternal club or lodge.

Cultural facilities.

Day care/day nursery/kindergarten.

Day spa.

Eating and drinking places.

Feed and seed sales.

Funeral Home

Furniture upholstery.

Housing:

24-hour security residence.

Assisted Living Facilities

Group home of six or more individuals.

Hospice of six or more individuals.

Mixed-use building. (Maximum of eight dwelling units per building and residential must be above ground floor commercial.)

Transient lodgings.

Marinas.

Mini-warehouses.

Offices.

Parks and playgrounds.

Private schools.

Retail commercial uses.

Small animal care and sales.

Trade schools.

Transmission/communication towers.

Water treatment plant, private.

(b)

Accessory uses and structures: Accessory uses and structures customarily incidental to any permitted use.

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

Sec. 66-104. - Development standards.

(a)

Minimum lot size: 20,000 square feet.

(b)

Minimum lot width at the building setback line: 100 feet.

(c)

Minimum setbacks requirements are as follows:

(1)

Front setback: 30 feet.

(2)

Side setback: 15 feet.

(3)

Rear setback: 20 feet; from lake or river: 100 feet.

(4)

A 50 foot setback is required when any commercial use or district adjoins any residential use or district.

(d)

Maximum height of structures: Three stories.

(e)

Basic parking requirement: One space per each 200 square feet of space designated for retail sales. See chapter 28, development regulations, for other commercial uses.

(f)

Maximum lot coverage by buildings: 35 percent.

(g)

A berm or a 50 foot buffer is required when any commercial use or district adjoins any residential use or district and shall be included within the required setback.(h)

Mixed-use residential component minimum heated floor area per dwelling unit: 1,000 square feet. Only two buildings per acre.

(i)

Maximum commercial floor area is computed at 15,000 square feet per acre.

~~(j)~~

~~-Accessory buildings: maximum of two per lot, excluding garages, carports and well houses.~~

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

_____**FOOTNOTE(S):**

_____⁽⁴⁴⁾**Cross reference**— Businesses, Ch. 22.

C-2 COMMERCIAL DISTRICT ^[45]

Sec. 66-105. - Purpose.

Sec. 66-106. - Uses allowed.

Sec. 66-107. - Development standards.

Sec. 66-105. - Purpose.

The uses in this district are those most commonly expected to be present in a commercial environment serving a large consumer area. Very large floor area commercial uses, multiplex theaters, large hardware and indoor building supply stores, existing as anchors in a mall or on a single-user site are encouraged.

(Res. of 7-17-2007(4))

Sec. 66-106. - Uses allowed.

The uses allowed in the C-2 zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Additionally, all uses permitted in the C-1 district are permitted in the C-2 district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses:

Ambulance service.

Amusement, recreational and entertainment activities carried on wholly within a permanently enclosed building.

Athletic club.

Automobile parts and tire store; retail.

Automobile service station.

Automobile repair garage.

Automobile, manufactured homes sales and rentals.

Automotive, boat and trailer sales and service.

Auto wash.

Boat and dock: service and accessories.

Cemeteries/mausoleums.

Churches.

Clinic.

Commercial shooting/archery range: indoor

Community facilities:

Assembly halls.

Cultural facilities (museums, galleries, live theater).

Fraternal club or lodge.

Crematoriums.

Eating and drinking places.

Fabrication shops.

Feed and seed sales.

Food service and grocery stores.

Funeral Homes.

Furniture upholstery.

Hospitals, private.

Housing:

24-hour security residence.

Group home of six or more individuals.

Mixed-use building. (Maximum of eight dwelling units per building and residential must be above

ground floor commercial.)

Hospice of six or more individuals.

Transient lodgings.

Kennels.

Laboratories, medical.

Manufactured home sales.

Marinas.

Meat processing and packaging facilities. Mini-warehouses.

Offices.

Parks and playgrounds.

Private schools.

Professional services.

Recreational vehicle sales.

Retail commercial uses.

Small animal care and sales.

Small equipment repair.

Tractor sales.

Trade schools.

Transmission/communication towers.

Truck stop.

Water treatment plant, private.

(b)

Accessory uses and structures: Accessory uses and structures customarily incidental to any permitted use.

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

Sec. 66-107. - Development standards.

(a)

Minimum lot size: One acre.

(b)

Minimum lot width at the building setback line: 100 feet.

(c)

Minimum setback requirements are as follows:

(1)

Front setback: 30 feet.

(2)

Side setback: 15 feet.

(3)

Rear setback: 20 feet; from lake or river: 100 feet.

(4)

A 50 foot setback is required when any commercial use or district adjoins any residential use or district.(d)

Maximum height of structures: Three stories.

(e)

Basic parking requirement: One space per each 200 square feet of space designated for retail sales. See chapter 28, development regulations, for other commercial uses.

(f)

Maximum lot coverage by buildings: 35 percent.

(g)

A berm or a 50 foot buffer is required when any commercial use or district adjoins any residential use or district and shall be included within the required setback.(h)

Mixed-use residential component minimum heated floor area per dwelling unit: 1,000 heated square feet. Only two buildings per acre.

(i)

Maximum commercial floor area is computed at 25,000 square feet per acre.

~~(j)~~

~~Accessory buildings: maximum of two per lot, excluding garages, carports and well houses.~~

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

FOOTNOTE(S):

(45) **Cross reference**— Businesses, ch. 22.

C-3 COMMERCIAL DISTRICT

Sec. 66-108. - Purpose.

Sec. 66-109. - Uses allowed.

Sec. 66-110. - Development standards.

Sec. 66-108. - Purpose.

This district is intended to accommodate entertainment, recreational, [and/or] leisure type uses on a substantial scale and/or intensity. The uses may be indoor, outdoor, [and/or] a combination and may be integrated with housing types. While not limited to resort developments, they are encouraged. Under certain circumstances, as seen herein below, this district may be considered an expanded version of the village district in conjunction with the principal recreation/entertainment themes.

(Res. of 7-17-2007(4))

Sec. 66-109. - Uses allowed.

The uses allowed in the C-3 zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. **Additionally, all uses permitted in the C-1 district are permitted in C-3 district.** Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses:

Ambulance service.

Amusement, recreational and entertainment activities whether indoor or outdoor.

Athletic club.

Athletic field.

Automobile service station.

Auto wash.

Campground.

Cemeteries/mausoleums.

Churches.

Commercial shooting/archery range: indoor/outdoor.

Community facilities:

Assembly halls.

Cultural facilities (museums, galleries, live theater).

Fraternal club or lodge.

Crematoriums.

Dwellings of any occupancy or structural configuration permitted by this chapter.

Eating and drinking places.

Fishing lake, public.

Funeral Homes.

Golf clubhouse/course.

Golf driving range.

Helicopter pad.

Marinas.

Meat processing and packaging facilities.

Mixed-use building. (Maximum of eight dwelling units per building and residential must be above-ground floor commercial.)

Offices.

Parks and playgrounds.

Polo fields.

Private schools.

Racetrack, automobile.

Racetrack, horses.

Recreational vehicle park.

Retail commercial uses.

Spa (overnight).

Swimming pools.

Tennis courts.

Transient lodgings.

Transmission/communication towers.

Water treatment plant, private.

Zoos.

(b)

Accessory uses and structures: Accessory uses and structures customarily incidental to any permitted use.

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

Sec. 66-110. - Development standards.

(a)

Minimum lot size: Ten acres.

(b)

Minimum lot width at the building setback line is 200 feet.

(c)

Minimum setback requirements are as follows:

(1)

Front setback: 100 feet.

(2)

Side setback: 50 feet.

(3)

Rear setback: 100 feet; from lake or river: 100 feet.

(d)

Maximum height of structures: Three stories.

(e)

Basic parking requirement: One space per each 200 square feet of space designated for retail sales. See chapter 28, development regulations, for other commercial or recreational uses.

(f)

Maximum lot coverage by buildings: 35 percent.

(g)

Buffer and berm requirement: 100 feet if adjacent to any residential district.

(h)

Mixed-use residential component minimum heated floor area per dwelling unit: 1,000 square feet.

(i)

Density: For permanent residential (apartments/condos/rental cottages), eight dwelling units per acre is the maximum density permitted in this district. All numerical values not yielding a whole number shall be rounded down to the lesser whole number.

(j)

Maximum commercial floor area is computed at 25,000 square feet per acre. Exterior recreation uses such as golf courses or swimming facilities are not included in the floor area computation.

~~(k)~~

~~Accessory buildings: maximum of two per lot, excluding garages, carports and well houses.~~

~~(Res. of 7-17-2007(4); Amend. of 3-18-2008)~~

I-M INDUSTRIAL-MANUFACTURING DISTRICT

Sec. 66-111. - Purpose.

Sec. 66-112. - Uses allowed.

Sec. 66-113. - Development standards.

Secs. 66-114—66-130. - Reserved.

Sec. 66-111. - Purpose.

This district is intended to provide areas for industries that manufacture, fabricate, change, or alter materials to form a product or subassemblies. Uses that in the normal course of business must store materials outdoors, have vehicles, equipment, and liquids parked or stored in containers or that the nature of the industry necessitates outdoor assemblage of all or part of the goods produced should be in this district.

(Res. of 7-17-2007(4))

Sec. 66-112. - Uses allowed.

The uses allowed in the I-M zoning district as a matter of right are subject to section 66-34, general requirements, of this article, to performance standards of article III, and to the requirements and development standards of this district. Uses not listed herein are not permitted in this district, except as provided in section 66-36, undefined uses, of this article. Consult article III, performance standards, or the other zoning districts if the use you seek is not listed in this district.

(a)

Allowed uses:

Adult entertainment.

Airport.

Alcohol manufacturing.

Athletic field.

Automobile repair and paint shops.

Automobile service stations.

Automobile/truck service stations with or without repair facilities, including wash service.

Automobile, truck, boat and trailer, sales, service, lease and rentals.

Automobile wrecking yards.

Automobile and truck wash.

Boat sales and service.

Bottled gas, storage and distribution.

Building contractors' places of business and storage yards.

Chemical manufacturing.

Clinic.

Cold storage.

Community facilities:

Restaurants.

Assembly halls.

Fraternal club or lodge.

Construction equipment sales and service.

Cosmetic and pharmaceutical manufacturing.

Dry cleaning plant.

Electrical supply stores.

Fabrication shops.

Fertilizer manufacturing.

Food manufacturing and processing.

Furniture upholstery.

Junkyards.

Lumber and other building materials including lumber treatment and lumber yard.

Manufactured home sales.

Manufacturing, industrial, fabrication uses.

Meat processing and packaging facilities.

Mining and quarries.

Mini-warehouses.

Printing plant.

Sewage treatment plant (subject to article III, performance standards).

Storage yards.

Tire retreading and recapping.

Tractor and farm equipment sales, service.

Trailer sales room, sales lot, and repairs.

Transmission/communication towers.

Transportation.

Truck stop.

Upholstery shop for all items.

Vehicle impound yards.

Warehousing.

Water treatment plant, private.

(b)

Accessory uses and structures: Accessory uses and structures customarily incidental to any permitted use.

(Res. of 7-17-2007(4))

Sec. 66-113. - Development standards.

(a)

Minimum lot size: One acre.

(b)

Minimum lot width at the building setback line: 100 feet.

(c)

Minimum setback requirements are as follows:

(1)

Front setback: 50 feet.

(2)

Side setback: 20 feet.

(3)

Rear setback: 50 feet.

(d)

Maximum height of structures: Three stories.

(e)

Basic parking requirement: One space per each 200 square feet of space designated for retail sales. See chapter 28, development regulations, for other commercial or recreational uses.

(f)

Maximum lot coverage by buildings: 35 percent.

(g)

Buffer and berm requirement: 100 feet if adjacent to any residential district.

(h)

Maximum floor area is computed at 15,000 square feet per acre, excluding exterior storage spaces and structures.

~~**(i)**~~

~~**Accessory buildings: maximum of two per lot, excluding garages, carports and well houses.**~~

~~**(j) Minimum setback from lake or river: 100 feet.**~~

(k)

This zoning district is prohibited adjacent to, and within 500 feet of Lake Sinclair or Oconee.

(Res. of 7-17-2007(4))

Secs. 66-114—66-130. - Reserved.

ARTICLE III. - PERFORMANCE STANDARDS

Sec. 66-131. - Defined and restricted.

Sec. 66-132. - List of uses and performance standards.

Secs. 66-133—66-149. - Reserved.

Sec. 66-131. - Defined and restricted.

(a)

Scope. The following material is intended to define and regulate those uses allowed in any given zoning district as a matter of right. In each instance the use also must comply with any development standards of the zoning district in which it is/will be located and the performance standards of this article. All uses shall have their customary dictionary definition unless specifically provided in article I, section 66-20, definitions.

(b)

Governmental uses. Such uses shall include buildings, structures and uses of land by a unit of local government, not listed elsewhere including, but not restricted to, convenience centers, libraries, public schools, parks, playgrounds, recreation centers and fire stations and are exempt from the development

standards of this chapter.

(Res. of 7-17-2007(4))

Sec. 66-132. - List of uses and performance standards.

(a)

Accessory uses and structures.

(1)

Accessory uses and structures customarily incidental to any allowed use.

a.

An accessory structure shall be located on the same lot and within the same zoning boundary as the principal building/use to which it is accessory.

b.

No accessory structure shall be constructed upon a lot until construction of the principal building has commenced. If the principal building has not been completed within 12 months of the issuance of a building permit, then the accessory use shall be continued only with express permission of the director of the planning and development department based upon unusual circumstances or hardship. Under no circumstances shall the accessory structure or use continue for more than 24 months if the principal structure/use has not been completed.

c.

An accessory structure, with the exception of garages and carports, shall be permitted in the side or rear yard of any R, RM or Village district.

d.

Setback use on Lakes Oconee and Sinclair. A detached accessory structure may be located in the portion of the setback between the house on the property and the street. Setbacks for the district must be followed.

e.

No accessory structure in a nonresidential district shall be used by other than employees or relatives of the owner unless otherwise allowed by provisions of this chapter.

f.

Accessory structures shall not exceed two stories in height and may not cover more than 30 percent of the rear yard.

g.

Where a corner lot in a residential district adjoins another lot, no accessory structure shall be located closer to the side street right-of-way line than the principal building or closer than 25 feet to the rear property line. The setback of 25 feet will not be required when the adjoining yard is a rear yard.

h.

When an accessory structure is attached to the principal building by a breezeway, passageway or similar means, the accessory structure shall comply with the setback requirements of the principal building to which it is accessory.

i.

Private accessory structures such as swimming pools in a residential district shall comply with the minimum side and rear setback requirements of that district. Setback minimums shall be measured from the decking or closest part of the pool structure to the applicable property line. Accessory swimming pools shall be permitted only upon written approval by the director of planning and development

department.

j.

Accessory uses in an apartment development may include laundry facilities and must be housed in a separate area for the convenience of residents.

k.

In no case shall an accessory building or structure exceed the square footage of the principal building or structure to which it is accessory, except in the AG districts.

l.

Accessory structures shall be constructed in conjunction with or after a building permit for the principal building is lawfully approved.

(2)

Commercial. The businesses in AG-1 do not conform to the standards specified for the businesses as a home occupation. Requirements for these commercial businesses are as follows:

a.

Setbacks:

Front: 200 feet.

Side setback: 100 feet.

Rear setback: 100 feet.

b.

Outside storage shall be in the rear of the building and must be screened from view.

c.

If property abuts a residential district there shall be a 50 foot buffer that screens use from view.

d.

Building must be frame construction with a residential or agriculture facade.

e.

Driveway must be paved at least five feet into the property.

f.

The maximum number of employees is five.

(3)

Specific accessory use restrictions.

a.

Automobile, truck and trailer lease and rentals, as an accessory use to an automobile service station.

1.

This use shall not occupy more than ten percent of the lot area.

2.

No more than four trailers, trucks or cars shall be permitted outdoors on the lot at any one time.

3.

Parking areas for the permitted trailers shall be located only in portions of the lot where off-street parking is permitted, but no area or space shall occupy spaces set aside for required off-street parking or use by

cars awaiting service. No trailer shall be parked in any way that interferes with normal traffic flow to, within, or out of the lot.

4.

All parking areas shall be clearly marked and no trailer, truck or car shall be parked outdoors other than within these boundaries except when being serviced.

b.

Accessory retail sales and services. Retail sales and services accessory to the operation of an office building or institutional use, motel or hotel, conducted wholly within the building housing the use to which these activities are accessory, provided that the floor space used or to be used for these secondary uses shall be limited to a total of 25 square feet per room in a hotel or motel, or ten percent of the net floor area in an office building or institutional use, and provided that:

1.

Every public entrance to this use shall be from a lobby, hallway or other interior portion of the primary use structure.

2.

No show window, advertising or display shall be visible from the exterior of the primary use structure.

3.

No merchandise shall be stored or displayed outside of the primary use structure. However, the requirements of this section shall not apply to restaurants and cafeterias secondary to a hotel or motel and office building or institutional use; these secondary uses may be located in a structure other than the primary use structure.

4.

The following accessory uses are permitted: barbershops, beauty shops, laundry and dry cleaning pickup and distribution stations and other similar personal service establishments; drugstores; bookstores; florists; convenience food stores; gift shops; cafeterias and restaurants; private clubs; laundry facilities for the convenience of residents; newsstands; and shoe repair shops.

(b)

***Adult entertainment.* The following applies to any type of adult entertainment (see article I, definitions):**

(1)

Minimum yard requirements:

a.

Front yard: 500 feet.

b.

Side yard: 500 feet.

c.

Rear yard: 500 feet.

(2)

Maximum height of structures: Two stories.

(3)

Basic parking requirements: One space per 200 square feet of building space.

(4)

Setback requirements: The boundaries of this use shall be 1,000 feet from the boundaries of all

residential uses or districts. The boundaries of this use shall be 1,000 feet from any historic district or structure defined or created pursuant to this chapter or by applicable state or federal law.

(5)

Distance requirements for alcoholic beverage sales: No bar, tavern, saloon, nightclub, or restaurant serving alcohol or any place where alcohol is sold for consumption on the premises shall be established, operated or maintained within 2,000 feet of an adult entertainment establishment. In addition, an adult entertainment establishment shall not be established, operated or maintained within 2,000 feet of a bar, tavern, saloon, nightclub, or restaurant serving alcohol or any place where alcohol is sold for consumption on the premises. The distance established by this section shall be radial distances determined by a straight line and not street distance, measured from property line to property line. Adult entertainment establishments are prohibited from serving or selling any alcoholic beverages. Alcoholic beverages may not be consumed on the property.

(6)

Distances from existing structures: This use shall not be established, operated or maintained within 1,000 feet of a property line of a dwelling unit, a church or other place of worship, park or recreation area, a school, a day care facility, kindergarten or play school, colleges and universities, group homes, orphanages, halfway houses and existing structures. This use shall not be established, operated or maintained within 2,000 feet of another adult entertainment establishment.

(c)

Agriculture and forestry.

(1)

Produce stands. Produce stands shall be temporary or seasonal stands for the sale of produce. There shall be a minimum of four off-street parking spaces. Such stands shall have access to at least a collector street and shall not be operated so as to create a traffic hazard. A permit from the director of planning and development department is required prior to the establishment of the stand.

(2)

Riding stables. No structure shall be located within 50 feet from any property line, except in AG-1 district.

(3)

Sawmill, permanent/temporary.

a.

This use must be set back at least 500 feet from any property zoned or used for residential purposes or a school, park, church, playground or hospital.

b.

A minimum buffer of 100 feet shall be required.

c.

This use is subject to hours of operation from 7 a.m. to 7 p.m.

d.

All vehicular access shall be from an arterial street.

(d)

Animal care facilities.

(1)

Animal hospitals and/or veterinary clinics.

a.

All structures shall be located and activities conducted at least 100 feet from any property or building zoned or used for residential purposes.

b.

All structures shall have adequate soundproofing and odor-proofing shall be provided so the use does not create a nuisance.

c.

No boarding shall be allowed unless required in connection with medical treatment.

(2)

Boarding or breeding kennels. All structures used for boarding or breeding kennels shall be at least 100 feet from any property or building zoned or used for residential purposes.

(3)

Noncommercial kennels/shelters. All noncommercial kennels and shelters shall be located on a site of not less than one acre; all structures must be set back at least 100 feet from any property zoned or used for residential purposes; and all facilities shall be constructed and activities conducted so as not to create a nuisance. A six-foot fence shall enclose all property on which such shelters are operated. All structures shall have adequate soundproofing, and odor-proofing shall be provided so the use does not create a nuisance.

(e)

Automotive, boat and trailer, sales and service.

(1)

Automobile, boat, trailer and truck sales. No vehicle parked for sale or service shall be located within a street right-of-way as shown by any transportation and thoroughfare plans of the county, by the zoning maps or by conditions or right-of-way dedication by which rezoning is approved. No external display of merchandise shall interfere with sight lines so as to create traffic or other safety hazards.

(2)

Automobile service station, minor repairs.

a.

There shall be no body and fender repair, painting or related dismantling of vehicles on the premises.

b.

All minor auto repair, maintenance, service, storage of materials or similar activities connected with this use shall be carried on entirely within an enclosed building, which shall be located at least 100 feet away from any residential district or use.

c.

Property on which such service station is to be located shall not be within 100 feet of any residential district or any property containing a school, public playground, church, hospital or public library.

d.

Property shall have minimum frontage on public street of 100 feet. All buildings shall be set back 40 feet from the right-of-way lines, and all canopies shall be set back 15 feet from the same.

e.

Gasoline pumps and other service facilities shall be set back not less than 15 feet from the right-of-way line and also shall not be located less than 60 feet from the centerline of the arterials or collectors or 45 feet from the centerline of local streets.

(3)

Automobile, truck and trailer lease and rentals.

a.

All vehicles shall be set back at least 30 feet from the street right-of-way lines.

b.

All parking areas shall be clearly marked, and no trailer, truck or car shall be parked outdoors other than within these boundaries, except when being serviced.

(4)

Automobile/truck wash service. A paved area shall be located on the same lot as the principal use for the storage of vehicles awaiting service equal to one-third of the practical hourly capacity of the wash machines.

(5)

Automobile wrecking yards.

a.

This use shall not be established on a lot which is either adjacent to or directly across the street from any R, RM, MHP or Village district.

b.

This use shall not be permitted within 500 feet of the boundary of any R, RM, or Village district.

c.

A solid fence or wall at least six feet in height shall be erected along all property lines.

d.

This use may be subject to limitation upon hours of operation or noise levels.

e.

This use shall be permitted only if located on property with frontage on an arterial or collector with access limited to the same.

(6)

Retail automobile parts and tire store.

a.

There shall be no dismantling of vehicles on the premises to obtain auto parts.

b.

Auto part installation shall only include the installation of tires and the installation of minor maintenance or accessory parts.

c.

Major auto repair shall not be permitted. Minor auto repair and maintenance may be permitted, provided this repair and maintenance shall be incidental to the normal upkeep of an automobile.

(7)

Truck stop.

a.

This use shall not be permitted within 1,000 feet of any property used for a residence, school, park, church, playground or hospital.

b.

This use shall not be permitted within 1,000 feet of the boundary of any R, RM, MHP or Village district.

c.

The principal structure associated with this use shall be set back at least 200 feet from all property lines.

d.

A minimum buffer of 100 feet or a berm shall be required.

(f)

Commercial recreation and entertainment.

(1)

Carnival, rodeos and sporting events (temporary).

a.

The user must apply for a permit from the director of planning and development department.

b.

All buildings or other structures must be set back a minimum of 500 feet from all property lines.

c.

Exterior lighting shall be deflected away from adjacent properties and the public right-of-way.

d.

This use may be subject to limitation upon hours of operation or noise levels.

e.

This use may be restricted to property with frontage on a county arterial or county collector with access limited to the same, if deemed appropriate by the director of planning and development department.

f.

Permittee must provide evidence that suitable parking is available/present.

h.

The director may require additional conditions as deemed necessary to protect public health, human life and the environment.

(2)

Fairgrounds and amusement parks (permanent).

a.

All buildings and structures associated with this use shall be set back not less than 500 feet from any property line.

b.

This use shall not be permitted within 500 feet of an R, RM, MHP, or Village district.

c.

Vehicular access shall be derived only and directly from an arterial street and never through an R, RM, MHP, or Village district.

d.

If within 1,000 feet of residential districts or uses, hours of operation shall be limited to 8:00 a.m. to 11:00 p.m.; and a maximum average sound level of 60 dBa (maximum peak sound level of 75 dBa) shall be maintained at all property lines.

e.

The facility shall be enclosed by a security wall or fence not less than six feet in height.

(3)

Commercial/public shooting range (indoor and outdoor)/archery range.

a.

This use shall not be permitted adjacent to or across the right-of-way from an R, RM, MHP or Village district. In the case of an outdoor range, it shall not be permitted adjacent to or across the right-of-way from a dwelling unless there is a 2,000-foot setback from the property line adjacent to the dwelling or consent is obtained from any affected owner(s) of the dwelling(s) for a lesser distance.

b.

The outdoor range shall have at least a 300-foot planted or naturally forested buffer or berm from any property line.

c.

The downrange direction of an outdoor range shall be in a direction that is the least likely to cause any harm or damage in the case of a gross accident but in no case shall bear directly upon a street, dwelling or place of business.

d.

A berm of at least twenty feet in height shall run downrange and to the outside of the outdoor range and encompass the shooters' booth/bench or discharge point. At the end of the range (indoor or outdoor) there shall be some type of bullet trap whether earthen or of a manufactured/constructed nature and shall be of a suitable height but no less than twenty feet in the case of an outdoor range.

e.

There shall be some means of protection between each shooter bench or position in the case of a lateral discharge.

f.

Any exterior lighting shall be directed away from adjacent properties.

g.

A six-foot minimum fence shall completely encompass at least the physical outdoor shooting range.

h.

Adequate ventilation shall be provided for indoor facilities.

i.

Operational hours may be established and/or restricted by the director, as he deems appropriate.

j.

In the case of compound bows, recurved bows or other forms of weapon ranges, as well as the above, the director may waive certain conditions or place additional conditions as he deems necessary.

(4)

Racetrack, auto.

a.

This use shall not be permitted within 500 feet of any property used for a residence, school, park, church, playground or hospital.

b.

This use shall not be permitted within 500 feet of the boundary of an R, RM, MHP or Village district.

c.

A solid fence or wall at least six feet in height shall be erected along all property lines.

d.

A minimum buffer of 100 feet or a berm shall be required.

e.

This use may be subject to limitation upon hours of operation or noise levels.

f.

This use shall be permitted only if located on property with frontage on an arterial or collector with access limited to the same.

(5)

Racetrack, horse.

a.

This use shall not be permitted within 500 feet of any property used for a residence, school, park, church, playground or hospital.

b.

This use shall not be permitted within 500 feet of the boundary of an R, RM, MHP or Village district.

c.

A fence or wall at least six feet in height shall be erected along all property lines.

d.

A minimum buffer of 100 feet or a berm shall be required.

e.

This use may be subject to limitation upon hours of operation or noise levels.

(6)

Swimming pool (public, neighborhood).

a.

Site plans shall be approved by the director to ensure compatibility of the facility with the neighborhood in which it is to be located. If the facility is part of a residential subdivision or multifamily development, the site plan shall be submitted to the director at the time of the application for a development permit.

b.

Buildings and structures established in connection with this use shall be set back not less than 100 feet from any property line except that the front setback of the zoning district shall apply along all property lines adjacent to the public rights-of-way.

c.

A swimming pool **public or private** shall be enclosed by a fence having a height of not less than four feet.

d.

Outdoor activity shall cease by 12:00 midnight.

e.

Exterior lighting shall be deflected away from adjacent properties and the public right-of-way.

f.

This use shall be permitted only upon written approval of the Putnam County Health Department to

indicate compliance with the health department swimming pool regulations prior to the issuance of a permit by the director.

(7)

Tennis centers, clubs and facilities (private).

a.

All buildings and structures associated with such use shall be set back not less than 50 feet from property zoned for R, RM, MHP or Village district.

b.

Central loudspeakers shall be prohibited.

c.

Exterior lighting shall be deflected away from adjacent properties and the public right-of-way.

d.

Outdoor activity shall cease by 12:00 midnight.

(8)

Zoos.

a.

This use shall not be permitted within 1,000 feet of any property used for a residence, school, park, church, playground or hospital.

b.

A solid fence or wall at least six feet in height shall be erected along all property lines.

c.

A minimum buffer of 100 feet shall be required.

d.

This use may be subject to limitation upon hours of operation or noise levels.

e.

Parking shall be provided per recommendations of the director of the planning and development department.

(g)

Communication.

(1)

Radio, television and other communication transmission towers.

a.

All towers in excess of 100 feet must be set back from any lot used or zoned for a residential structure a distance equal to one-half the height of the tower.

b.

All towers in excess of 100 feet must be set back from any off-site structure a distance of one-third the height of the tower or 100 feet, whichever is greater.

c.

All towers less than 100 feet must be set back from all property lines a distance of one-third the height of the tower.

(h)

Community facilities.

(1)

Assembly halls.

a.

Any building or structure established in connection with these uses shall be set back not less than 75 feet from any property line, except where this adjoining property is zoned for nonresidential use, in which case the setback shall be the same as required for the adjoining nonresidential district. Where this property line is a street line, the front yard setback established for the district shall apply.

b.

These uses shall be permitted only on a lot that has direct access to an arterial or collector street.

(2)

Crematorium. All buildings used for a crematorium shall be set back not less than 200 feet from all property lines and not less than 1,000 feet from any property zoned or used for residential purposes.

(3)

Landfills, sanitary. This use is prohibited by the zoning ordinance.

(4)

Parks, private. Private parks are limited to planetariums, aquariums, botanical gardens and other nature exhibitions.

(i)

Group Homes/**Assisted living facilities**

a.

The minimum lot size ~~for a group home~~ shall be the minimum required by the zoning district within which the home is located.

b.

No group home shall be established or erected within 1000 feet of the nearest property line of an existing group home.

c.

All group homes/**Assisted living facilities** shall be set back from the road right-of-way and from all property lines as required by the zoning district within which the group home is located except:

a. Where adjacent to properties zoned for residential use, the minimum setback shall be 50 feet.

b. When adjacent to a state highway the minimum set back shall be 50 feet.

c.

No certificate of occupancy shall be issued prior to the issuance of required permits and certificates by federal, state, and local agencies.

d.

Group homes/**Assisted living facilities** shall provide linkages with hospitals and community services and provide access to transportation for residents.

e.

Group homes/**Assisted living facilities** shall provide timely assistance to residents for response to urgent or emergency needs, including but not limited to timely response to the home by emergency medical services (EMS).

f.

Group homes serving as halfway houses, drug rehabilitation centers and centers for treatment of drug dependency are allowed by conditional use permit only and follow special public hearing requirements in accordance with O.C.G.A. sec. 36-66-4(f).

(j)

EMS Services.

(1)

Ambulance and emergency medical services (private).

a.

These uses shall be permitted only on property with frontage on an arterial or collector with access limited to that arterial or collector.

b.

The proposed development shall be reviewed and written approval granted by the director of emergency services and the director of planning and development prior to the issuance of any permit or license.

c.

The owner of the business shall bear all costs for traffic signs and signals necessary to advise the motoring public of emergency vehicle access. The requirement for, and location of, these warning signs and signal devices shall be determined by the director and shall not be located within the public rights-of-way.

~~(1)~~

~~***Campground, private or public.***~~

~~See Chapter 28—Development Regulations for specific guidance.~~

(2)

Travel trailer park/recreational vehicle (RV) park.

a.

No travel trailer/RV park shall be located except with direct access to a county, state or federal highway, with a minimum lot width of not less than 50 feet for access points. No entrance or exit shall be through a residential district, or shall require movement of traffic from the park through a residential district.

b.

The minimum lot area per park shall be ten acres.

c.

Spaces in travel trailer/RV parks may be used by travel trailers/RVs, provided that they meet any additional laws or ordinances and shall be rented by the day or week only, and an occupant of such space shall remain in the same trailer park for a period of not more than 30 days per six-month period.

d.

Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to operation of a trailer park are permitted as accessory uses in any district in which trailer parks are allowed, provided that:

1.

No space shall be so located so that any part intended for occupancy for sleeping purposes shall be within 50 feet of the right-of-way line of any freeway, expressway, arterial or collector streets.

2.

In addition to meeting the above requirements, the travel trailer park site plan shall be accompanied by a

certificate of approval from the Putnam County Health Department.

3.

A minimum 50-foot buffer or a berm is required when adjacent to any residential use, 25 feet for other districts, densely planted with evergreen and hedge-type shrubs designed to provide full screening for the park.

4.

Setbacks, open space requirement, parking, refuse collection and illumination shall meet the standards of MHP district regulations.

(k)

Manufacturing and industrial uses. No plant shall be designed to operate in a manner that will emit smoke, odor or objectionable waste materials or produce noise or vibration so as to create a nuisance.

(1)

Fertilizer manufacturer.

a.

The use may not create noise, dust, vibration, smell, excessive traffic, smoke, glare or electrical interference so as to arise to the level of a nuisance.

b.

This use shall not be permitted within 500 feet of any property used for a residence, school, park, church, playground or hospital.

(2)

Mining and Quarries.

a. General Requirements

1. This use, exclusive of office and administrative space, shall not be permitted within 1,000 feet of any property used for a residence, school, park, church, playground, hospital and any property zoned for residential or commercial use.
2. The boundary of the property shall not be within 2 miles of Lake Sinclair or Lake Oconee.
3. A solid fence or wall at least six feet in height shall be erected no less than 300 feet from the excavated area.
4. A minimum buffer of 200 feet shall be required along all property lines.
 - a. Access through properties used for or zoned for residential uses is prohibited
 - b. The use shall have direct access to a state highway or an arterial road having a minimum of six inches graded, aggregate base.
5. A minimum of 100 acres is required.
 - a. The operators or owners of the quarry/mine must present to the Director of Planning and Development and to the Board of Commissioners an acceptable comprehensive plan for the re-use of the property at the cessation of the quarry/mining operation. The plan shall include:
 - Plans for the property after the operation has ceased;
 - Re-vegetation plans;
 - Maintenance of the site during the operation;
 - Return water turbidity levels.
6. All blasting shall be done in accordance to O.C.G.A. 25-8-1 through 25-8-12.
7. At the time of application for the building permit, the owners or operators shall present to the administrative officer documentation and permit number which confirms that a permit has been issued in accordance with the Georgia Surface Mining Act of 1968, as amended O.C.G.A. 12-4-75.

8. The Board of Commissioners may require a performance bond in an amount satisfactory to cover any exposure to the citizens that is not required by EPA.

- b.

Removal or extraction of dirt, sand, soil and other natural materials.

The removal area shall be completely enclosed with a fence not less than six feet in height.

1.Drainage plans and a plan for the development of the site when the removal is completed shall be submitted with the application for a development permit.

2.This section shall not prohibit the removal of earth and rock and filling and grading in any district for land development purposes, upon issuance of a development permit in accordance with the provisions of this chapter.

c.Removal or extraction of rock and other natural materials for the production and processing of crushed stone.

1.Blasting shall coincide with the period between 8:00 a.m. and 5:30 p.m., Monday-Friday, except when on-site hazards to safety dictate otherwise.

2. This use shall be permitted only if located on property with frontage on an arterial or collector with access limited to the same.

(l)

Public events or tents (specific duration of less than ~~six~~ one months).

(1)

The user must apply for a permit from the director.

(2)

Exterior lighting shall be deflected away from adjacent properties.

(3)

This use may be subject to limitation upon hours of operation or noise levels.

(4)

This use shall be permitted only if located on property with frontage on an arterial or collector with access limited to the same.

(5)

Must make satisfactory provision for sanitation and parking.

(6)

Additional conditions may be required by the building official as deemed necessary to protect health, human life and the environment.

(m)

Sewage treatment plants (private).

(1)

The design and operation of a sewage treatment plant facility shall be approved by the directors of the county health, water and sewer departments, and the state department of natural resources.

(2)

Any building or structure comprising the facility shall be set back not less than 100 feet from any property line and 500 feet from the nearest property zoned for or used for residential purposes.

(n)

Storage.

(1)

Bottled gas; storage and distribution.

a.

This use shall not be permitted within 500 feet of the boundary of an R, RM, MHP, or Village district.

b.

There shall not be outside storage of materials, supplies, equipment or vehicles.

(2)

Junkyards.

a.

Minimum area: Five acres.

b.

Minimum lot width: Three hundred feet.

c.

Access shall be limited to arterial or collectors.

d.

Setbacks: 500 feet from any residential use other than residence of the property owner; 100 feet from all property lines.

e.

Fence: A solid fence at least eight feet high shall be erected around the entire perimeter of the property with a gate to be opened only to access the site. The gate shall contain a lock to prevent unauthorized entry.

f.

Minimum buffer: 100 feet.

g.

Approval is subject to the provision of a plan for rodent/pest control by the Putnam County Health Department.

(3)

Mini-warehouse.

a.

All structures must be set back 100 feet from the front property line.

b.

The property line must be fenced with a minimum six-foot security barrier.

(4)

Storage yards not otherwise classified.

a.

This use shall not be permitted within 300 feet of any property used for a residence, school, park, church, playground or hospital.

b.

This use shall not be permitted within 300 feet of the boundary of an R, RM, MHP, or Village district.

c.

A solid fence or wall at least six feet in height shall be erected along all property lines.

d.

The maximum lot coverage is 50 percent.

e.

A minimum buffer of 100 feet or berm shall be required.

(o)

Temporary uses associated with construction activity.

(1)

Mobile office/temporary sales center. Mobile office and temporary sales centers may be permitted as long as such use shall cease at such time as 80 percent of the lots are sold or occupied.

(2)

Storage or occupancy during construction. Temporary structures may be used during construction for storage or security; provided, however, that they shall be removed within ten days after the sale of the last structure or issuance of a building permit to construct the last structure, whichever first occurs.

(3)

Camper. Campers may be used by permit but not to exceed 14 days in any one consecutive month period. No permit is required when a valid building permit has been issued.

(p) *Tent shows and flea markets.*

(1)

The property owner must apply for a permit from the director on the form provided.

(2)

This use may not be established on a lot that is in an R, RM, MHP or Village district.

(3)

The use must be set back at least 50 from the public right-of-way.

(4)

Exterior lighting shall be deflected away from adjacent properties.

(5)

This use may be subject to limitation upon hours of operation or noise levels.

(6)

This use shall be permitted only if located on property with frontage on an arterial or collector with access limited to the same and after proof that the use will not be located on the public rights-of-way. There shall be only one means of ingress and egress, which shall not be located within 150 feet of the intersection of roads, whether public or private. Off-street parking shall be located entirely on the property of the owner applicant.

(7)

The use cannot exceed 30 consecutive days in duration within any six consecutive months.

(8)

Additional conditions may be required by the director as deemed necessary to protect public health, human life, and the environment.

(q) Home Occupations

- (1) Permitted in all residential zoned districts except the Village and RM 3 districts.
- (2) There shall be no exterior evidence of the home occupation, other than a non-illuminated identification sign having an area of not more than six square feet, which shall be attached to the dwelling below the roof line, or, if not attached to the dwelling, may be placed in the front yard between the dwelling and the right-of-way, the height of which shall not be more than four feet above the ground.
- (3) No use shall create noise, dust, vibration, smell, excessive traffic, smoke, glare or electrical interference that would be detected beyond the dwelling unit.
- (4) This use shall be conducted entirely within the dwelling unit and only persons living in the dwelling unit shall be employed at the location of the home occupation. Non-owner applicants for home occupations must have expressed authorization from the property owner.
- (5) No more than 25 percent of the heated floor area of the dwelling unit may be used for the conduct of the home occupation.
- (6) Any use involving the sale of products or services, or public contact on the property, shall require the obtaining of a "home occupation registration" permit.
- (7) Other than the personal vehicles of the legal residents, no more than two business visitor vehicles may be parked on the property at any one time. In addition, any material or equipment must be stored out of public view within the premises or within an enclosed garage or storage shed. One business vehicle, the carrying capacity of which shall not exceed one and one half tons, may be kept on the premises. There shall be no storage of any mechanical earthmoving or similar equipment unless the property is five acres or more and the equipment is screened from public view.
- (8) A permit for a home occupation shall expire every year or whenever its holder ceases to occupy the premises for which it was granted, whichever shall first occur; provided, however, that this provision should not prevent reapplication for a new permit. This permit must be renewed and a fee paid by January 1st of each year.

(r) Home Occupation Day Care.

- (1) Home occupation day care services with six or fewer children may be established.
- (2) A home occupation day care service means a private residence operated by any person who receives therein pay for the supervision and care for children less than 24 hours per day, without transfer of legal custody, who are not related to such persons, and whose parents are not residents in the same private residence.
- (3) No more than 25 percent of the heated floor area of the residence may be used for a home occupation day care service, and an outdoor play or exercise area must be provided.
- (4) No home occupation day care service may be established and operated in the county until a permit to do so has been obtained in accordance with the Georgia Department of Human Services (DHS) to issue final permits to operate, and the county does not enforce or supervise such permits. Said permit shall be presented to the director prior to initiation of use.

(5) A permit for a home occupation day care service shall expire every year or whenever its holder ceases to occupy the premises for which it was granted, whichever shall first occur; provided, however, that this provision shall not prevent reapplication for a new permit. This permit must be renewed by January 1st of each year.

(s) *Fences and walls.* No fences or freestanding wall in a required yard, other than a retaining wall, shall be more than eight feet in height, or be constructed in a public right-of-way or future street or right-of-way. Any fence in a required front yard in a residential district shall not exceed four feet in height. No fence, wall or shrubbery, which creates an obstruction to vision or traffic safety hazard, shall be erected, permitted or maintained. When this chapter requires a fence to be constructed, such fence shall be completed prior to occupancy of the primary use structure.

(t) *Family Apartments.* Any accessory dwelling structure may serve as a family apartment on condition that:

- (1) The square footage of the additional dwelling unit shall not exceed fifty (50) percent of the square footage of the principal residence or one thousand (1000) square feet, whichever is less;
- (2) the accessory dwelling is not a manufactured home ~~or modular home; and~~
- (3) the accessory dwelling may not be rented or leased separately from the principal residence; however, this provision shall not restrict the rental or lease of the accessory structure to family of the occupants of the primary structure. Family, as used in this subsection, shall mean one or more persons related by blood, adoption, or marriage

(Res. of 7-17-2007(4); Amend. of 3-18-2008)

Secs. 66-133—66-149. - Reserved.

ARTICLE IV. - ADMINISTRATION AND ENFORCEMENT ^[46]

DIVISION 1. - ESTABLISHMENT AND RESPONSIBILITIES OF THE PLANNING AND ZONING COMMISSION

DIVISION 2. - SCOPES OF AUTHORITY AND GENERAL PROCEDURES

DIVISION 3. - ZONING CHANGES

FOOTNOTE(S):

⁽⁴⁶⁾ **Cross reference**— Administration, ch. 2.

DIVISION 1. - ESTABLISHMENT AND RESPONSIBILITIES OF THE PLANNING AND ZONING COMMISSION ^[47]

Sec. 66-150. - Creation, membership, organization and meetings.

Secs. 66-151—66-155. - Reserved.

Sec. 66-150. - Creation, membership, organization and meetings.

(a)

Creation. The planning and zoning commission is hereby established with the number of members equal to the number of commissioners on the board of commissioners as of each January 1.

(b)

Membership; qualifications. Each district commissioner on the board of commissioners shall appoint one member, from the full-time residents of their district, for a term of two years except for the initial appointment which will terminate on December 31, 2010, and the chairman of the board of commissioners shall appoint from among the full-time residents of the county, one member for a term of two years except for the initial term which will terminate on December 31, 2010. Nothing shall prevent a member from succeeding him or herself, and, except as otherwise provided herein, all members of the planning and zoning commission shall hold office for the term specified and until the appointing commissioner on the board of commissioners shall have appointed such member's successor. Any vacancy on the planning and zoning commission shall be filled in the same manner as the position was filled prior to the occurrence of the vacancy for the unexpired term of the member. Within three months of their appointment, each member must receive 12 hours of training in zoning procedures and/or comprehensive planning conducted and/or sponsored by ACCG or the University of Georgia's Carl Vinson Institute of Government or equivalent as determined by the director of planning and development. No member shall be allowed to vote on any zoning matter until at least six hours of the aforementioned training has been received. The appointed member may participate in all meetings, discussions, and activities, but may not vote until six hours of training has been received. Failure to receive 12 hours of training within three months of appointment will be automatic grounds for removal from office. Members are removable only for cause by the board of commissioners. No member shall have any other position or office with the county.

(c)

Organization and meetings.

(1)

Officers. The member appointed by the chairman of the board of commissioners shall serve as chairperson. The planning and zoning commission members shall elect a vice-chairperson on an annual basis. The chairperson shall: Preside at all meetings of the planning and zoning commission and at all public hearings as called by the planning and zoning commission; sign all documents authorized by the planning and zoning commission and transmit reports, plans and recommendations of the planning and zoning commission to the board of commissioners; act as spokesman for the planning and zoning commission; appoint committees, and the chairs thereof, as may be necessary to perform the tasks of the planning and zoning commission. An employee of the planning and development department shall act as secretary to keep a minute book recording attendance, the vote of each member upon each question, or if absent, the failure to vote, indicating such fact; and keep records of examination and hearing and other official action.

The planning and zoning commission shall have the right to request interpretation of this chapter by the county attorney, in writing through the planning and development department.

(2)

Rules. The following shall be the rules as to how and where meetings of the planning and zoning commission shall be held:

a.

The regular meeting of the commission shall be held the first Thursday of the month at 6:30 p.m., unless there is no cause for holding such meeting. If there is no reason to have a regular meeting, the secretary shall inform the members of the commission at least five days in advance. The planning and zoning commission has the authority to reschedule any meeting should a conflict arise to include but not limited to holidays, conferences, or inclement weather.

b.

All meetings shall be held in a county-owned or leased facility. The regular meeting place will be the Putnam County Courthouse at 100 South Jefferson Avenue or such facility as established by the board of commissioners. Any change in meeting place will be advertised as required by law.

c.

Special meetings may be called by the planning and zoning chairperson, provided that at least 24 hours' notice of such meeting is given each member and that such public notice as required by law is provided.

d.

Three members shall constitute a quorum to conduct all business.

e.

No member of the planning or zoning commission or the director, the secretary, building inspector, or code enforcement officer shall appear for or represent any person in any matter pending before the commission. No member of the planning and zoning commission shall hear or vote upon any matter in which he/she is directly or indirectly interested in a personal or financial way.

f.

The order of business at each meeting shall be as follows: Roll call. Approval of minutes of previous meeting. Unfinished business. Hearing of agenda items. New business.

g.

Failure to attend three consecutive meetings without notice shall be considered automatic resignation from the planning and zoning commission, and upon resignation or other vacancies occurring in office, the director shall inform the board of commissioners of such occurrence as promptly as possible, so that the relevant appointing commissioner shall appoint a replacement to fill the unexpired term.

h.

The planning and zoning commission shall be free to adopt such additional rules to govern further the conduct of its meetings and of public hearings as are consistent with state laws and county codes and are appropriate to its responsibilities, which shall be published and available to the public.

(3)

Compensation. Members of the planning and zoning commission shall be entitled to a per diem as provided in the established schedule of per diems for boards and committees. In addition, the members may be reimbursed, at the current county rate, for up to 50 miles of travel each month for official planning and zoning business. Mileage reimbursement is not allowed for travel to the monthly scheduled meeting.

(Ord. of 5-19-2009(3); Amend. of 1-12-2010)

Secs. 66-151—66-155. - Reserved.

FOOTNOTE(S):

⁽⁴⁷⁾ **Editor's note**— An amendment adopted Jan. 12, 2010, amended div. 1, in its entirety to read as herein set out. Former div. 1 was entitled "In General," and pertained to responsibility of director; board of commissioners: scope of authority; and procedures for public hearings and meetings.

DIVISION 2. - SCOPES OF AUTHORITY AND GENERAL PROCEDURES ^[48]

Sec. 66-156. - Director, scope of authority.

Sec. 66-157. - Planning and zoning commission, scope of authority.

Sec. 66-158. - Board of commissioners, scope of authority.

Sec. 66-159. - Procedures for public hearings and meetings.

Sec. 66-160. - Reserved.

Sec. 66-156. - Director, scope of authority.

(a)

Issuance of permits. Supervise the issuance of development and building permits so as to make sure that all new development and construction complies with this chapter and other relevant chapters.

(b)

Variances. Review variance requests and refer, with recommendations to the planning and zoning commission, including any conditions that may be deemed advisable so that the purpose of this chapter will be served, public safety and welfare secured and substantial justice done.

(c)

Enforcement; penalties for violation of chapter.

(1)

In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, covered or maintained, or any building, structure or land is or is proposed to be used in violation of any provision of this chapter, the director, shall in addition to other remedies, and after due notice to the owner of the violation, issue a citation for violation of this chapter requiring the presence of the violator in the magistrate's court; or institute injunction or other appropriate action or proceeding to prevent this unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use to correct or abate this violation or to prevent the occupancy of this building, structure or land. Where a violation of the regulations of this chapter exists with respect to a structure or land, the director may, in addition to other remedies, require that public utility service be withheld until such time as the structure or premises are no longer in violation of this chapter.

(2)

Any firm, person or corporation that shall do anything prohibited by this chapter as they exist, or as they may hereafter be amended, or who shall fail to do anything required by this chapter as they now exist or as they may hereafter be amended, upon conviction of a violation, shall be subject to punishment as provided by law. Any violation of this chapter shall be regarded as a misdemeanor, punishable by up to one year's imprisonment and/or a fine of \$1,000.00. Each day that this violation exists shall be deemed a separate offense.

(d)

Appeals from decisions of the director. It is the intention of this article that all questions arising in connection with the administration and enforcement of this article shall be presented first to the director and that these questions shall be presented to the planning and zoning commission only on appeal from decision of such official. Fees shall be set from time to time by the board of commissioners governing the cost of such appeals. All appeals must be filed within ten days of the issuance of the decision being appealed. Division 2 of this article shall govern policies and procedures for such appeals. A permit applicant proceeds with construction at his own risk until the appeal period expires and while an appeal of the issuance of a permit is pending.

(Res. Of 7-17-2007(4); Amend. of 1-12-2010)

Sec. 66-157. - Planning and zoning commission, scope of authority.

(a)

Initiation. All planning and zoning issues, including those relative to the official zoning maps, shall be reviewed by the planning and zoning commission. Amendments to the official zoning maps may only be made by the board of commissioners.

(b)

Conditional use permits. If a use is not permitted in any zoning district, the planning and zoning commission may hear and recommend a conditional use permit approval application as submitted according to the rezoning process. In granting such a conditional use permit, the planning and zoning commission may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. Conditional use permits shall be issued for a period of two years and will be reviewed for

compliance.

(c)

Variances. The planning and zoning commission shall hear applications for all variances from the development standards and performance standards of this chapter. Such variances may be granted only:

(1)

Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, which at the time of adoption of this chapter, was a lot or plat of record; or

(2)

Where by reason of exceptional topographic conditions to include floodplains or other extraordinary or exceptional conditions of a piece of property, strict application of the development requirements of this chapter would result in practical difficulties to, and undue hardship upon the owner of this property, which difficulty or hardship is not the result of acts of the applicant; and further provided that this relief may be granted without substantially impairing the intent and purpose of this chapter and is not contrary to the public welfare.

(3)

In granting a variance, the planning and zoning commission may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. However, the planning and zoning commission shall not be authorized to grant a density variance or a use variance to permit a density or use in a district in which the density or use is otherwise prohibited. The planning and zoning commission shall not be authorized to grant a variance to development standards set forth in a statement of zoning conditions accompanying a conditional zoning.

(d)

Appeals of administrative decision.

(1)

Who may seek an appeal. Any person, firm or officer, department, board or agency directly affected by the decision of the planning and development department director may bring an appeal before the planning and zoning commissioners. Such request shall be made within ten days following notification of the decision from which an appeal is taken by filing with the director a notice of appeal and specifying the grounds thereof. The director shall forthwith transmit to the planning and zoning commission all papers constituting the record upon which the action appealed from was taken.

(2)

Extent of commission power. The planning and zoning commission may, in conformity with this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed.

(3)

Effect of appeal. An appeal waiting for a hearing shall not stay the effectiveness of the permit or decision being challenged. However, if the owner of property who has received the permit, variance or favorable interpretation proceeds with development at the property owner's own risk that such development may be halted if the appeal is successful.

(Amend. of 1-12-2010)

Sec. 66-158. - Board of commissioners, scope of authority.

(a)

Initiation. This chapter, including the official zoning maps, may be amended by the board of commissioners on its own motion or by private petition or on recommendation of the planning and zoning commission.

(b)

Variances. The board of commissioners shall hear and decide on applications for variances from the development standards or performance standards of this chapter only on appeal of the decision of the planning and zoning commission. Such variances may be granted only:

(1)

Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, which at the time of adoption of this chapter, was a lot or plat of record; or

(2)

Where, by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of a piece of property, the strict application of the development requirements of this chapter would result in practical difficulties to, and undue hardship upon, the owner of this property, which difficulty or hardship is not the result of acts of the applicant; and further provided that this relief may be granted without substantially impairing the intent and purpose of this chapter and is not contrary to the public welfare.

(3)

In granting a variance, the board of commissioners may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. The board of commissioners is authorized to grant a density variance or a use variance to permit a density or use in a district where otherwise prohibited.

(c)

Appeals of administrative decision.

(1)

Who may seek an appeal. Any person, firm or officer, department, board or agency directly affected by the decision of the planning and zoning commission may bring an appeal before the board of commissioners. Such request shall be made within ten days following notification of the decision from which an appeal is taken by filing with the director a notice of appeal and specifying the grounds thereof. The director shall forthwith transmit to the board of commissioners all papers constituting the record upon which the action appealed from was taken.

(2)

Extent of commission power. The board of commissioners may, in conformity with this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed.

(3)

Effect of appeal. An appeal waiting for a hearing shall not stay the effectiveness of the permit or decision being challenged. However, if the owner of property who has received the permit, variance or favorable interpretation proceeds with development at the property owner's own risk that such development may be halted if the appeal is successful.

(Res. Of 7-17-2007(4); Amend of 3-18-2008; Amend. of 1-12-2010)

Sec. 66-159. - Procedures for public hearings and meetings.

(a)

The following rules of procedure govern meetings and public hearings on all amendments, rezoning, variances, appeals, matters of interpretation and similar matters relating to this chapter before the planning and zoning commission or the board of commissioners. These rules apply to all such public hearing items appearing on any agenda.

(1)

Individuals desiring to address the planning and zoning commission or the board of commissioners regarding an agenda item are required to sign in prior to the commencement of the meeting or public hearing. Such comments by any one person should not exceed three minutes. Applicants or proponents of an item on the public hearing agenda shall be heard first and shall have a minimum of ten minutes in which to present any information pertinent to the issue to be decided. Opponents of the issue may respond and shall have a minimum of ten minutes in which to present any information pertinent to the issue to be decided. Applicants or proponents may use any unused portion of their ten minutes for rebuttal. Opponents shall not have the right of rebuttal. No demonstrations will be permitted.

(2)

Written comments on the subject of the meeting or hearing may be submitted by any person at any time prior to the adjournment of the hearing.

(3)

Following the presentation of positions by members of the public, a recommendation from the county staff shall be presented.

(4)

Following the staff recommendation, members of the planning and zoning commission or the board of commissioners may ask of anyone present questions pertinent to the issue.

(5)

Following questions and/or comments by the planning and zoning commission or the board of commissioners, a motion for action on the issue will be in order.

(6)

Authorized action by the planning and zoning commission or the board of commissioners, with respect to any motion pending before it, consists of one of the following: Approval, approval with conditions, denial, deferral, withdrawal without prejudice, or deferral to a time certain. Any vote shall be by roll call. A tie vote acts as a denial.

(7)

No official action shall be taken except upon the affirmative vote of at least three members of the planning and zoning commission or the board of commissioners, or a majority of a quorum.

(8)

Minutes of the meetings of the planning and zoning commission and the board of commissioners shall be maintained and any written or other tangible materials presented at the hearing must be kept as a permanent record. Any person desiring a transcript of the hearing must arrange for a court reporter at their own expense.

(9)

The board of commissioners shall confirm, in writing to the applicant, its decisions with respect to any matter pending before it at the request of a private applicant. Any map amendment shall be posted by the director of the planning and development department on the official zoning maps within 30 days of its approval by the board of commissioners. On the effective date of the amendment of the official zoning maps, such amendments shall be posted in an appropriate manner; and records accompanying or references upon the maps shall enable the identification of the official action by which such amendment was made and the date of such action. No such amendment shall become effective until such change in entry has been made on the official maps, it being the intent of this chapter that the public shall be able to rely on such maps as correct and final authority as to current zoning status without investigating for possible errors or omissions. No change of any nature shall be made in the official zoning maps except in conformity with the procedures and requirements of this division.

(b)

If the official zoning maps become damaged, lost or difficult to interpret by reason of the nature or number of changes, the commission may by ordinance authorize new official zoning maps which shall supersede the prior maps; provided, however, that if there is uncertainty about the zoning status of any area because of the condition

of the maps or any part thereof, such action shall take the form of an amendment to this chapter, and shall resolve the uncertainty. The new official zoning maps may correct drafting or other omissions or errors in the prior maps. The new official zoning maps shall be authenticated and attested as for the original, with wording indicating when and by what instrument the prior document was adopted. Unless the prior official zoning maps have been lost or wholly destroyed, such documents, or any remaining significant parts thereof, shall be preserved, together with any significant records pertaining to its adoption or amendment, as a guide to prior zoning status of areas.

(Res. Of 7-17-2007(4); Amend. of 1-12-2010)

Sec. 66-160. - Reserved.

_____**FOOTNOTE(S):**

_____⁽⁴⁸⁾ **Editor's note**— An amendment adopted Jan. 12, 2010, amended div. 2, in its entirety to read as herein setout. Former div. 2 was entitled "Establishment and Responsibilities of the Planning and Zoning Commission," and pertained to creation, membership, organization and meetings.

DIVISION 3. - ZONING CHANGES

Sec. 66-161. - Application for a zoning change.

Sec. 66-162. - Application scheduling and fees.

Sec. 66-163. - Public notification of zoning hearings.

Sec. 66-164. - Withdrawal of application.

Sec. 66-165. - Action on rezoning application or text amendment.

Sec. 66-166. - Changes.

Sec. 66-167. - Conflict of interest and disclosure rules for rezoning, map or text amendment.

Sec. 66-168. - Compliance with zoning procedures law.

Secs. 66-169—66-179. - Reserved.

Sec. 66-161. - Application for a zoning change.

(a)

Authority to initiate amendments. Applications to amend this chapter may be in the form of proposals to amend the text, or proposals to amend part or all of the official zoning maps (a rezoning) or by actions initiated by the board of commissioners. An application for an amendment to the official zoning map, affecting the same property, shall not be submitted more than once every 12 months. Such interval begins with the date of the final decision by the board of commissioners. The board of commissioners, in its discretion and by unanimous vote, may reduce or waive the final six-month time interval to amend the official zoning map affecting the same property. However, an application to alter conditions of rezoning as contemplated in subsection 66-166(b) of this division may be submitted at any time. Applications shall be the same as for a rezoning and shall comply with the requirements of this section, excluding subsections (b) and (c) hereof.

(b)

Application: receipt and acceptance.

(1)

Whenever an application is initiated by a person or persons other than the board of commissioners, the following requirements shall be met. Prior to processing any such application, the applicant shall be required to file the necessary documentation and follow the procedures as set forth in this section.

(2)

An application shall be made in writing to the planning and development department on forms provided by the department. Each application shall include the signatures of the applicant and property owner. It shall affirm the owner is in fact the current owner of record. The letter of agency form shall be notarized.

(3)

No application will be considered to have been made until such form(s) as described in subsection 66-161(c) herein have been completed and submitted to the planning and development department with the application fees as established by the board of commissioners and supporting materials as required under this article.

(4)

Any communication relative to an application for a zoning change will be regarded as informational only until a proper and complete application is accepted by the director of the planning and development department or designee. The planning and development department shall review the application for completeness within five workdays following the submission deadline. Incomplete or improper applications will be returned to the applicant with a written list of deficiencies and signed by the director. The application submittal deadline shall be the last Thursday of every month, unless said day is a holiday, as may be established by the board of commissioners, then the deadline shall be the day before.

(c)

Application contents. An application is to be submitted in one signed original copy and in a number of copies as established by the planning and development department. The following is required for all residential and commercial subdivision rezoning requests. All other requests must include subsections (c)(1)—(13).

(1)

Properly executed application form supplied by the planning and development department, including the owner's signature and a letter of agency form or a specific notarized written authorization by the owner delegating the applicant to act on behalf of the owner and that the applicant may agree to any conditions and stipulations on the behalf of the owner that may be attached to the application by the approval of the application by the board of commissioners.

(2)

The location of the subject property, including street number, if any;

(3)

Copy of warranty deed;

(4)

Legal description and recorded plat of the property to be rezoned;

(5)

Existing zoning district classification of the property and adjacent properties; and the proposed zoning district desired;

(6)

The comprehensive plan future land use map category in which the property is located. If more than one category applies, the areas in each category are to be illustrated on the concept plan;

(7)

A detailed description of existing land uses;

(8)

The area of land proposed to be rezoned, stated in square feet if less than one acre and in acres if one acre or more;

(9)

A statement as to the source of domestic water supply;

(10)

A statement as to the provision for sanitary sewage disposal;

(11)

Statement of political contributions by the applicant and the applicant's attorney as required by the Georgia Conflict of Interest in Zoning Act (O.C.G.A. § 36-67A);

(12)

The application designation, date of application and action taken on all prior applications filed for rezoning for all or part of the subject property;

(13)

Proof that property taxes for the parcel(s) in question have been paid;

(14)

Concept plan. (If the application is for less than 25 single-family residential lots, a concept plan need not be submitted.)

a.

An application shall be accompanied by a concept plan. A concept plan may be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person professionally involved in and familiar with land development activities.

b.

The concept plan shall be drawn on a boundary survey of the property. The boundary survey shall have been prepared by a currently registered Georgia Registered Land Surveyor and meet the requirements of the State of Georgia for such a map or plat under O.C.G.A. § 15-6-67(b).

c.

The concept plan shall show the following:

1.

Proposed use of the property.

2.

The proposed project layout including:

i.

For residential subdivisions, commercial, or industrial applications, approximate lot lines and street right-of-way lines, along with the front building setback line on each lot.

ii.

For multifamily and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, dumpsters, zoning buffers, parking areas, loading stations, stormwater detention facilities, and driveways, entrances and exits.

3.

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

4.

The approximate location of proposed stormwater detention facilities and the location shown.

5.

Such additional information as may be useful to permit an understanding of the proposed use and development of the property particularly with respect to the compatibility of the proposed use with adjacent properties.

(15)

Impact analysis. (If the application is for less than 25 single-family residential lots, an impact analysis need not be submitted.) The impact analysis shall be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person professionally involved in and familiar with land development activities.

a.

The application must be accompanied by a written, documented analysis of the proposed zoning change with regard to each of the standards governing consideration, which are enumerated under subsection 66-165(d).

b.

A traffic impact analysis is to include the existing average daily traffic on road/streets leading to the nearest intersection and the projected average daily traffic. Additional requirements of the analysis may be provided by the planning and development department and included with the application.

c.

The estimated number of dwelling units and total floor area of nonresidential uses (if applicable) of the proposed development.

d.

Effect on the environment surrounding the area to be rezoned including the effect on all natural and historic resources. (State source of the information.)

e.

Impact on fire protection with respect to the need for additional firefighting equipment or personnel. (State source of the information.)

f.

What are the physical characteristics of the site with respect to topography and drainage courses?

g.

Adjacent and nearby zoning and land use.

(d)

Processing of zoning change applications by staff.

(1)

Prior to a public hearing for any zoning change pursuant to section 66-161, the director shall send a copy of the agenda to each member of the planning and zoning commission and the board of commissioners.

(2)

Conflict of interest. Following receipt of the agenda and prior to the first public hearing, the individual officials shall file a conflict of interest disclosure report as may be required by O.C.G.A. § 36-67A.

(3)

Staff review and recommendation. The planning and development department director shall prepare, with the assistance of the technical review process when applicable, a written recommendation and zoning analysis that shall include: the items listed in subsection 66-161(c)(14)c.1.—5. as appropriate, and the items listed in subsection 66-161(c)(15)a.—g. as appropriate, and the following:

a.

Comments on a site review of the property and surrounding area, as well as an analysis of any previous zoning history relative to the tract, and;

b.

Statement as to the conformity with Putnam County's Comprehensive Plan, and;

c.

The opinions and findings resulting from the technical review process.

(e)

Recommendation distribution. In advance of the public hearing by the planning and zoning commission, copies of the written recommendations and the attachments shall be provided to each member of the planning and zoning commission and the board of commissioners. A copy of the recommendation shall be provided to the applicant within a reasonable time after distribution has been made. A reasonable number of copies will be available to the public on a first-come basis.

(Res. of 7-17-2007(4); Amend. of 1-12-2010)

Sec. 66-162. - Application scheduling and fees.

(a)

Applications shall be submitted in accordance with subsection 66-161(b)(4) and shall be heard by the planning and zoning commission at a public hearing on the first Thursday of the second month following the application deadline and the board of commissioners at a public hearing on the third Tuesday following the planning and zoning public hearing. Applicants will be notified if a hearing is cancelled per subsection 66-150(c)(2)a., along with the rescheduled date of the new hearing.

(b)

Application fees for an application to amend the official zoning map shall be established by the board of commissioners and made available by the planning and development department. A fee shall not be charged for applications initiated by the board of commissioners.

(Res. of 7-17-2007(4); Amend. of 3-18-2008; Amend. of 1-12-2010)

Sec. 66-163. - Public notification of zoning hearings.

(a)

Legal notice. Due notice of the public hearings before the planning and zoning commission and the board of commissioners shall be published in the newspaper of general circulation in the county in which are carried the legal advertisements of the county by advertising the nature of the application and the date, time, place and purpose of the public hearings at least 15 days and not more than 45 days prior to the date of the first hearing conducted by the planning and zoning commission, and not more than 45 nor less than 15 days prior to the date of any deferred public hearing as contemplated in subsection 66-165(f)(2). If the application is for amendment to the official zoning maps, then the notice shall also include the location of the property, the present zoning district of the property, and the proposed zoning district of the property.

(b)

Signs. As to an application to amend the official zoning maps, the planning and development department director shall post at least 15 days and not more than 45 days prior to the planning and zoning commission's public hearing and not more than 45 days nor less than 15 days prior to the date of any deferred public hearing in a conspicuous place adjacent to the public right-of-way along all frontages of the property for which an application has been submitted, signs containing information as to the

application as set forth in section 66-161 and the date, time and place of the public hearing.

(c)

Publishing of notice. In the event the rezoning is initiated by the board of commissioners, the legal notice published need only contain the time, place and purpose of the hearing, and there is no requirement that a sign be placed.

(Res. of 7-17-2007(4); Amend. of 1-12-2010)

Sec. 66-164. - Withdrawal of application.

An application shall not be withdrawn by the applicant after the legal advertising, as required by this article, has first appeared, except as may be permitted by the planning and zoning commission or the board of commissioners at their public hearing.

(Res. of 7-17-2007(4); Amend. of 1-12-2010)

Sec. 66-165. - Action on rezoning application or text amendment.

(a)

Hearing. The planning and zoning commission and the board of commissioners shall hold public hearings on each application or text amendment as provided in section 66-162.

(b)

Director's reports.

(1)

The director of the planning and development department at the public hearings shall state staff's recommendation for each application or text amendment after hearing proponents and opponents issues.

(2)

For the BOC hearing, the director will also state the P & Z recommendation.

(c)

Considerations. In addition, the planning and zoning commission and the board of commissioners shall, with respect to each application or text amendment, consider each of the matters set forth in subsection (d) of this section, the opinions and findings of the technical review process and the recommendation of the director of the planning and development department.

(d)

Standards governing consideration of a zoning change. All amendments to the zoning map shall be viewed by the planning and zoning commission and the board of commissioners in light of the following standards used to determine the balance between an individual's unrestricted right to the use of his or her property and the public's right to the protection of its health, safety, morality, or general welfare of the community. These standards shall be printed and copies thereof shall be available to the general public during regular business hours. Emphasis may be placed on those criteria most applicable to the specific use proposed:

(1)

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

(2)

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

(3)

Will the proposed use adversely affect the existing use, value or usability of adjacent or nearby property?

(4)

Is the proposed use compatible with the purpose and intent of the comprehensive plan?

(5)

Are there substantial reasons why the property cannot or should not be used as currently zoned?

(6)

Will the proposed use cause an excessive or burdensome use of public facilities or services or exceed the present or funded capabilities, including but not limited to streets, water or sewer utilities, and police or fire protection?

(7)

Is the proposed use supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties?

(8)

Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, and a reasonable private use of the subject property?

(9)

In addition to the standards enumerated in items (1)—(8) of this section, the planning and zoning commission and the board of commissioners may consider the following standards in a rezoning application if applicable:

a.

Duration for which the property has been vacant;

b.

Development patterns and trends in the community; and

c.

Potential air, water, noise and light pollution.

(e)

Amendments to the application or to text amendments.

(1)

The planning and zoning commission may recommend amendments to an applicant's request which would: reduce the land area, change the district requested, number of dwelling units, locations of ingress and egress, and building height. The planning and zoning commission may also apply buffers, increase setbacks and hours of operation and impose conditions of rezoning, which may be deemed advisable so that the purpose of this chapter will be served, and the health, public safety and general welfare are secured.

(2)

The board of commissioners is hereby authorized also to enter into a development agreement setting forth the conditions placed on the approval of a zoning application. The development agreement will be referred to the planning and zoning commission to draft the conditions and terms before resubmitting to the board of commissioners for approval.

(3)

If the request is for a rezoning of a portion of a parcel, the approval of such rezoning shall be conditioned upon the resurveying and the recordation of the plat. If conditions have been made to the rezoning approval, the new zoning district designation on the official zoning maps shall include an asterisk (*), such conditions being reflected in the official minutes of the meeting of the board of commissioners.

(f)

Planning and zoning commission's and board of commissioners' decisions.

(1)

The planning and zoning commission may recommend approval or deny the application, or change, reduce or modify any part of the application to best achieve a balance between rights of the applicant and the public interest.

(2)

The board of commissioners may grant approval or deny the application, or change, reduce or modify any part of the application to best achieve a balance between rights of the applicant and the public interest.

(3)

The planning and zoning commission and the board of commissioners may defer its vote to another hearing date, or allow an application to be withdrawn with or without prejudice with respect to the 12-month limitation of this division. An action by the planning and zoning commission or the board of commissioners to defer the application shall include a statement of the date and time of the next meeting at which the application will be considered. However, if the second public hearing will allow continued presentation of positions or information by proponents or opponents, the deferred hearing also shall be readvertised in compliance with section 66-163.

(g)

Communication to property owner after approval. After each application has been disposed of by the board of commissioners, the property owner shall receive notification from the director of the planning and development department of the zoning change and the conditions related thereto. The director shall also notify the property owner to survey and plat new divisions of property for recording, if applicable.

(h)

File maintenance. The department of the planning and development ~~department~~ shall maintain a file containing each application, which shall remain current throughout the development's construction to completion. The file shall contain references to all other permits issued pursuant to the approval of the rezoning. The department may maintain a summary of the pertinent data and status of the development in a computer database.

(Res. of 7-17-2007(4); Amend. of 3-18-2008; Amend. of 1-12-2010)

Editor's note— An amendment adopted Jan. 12, 2010, changed the title of § 66-165 from "Board of commissioners action on rezoning application or text amendment" to "Action on rezoning application or text amendment."

Sec. 66-166. - Changes.

(a)

All approved rezoning applications are subject to the Putnam County Code of Ordinances and to the conditions as may have been applied by the board of commissioners. All the approved rezoning applications must comply with the International Building Code, the development regulations, and to the performance standards of this chapter prior to any disturbance of land. The director may modify the application to the extent that compliance with the International Building Code, development regulations,

and performance standards may require.

(b)

Any alterations of conditions of rezoning as applied by the board of commissioners shall be processed in accordance with all provisions applicable to changes to the official zoning maps.

(Res. of 7-17-2007(4))

Sec. 66-167. - Conflict of interest and disclosure rules for rezoning, map or text amendment.

(a)

A member of the planning and zoning commission, the board of commissioners, or any other county official must comply with O.C.G.A. § 36-67A-3, as amended.

(b)

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 of the local government 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:

(1)

The name and official position of the local government official to whom the campaign contribution was made; and

(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. The disclosure required by this section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

(c)

When any applicant for a rezoning action has made, within two years immediately preceding the filing of that 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 governing authority of the respective local government showing:

(1)

The name and official position of the local government official to whom the campaign contribution was made; and

(2)

The dollar amount and description of each campaign contribution made by the applicant 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. The disclosures required by this section shall be filed within ten days after an application for the rezoning action is first filed.

(Res. of 7-17-2007(4); Amend. of 1-12-2010)

Sec. 66-168. - Compliance with zoning procedures law.

This article, as from time to time amended, is intended to set forth and constitute the policies, procedures and standards required under O.C.G.A. § 36-66-5, and copies of this article's provisions shall be available to the public upon request.

(Res. of 7-17-2007(4))

Secs. 66-169—66-179. - Reserved.