

AN ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF HINESVILLE, GEORGIA, ARTICLE III (DEFINITIONS), SECTION 302, ARTICLE V (SPECIFIC ZONING DISTRICT REGULATIONS), SECTIONS 507 AND 514 OF THE ZONING ORDINANCE OF THE CITY OF HINESVILLE, GEORGIA; IMPLEMENTING A RECREATIONAL VEHICLE ZONING ORDINANCE, AND ESTABLISHING RULES AND REGULATIONS FOR RECREATIONAL VEHICLE PARKS LOCATED IN MANUFACTURED HOME PARK LAND DISTRICTS AND HIGHWAY COMMERCIAL LAND DISTRICTS; TO REPEAL CONFLICTING LAWS, AND FOR OTHER PURPOSES ALLOWED BY LAW.

WITNESSETH:

WHEREAS, the duly elected governing authority of the City of Hinesville, Georgia is authorized under Article 9, Section 2, of the Constitution of the State of Georgia to enact reasonable ordinances to protect the health, safety and general welfare of the public; and

WHEREAS, the duly elected governing authority of the City of Hinesville, Georgia is the Mayor and City Council thereof; and

WHEREAS, the Recreational Vehicle Zoning Ordinance will encourage the most appropriate use of land and buildings in the Manufactured Home Park Districts and the Highway Commercial Districts throughout the City; and

WHEREAS, the minimum requirements for area regulations of Recreational Vehicle Parks will establish location, the percentage of lot occupied, the size of yards and open spaces, duration of stay, setbacks, and the uses of recreational vehicles; and

WHEREAS, Recreational Vehicle Parks will sustain the character of the City and its suitability for particular uses without adversely affecting the character of the Manufactured Home Park Districts and Highway Commercial Districts use regulations.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and the Council of the City of Hinesville, and it is hereby ordained by the authority of same, that **Article III, and Article V of the Zoning Ordinance of the City of Hinesville, Georgia, Sections 302, 507, 514** are hereby amended, which sections reads as follows:

SECTION I

ORDINANCE TEXT

Appendix A - ZONING

ARTICLE III. - DEFINITIONS

Sec. 302. - Definitions.

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them below, unless the content clearly indicates a contrary meaning.

Abandoned signs. Abandoned signs are prohibited in all districts, and shall, under this ordinance, mean the sign is located upon a property which becomes vacant or unoccupied for more than four months and the sign no longer identifies or advertises a bona fide business, service, owner, product, institution, organization, or event; the sign pertains to a time, event, or purpose which no longer applies, or a sign located upon a property or premise in which normal day-to-day business has not been conducted for more than four months and the legal sign owner cannot be located at owner's last address as reflected on the records of the Department of Inspections, provided that, a permanent sign applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the business activity remains suspended for more than four months, or; the sign is no longer fully supported, by the structure designed to support it, or maintained in accordance with section 806 of this appendix.

Accessory building. A building customarily incidental and subordinate to the principal buildings.

Accessory dwelling unit. Independent, complete living units created from surplus space or added in inconspicuous ways within single-family homes, or as detached structures on a single-family home lot.

Accessory use. A use customarily incidental, appropriate and subordinate to the principal use of land or buildings located upon the same premises.

Alley. A minor right-of-way dedicated to public use which affords only a secondary means of vehicular access to the back or side of properties otherwise abutting a street and which may be used for public utility purposes.

Alteration. Any change in the support members of a building, such as bearing walls, columns, or girders; any addition or reduction of a building; any changes in use or relocation of a building from one location or position to another on the same lot.

Antenna. The arrangement of wires or metal rods used in the sending and receiving of electromagnetic waves (radio waves), but not including a telecommunications tower or antenna.

Antenna support structure height. The overall vertical length of the antenna support structure or tower, above grade or ground (measured between the highest point of the antenna support structure and the natural grade directly below this point), or if such system is mounted on a building, then the overall vertical length includes the height of the building upon which the antenna support structure is mounted.

Antenna support structure or transmission tower. Any structure, mast, pole, tripod or tower utilized for the purpose of supporting an antenna or antennas for the purpose of transmission or reception of electromagnetic waves, but not including a telecommunications tower or antenna.

Apartment building. Building containing three or more attached dwelling units designed for occupancy by three or more families living independently of each other as separate housekeeping units, including apartment houses, apartments and flats but not auto or mobile home parks, subdivisions or camps, townhouses or condominiums, hotels, or resort type hotels.

Area. The quantity of surface represented by a feature or features, such as a lot or portion thereof, or a building or portion thereof.

(1)*Gross area.* The total surface area associated with a feature consisting of all areas within the outside boundary or boundaries. For a building, this area represents the area of the building "footprint" times the number of stories.

(2)*Net area.* The total surface area associated with a feature, minus any portions of the feature that do not represent usable space. For a lot, the unusable space consists of wetlands, utility and drainage easements. For a building, unusable space consists of utility areas, common hallways, and related areas.

Arterial street. A street or highway which is used to move fast or heavy traffic between population centers or from one section of the urban area to another. This class of highway includes heavily traveled routes that may warrant multilane status.

Automobile service station. A building, lot, or both, in or upon which the business of minor commercial general motor vehicle repair and service is conducted, including the retail sale of gasoline, oil and grease, batteries, tires and auto accessories, but excluding major auto repairs, such as the removal of motor heads, entire motors and crankcases, auto body work and auto painting; and excluding a junk or auto wrecking business. No part of the building or lot will be used for dismantling wrecked vehicles or wrecked vehicle parts.

Awning and canopy sign. See *Building sign*.

Banner. Any sign of lightweight fabric, paper, canvas, plastic or similar material on which a message, slogan or emblem is painted, drawn or otherwise projected, colored or shaped for the purpose of advertising or drawing attention to a product, object, activity or facility, to include, but not limited to, such things as trash receptacle covers, tire covers, rack covers, changeable or removable paper, cardboard, cloth, canvas or plastic displays advertising products, services or facilities obtainable or available on the premises.

Beneficial user. Any person deriving the proceeds or other advantages from the erection or operation of a sign.

Bicycle lane (bike lane). The portion of a roadway which has been designated by striping, signs, and pavement markings for the preferential or exclusive use of the bicycle. Sidewalks are not encouraged as substitutes for bike lanes.

Bicycle path (bike path). A bike path is physically separated from motorized vehicle traffic by an open space or barrier and is located either within the roadway right-of-way or within its own

independent right-of-way. Bike paths are facilities on exclusive rights-of-way with minimal cross flow by motor vehicles and are intended for the exclusive or preferential use of bicycles. Bike paths should not be located immediately adjacent to streets and highways.

Bicycle route (bike route). A bicycle route is a segment of a system of bikeways, paths, and lanes with appropriate directional and informational markers for its users.

Bikeway. A bikeway is a road, path or way which in some manner is specifically designated as being open to bicycle travel, whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.

Billboard. A sign, with an area greater than 200 square feet, which is supported by one or more columns, uprights, or braces in or upon the ground and is not attached to a building and is not mobile or temporary. Billboards shall only be permitted on properties zoned C-3 (highway commercial) and L-I (light industrial) and as further limited by section 806 of article VIII.

Boardinghouse. A dwelling other than a hotel where, for compensation and by pre-arrangement for definite periods, meals or lodging and meals are provided for three or more persons.

Buffer. A combination of horizontal space (land) and vertical elements (plans, fences, walls, etc.) used to physically separate or visually screen incompatible adjacent land use.

Buildable area of lot. The portion of a lot remaining after the required setbacks (front, side and rear yard) have been provided for.

Building. Any structure designed or built for the support, shelter, housing or enclosure of persons, animals or property of any kind.

Building height. The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or the deck line of a mansard roof, or to the average heights of highest gable or pitch of a pitch gambrel or hip roof.

Building line. That line which represents [the] distance a building or structure must be set back from a lot boundary line or a street right-of-way line according to the terms of this appendix.

Building, principal. A building in which there is conducted the principal use of the lot on which said building is situated.

Building sign. A sign that in any manner is fastened to, projects from, or is placed or painted upon the exterior wall, window or door of a building. The term "building sign" includes, but is not limited to, the following:

a. Awning sign. A sign imposed or painted upon an awning or any roof-like structure projecting from a building which provides either permanent or temporary shelter for adjacent walkways or entrances to a building or property. Awning signs must be entirely supported from the building.

b. Canopy sign. A sign imposed or painted upon any roof-like structure projecting from a building which provides either permanent or temporary shelter for adjacent walkways or entrances to a building or property. A display attached to the underside of a marquee or canopy and protruding over any public or private sidewalk or right-of-way. Canopy signs must be entirely supported from the building.

c. Marquee sign. Any sign attached flat against the marquee or permanent sidewalk canopy of a building and not extending above the roof line.

d. Projecting sign. A sign affixed to a wall and extending more than four inches from the surface of such wall, usually perpendicular to the wall surface.

e. Roof sign. A sign that is mounted on, applied to, or otherwise structurally supported by the roof of a building.

f. Wall sign. Any sign that is attached flat to, or is fastened directly and parallel to, or is placed or painted directly upon the exterior wall of a building and extends from the surface of the wall no more than 18 inches.

g. Window sign. A sign that is placed on or behind a window pane and intended to be viewed from outside the building.

Building site. A single parcel of land under one ownership, occupied or intended to be occupied by a building or structure.

Canopy sign. A sign imposed or painted upon any roof-like structure projecting from a building which provides either permanent or temporary shelter for adjacent walkways or entrances to a building or property. A display attached to the underside of a marquee or canopy and protruding over any public or private sidewalk or right-of-way. Canopy signs must be entirely supported from the building.

Changeable copy.

(1) Automatic. A sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g., electrical or electronic time and temperature units. Copy shall mean words and numbers.

(2) Manual. A sign on which [the] copy is changed manually in the field, e.g., reader boards with changeable letters. Copy shall mean words and numbers.

Child caring institutions. Any institution, society, agency, or facility which provides full-time care for six or more children under 17 years of age outside of their own homes, subject to such exceptions as may be provided in [the] rules and regulations of the State of Georgia department regulating child caring institutions.

Club. Building and facilities owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

Cluster zoning. A zoning ordinance provision that permits the reduction in minimum lot sizes under circumstances that assure that the amount of land reduced from the minimum size of each lot in the development will be aggregated and set aside within the development for recreational, conservation, historic or scenic purposes.

Collector street. A public way designed primarily to connect local streets with arterials or to provide access from residential areas to major destination points such as shopping or employment centers and which may be expected to carry a significant volume of traffic.

Community use. Administrative and legislative government offices, schools, postal facilities, cultural facilities, such as libraries and museums, meeting halls, clubhouses, amphitheaters, band shells, and pavilions.

Condominium (building). A building containing three or more attached individually owned dwelling units and related, jointly owned, common areas under condominium or cooperative ownership.

Conventional construction. A building constructed on the building site from basic building materials, including electrical, plumbing and heating and air conditioning, delivered to the site and from lumber cut on the job. Conventional construction shall comply with the City of Hinesville Building Code and relative ordinances. (May also be known as "stick construction").

Court. An open space enclosed wholly or partly by buildings or circumscribed by a single building.

Day care center. Any place operated by a person, society, agency, corporation, institution, or group wherein are received for pay for group care, for fewer than 24 hours per day, without transfer of legal custody, 19 or more children under 18 years of age, and which is required to be licensed or commissioned by the State of Georgia department regulating the use of day care centers.

Day care home, family. A private residence operated by any person who receives therein for pay for supervision and care, fewer than 24 hours per day, without transfer of legal custody, a maximum of six children, to include any children considered normal residents of said dwelling, under 18 years of age.

Day care home, group. Any place operated by any person(s), partnership, association or corporation wherein are received for pay for group care not less than seven nor more than 18 children under 18 years of age for less than 24 hours per day without transfer of legal custody and which is required to be licensed or commissioned by the State of Georgia department regulating the use of group day care homes.

Density. The number of dwelling units per net acre of land developed or used as residential purposes.

Directional sign. A sign used to give direction or specific instruction to the public, such as, but not limited to, "enter," "exit," "no parking," "drive through," or "restroom." Such signs shall contain only instructional information. Commercial logos, messages or insignia are not permitted on any directional sign. Directional signs are designed only to promote safe movement of vehicular and pedestrian traffic.

Director of Inspections. The City of Hinesville Director of Inspections or his/her designee.

Downtown redevelopment master plan. The plan that identifies the planning area, major streets, patterns, building masses, shared public spaces, proposed densities, and land use assumptions for the geographically designated areas within the City of Hinesville Overlay District (see overlay district map A-1). It encourages coordinated, unified development and identifies the phase of construction by creating partnerships with the adjacent property owners and developers.

Dwelling. Any buildings, or portion thereof, which is designed or used as living quarters for one or more families.

Dwelling, multifamily. A dwelling within a building containing three or more dwellings designed for occupancy by three or more families living independently of each other including apartments, apartment houses, but not including auto or mobile home parks, subdivisions or camps, condominiums or townhouses, hotels or resort type hotels.

Dwelling, single-family. A dwelling designed to be occupied by one family.

Dwelling, two-family (duplex). A building designed exclusively for occupancy by two families living independently of each other and does not include condominiums or townhouses.

Dwelling unit. One or more rooms within a dwelling constituting a separate, independent housekeeping establishment, with provision for cooking, eating and sleeping, and physically set apart from any other rooms or dwelling units in the same structure.

Eaves. The lowest horizontal line of a sloping roof.

Erect. To build, paint, construct, attach, hang, place, suspend or affix.

Facade. The face of a building most nearly parallel with the right-of-way line of the street upon which the building faces.

Facade articulation. The interruption of the building facade through the use of awnings, arches, display windows, or other elements which present a pedestrian scale.

Facing. The surface or plane of a sign upon, against, or through which a message is displayed or illustrated.

Fair market value. The value of property or structures shall mean, as determined by the tax assessor, either (a) before the improvement was started, or (b) if the structure has been damaged and is being restored, before the damage occurred.

Family. Two or more persons residing in a single dwelling unit where all members are related by blood, marriage, or adoption up to the second degree of consanguinity, or by foster care. For the purposes of this definition, "consanguinity" means only the following persons are related within the second degree of consanguinity: Husbands and wives, parents and children, grandparents and grandchildren, brothers and sisters, aunts and uncles, nephews and nieces, and first cousins. For the purposes of this definition, a person shall be considered to reside in a dwelling unit if he or she stays overnight in a dwelling unit for more than 30 days within a 90-day period. The term "family" does not include any organization or institutional group. For regulations see section 624.

Any nonconforming use created by the adoption of this definition of "family" which was a legal use at the time of adoption shall be permitted to continue through November 2, 2008. After which date, the use of such dwelling shall be in compliance herewith. Any use established prior to or subsequent to the adoption of this definition of "family," which use did violate and continues to violate the standards of this chapter, is illegal, not nonconforming, and shall be handled in accordance with section 906.

Flag, streamer, festoons. A cloth, or similar material, a string of ribbons, tinsel, small flags, streamers, or pinwheels with colors, patterns, etc., used as a signal.

Flashing/animated sign. Any sign that uses fading, swiping, or other animated transition methods, or uses movement or change of lighting to depict action or create a special effect or scene. "Flashing/animated sign" includes, but is not limited to, use of spinners, banners, aerial devices, inflatable objects or other attention-getting devices.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, and the unusual and rapid accumulation of runoff of surface waters from any source.

(1)**Floodplain.** The land area subject to inundation by waters of the 100-year flood as delineated by the official zoning map. The 100-year flood has a one percent chance of occurring during any given year.

(2)**Floodproofing.** A combination of structural and/or nonstructural addition, changes, adjustments, or provision to properties or structures subject to flooding which will reduce or eliminate flood damages to properties, water and sewer facilities, structures, and contents of buildings.

(3)**Flood fringe area.** That area of the floodplain lying outside the floodway but still lying within the area of special flood hazard, i.e., within the 100-year floodplain.

(4)**Floodway.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the velocity waters of the regulatory flood.

(5)**Regulatory flood.** For the purposes of this appendix, a flood event having a one percent chance of occurring in any given year, although the flood may occur in any year, i.e., the 100-year flood.

(6)**Regulatory flood elevation.** The crest elevation in relation to mean sea level expected to be reached by the regulatory flood at any given point in any area of special flood hazard.

Garage, private. An accessory building or portion of a principal building used only for private storage of motor vehicles as an accessory use.

Garage, repair. A building and premises designed or used exclusively for major commercial vehicle repairs; provided, that auto body work and auto painting shall be conducted within fully enclosed buildings and, provided further, that there is no storage of junk, wrecked vehicles, dismantled vehicles and dismantled vehicle parts or supplies visible beyond the premises.

Home occupation. Any occupation or profession carried on by the inhabitants which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, which does not change the residential character thereof, and which is conducted entirely within the principal or accessory building permitted under section 601 and in which no mechanical equipment is used or activity is conducted which creates any noise, dust, odor, light or electrical disturbance beyond the confines of the lot on which said occupation is conducted. A permitted home occupation shall be a limited type of office or business approved for operation in a residentially zoned area. The operation of a home occupation must adhere to those restrictions in section 607.

Hotel. A building or group of buildings under one ownership containing six or more sleeping rooms occupied, intended or designed to be occupied, as the more or less temporary abiding place of persons who are lodged with or without meals for compensation, but not including an auto or trailer court or camp, sanitarium, hospital, asylum, orphanage or building where persons are housed under restraint.

Illuminated sign. Any sign which has characters, letters, figures, designs, or outlines illuminated by electric lights or luminous tubes as a part of the sign itself; and further, any sign that has light cast upon the sign from a source either internal to the sign or from an external light source directed primarily toward such sign.

Industrialized building. Any structure or components thereof which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. Industrialized buildings and building components shall bear a seal or label certifying compliance with State of Georgia Rules for Industrialized Buildings. All on-site work, including building foundations and connections to public utilities, i.e., gas, electrical and plumbing shall comply with the City of Hinesville Building Code and other related codes and ordinances. (Also includes terms such as factory-built housing, modular homes and pre-fabricated buildings.)

Inflatable sign. Any sign, balloon, or similar device which can be inflated with air or gas and mounted or flown over a site.

Institution. A non-profit organization or corporation or a non-profit establishment for public use.

Junkyards. An open area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled, including, but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles. A "junkyard" includes automobile wrecking yards and includes any area for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings.

Landscape amenities. Living or non-living materials used to augment the beauty or usability of a landscaped area. Amenities may include, but not limited to: additional vegetation, flower gardens, tables, sculptures, monuments, benches, gardens, banners, enhanced pavement, pedestrian plaza areas, fountains, and planters.

Landscape islands. A raised unpaved area located within or protruding into a parking lot of the center unpaved area of a cul-de-sac or traffic circle. The area of a landscape island is measured from the back of the inside curb to the back of inside curb.

Live/work units. Units which offer both a studio work environment and a living environment. The work environment must be primarily involved in the artistic crafts, offices, or serve uses with minimum impacts on the surrounding neighborhood, such as self-employed consultants, researchers, or artists.

Loading space, off-street. Space logically and conveniently located for pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such deliveries.

Local street. These roads serve the final function in destination trips and the initial function at point of origin. They provide direct access to adjacent land as well as serve the purpose of short distance transportation needs. This category encompasses all highways not classified by either arterial or collector streets.

Lot. A parcel or plot of land of varying size which is designated as a single unit of property and which is intended to be occupied by one building, or group of buildings, and its accessory buildings and uses as required by this appendix.

(1)**Lot, area.** The total net area included within lot lines.

(2)**Lot, corner.** A lot which at least two intersecting sides abut for their full lengths on a street.

(3)**Lot coverage.** The percentage of the lot area covered by principal and accessory buildings and structures.

(4)**Lot, double frontage.** A lot, other than a corner lot, which has frontage on more than one street other than an alley.

(5)**Lot lines.** The lines forming boundaries for a lot as defined above.

(6)**Lot width.** Distance between the side boundaries of the lot measured at the minimum required front yard setback line.

Lot of record. An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed as filed in the record of the Clerk of Liberty County Superior Court.

Main entrance. The entrance of the building which is most architecturally prominent and contains operable doors.

Mansard sign. A sign imposed, mounted, or painted on a steeply roof-like facade architecturally similar to a building wall.

Manufactured home. A structure, transportable in the traveling mode, which is eight or more body feet in width and 40 or more body feet in length and 320 or more in square feet, and which is built on a permanent chassis and designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities and includes the plumbing, heating and air conditioning and electrical systems contained therein. All on-site work, including building foundations and connections to public utilities, i.e., gas, electrical and plumbing shall comply with the City of Hinesville Building Code and other related codes and ordinances.

Manufactured home park. A parcel of land under a single ownership or management which is used or intended to be used for the rental or lease of spaces or lots and the provision of services for two or more manufactured homes.

Manufactured home space, lot. A plot of ground within a mobile home park designed for the accommodation of one manufactured home.

Marquee sign. A sign imposed, mounted, or painted on a permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building.

Medical office. Use designation limited to those professionals providing daytime health care; specifically, physicians, dentists, and associated medical specialist, psychiatrists, chiropractors, and physical therapist.

Mini-warehouse. A building or a group of buildings in a controlled access and fenced compound that contains various sizes of individual compartmentalized controlled access stalls or lockers for the dead storage of customers' goods or wares. Dwelling units on the premises is [are] prohibited except that one dwelling unit may be permitted for security use and shall be used only by the compound caretaker. A manufactured (mobile) home will not be authorized for this purpose. Sale of goods or services on the premises is also prohibited. This definition includes the term self-service mini-storage.

Mixed-use. A single building containing two or more types of land use; or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

Mobile home. Factory-built homes produced prior to June 15, 1976, when the National Manufactured Housing Act of 1976 went into effect. All on-site work, including building foundations and connections to public utilities, i.e., gas, electrical and plumbing shall comply with the City of Hinesville Building Code and other related codes and ordinances.

Mobile sign. Any sign which is attached to, mounted on, pasted on, painted or drawn on any vehicle, whether motorized or drawn, which is placed or maintained at one or more particular locations for the express purpose and intent of promotion, or conveying an advertising message.

Modular home. See **Industrialized building**. The chassis of a modular home shall be used for transport of the modular units to the site only.

Monument sign. A freestanding sign mounted directly upon the ground. Such sign may not be attached to or be a part of or supported by the building in or to which the sign applies.

Neo-traditional. Developments that favor the return of pre-World War II patterns of development with such traditional features as grid-street patterns, reduced setbacks, prominent front porches, multi-use buildings, and housing clustered near commercial service areas.

Noncombustible material. Any material which will not ignite at or below a temperature of 1200 degrees Fahrenheit and will not continue to burn or glow at that temperature.

Nonconforming use. A structure or parcel of land, or the use thereof, which does not conform to the regulations of the land use district in which it is situated.

Nursing home. A home for aged or ill persons in which three or more persons not of the immediate family are provided with food, shelter and care for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to diagnosis and treatment.

Obscene display. Any sign containing any statement, word, or picture of an obscene, indecent, or immoral nature in violation of O.C.G.A. § 16-12-80, or any other applicable State or Federal law.

Open space. The portion of a site required by the zoning regulation to be maintained as open or "green" space. Open space areas shall be free of any structures and off-street parking areas.

Overlay district. A district which is placed "over" the base zoning system to modify the development guidelines and to achieve a specific purpose for that area. The regulations of the underlying zoning district and all other regulations, remain in effect. If any regulations conflict with the underlying zoning, the overlay district guidelines prevail.

Owner. The holder of the title in fee simple and every mortgagee of record.

Parapet sign. A sign imposed, mounted or painted on, and not extending above the top of the extension, false front or wall above the roofline.

Pedestrian-scaled or people-scaled. The establishment of appropriate proportions for building mass and features in relation to pedestrians and the surrounding context.

Personal care home. A facility intended to provide living quarters and limited services for individuals who require social, medical, and/or mental health services in a community-based

residential setting. Homes must be operated under a program authorized or directed by the State of Georgia department regulating personal care homes.

(1)**Personal care home, family.** A group home serving six or fewer residents (including any live-in or overnight staff), and located in a building that closely resembles a single-family dwelling.

(2)**Personal care home, group.** A group home serving fewer than 15 residents (including any live-in or overnight staff), and located in a building that may resemble a multifamily dwelling structure.

Planned unit development. A planned development consisting of diverse land uses, such as housing, recreation, and commercial use.

Portable sign. Any sign designed to be moved easily and not permanently affixed to the ground, or to a structure or building. This definition shall include, but is not limited to, mobile signs, trailer signs, and devices mounted upon parked vehicles in such a manner as to serve the purpose of a sign.

Professional office. Use or occupancy by persons engaged in rendering personal, executive, or administrative services or activities, including accountants, architects, engineers, land surveyors, doctors, lawyers and administrative offices generally considered professional in character.

Projecting sign. See *Building sign*.

Public or community sewerage system. This means any sewage treatment works, pipe lines or conduits, pumping stations and force mains and all other constructions, devices, and appliances appurtenant thereto, designed for conducting sewage upon treatment for ultimate disposal into lakes, streams, estuaries, or other bodies of surface water, or land application.

Public utility. Any person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under Federal, State or Municipal regulations to the public: natural gas, steam, electricity or other energy sources, sewage disposal, communication, or water.

Recreational vehicle. A vehicular type portable structure without a permanent foundation, which can be towed, hauled or drawn and is primarily designed as temporary living accommodation for recreational camping and travel use. This includes, but is not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes.

Recreational vehicle park or RV park. A unified development on any lot, tract, or parcel of land upon which accommodation is provided for two or more recreational vehicles used as temporary living and sleeping quarters.

Recreational vehicle site or RV site. That part of a lot or area in a recreational vehicle park or RV park that has been reserved for the placement of one recreational vehicle.

Right-of-way line. The outside boundaries of a highway right-of-way, whether such right-of-way be established by usage, dedication or by the official right-of-way.

Roof sign. See *Building sign*.

Roofline. The highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal ridgeline, or the highest line common to one or more principal slopes of roof. On a flat roof, the roofline is the highest continuous line of the roof or parapet, whichever is the higher.

Rotating sign. A sign which is designed to revolve by means of electrical power.

Setback line. That line which is the minimum required distance from the street right-of-way or any other lot line that establishes the area within which the principal structure must be placed or erected. (See section 302, building line)

Shopping center. A group of retail sales, service, and business establishments under a single ownership or management and identified as a unified shopping entity. A shopping center may include out-parcels under different ownership or management if these out-parcels were planned or developed in conjunction with the development of the shopping center or were part of the parent tract from which the shopping center was developed.

Sign. Any structure, display, or device that is used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, colors, movement or illumination.

Sign face. The surface of the sign upon, against, or through which the message of the sign is exhibited.

Sign height. The overall measurement from the highest part of a sign, including all support structures, to the highest surface of the adjacent public road, sidewalk, parking lot, or unimproved ground. Any earth berms and elevated foundations supporting signs, sign posts or other sign supports shall be included in the height of the sign.

Signable area. The area within a continuous perimeter enclosing the limits of writing, representations, emblems or any figures or similar characters, together with any frame or other material or color forming an integral part of the display or used to differentiate this sign from the background against which it is placed, excluding the necessary supports or uprights on which this sign is placed; provided, however, that any open space contained within the outer limits of the display face of a sign, or between any component, panel, strip or fixture of any kind composing the display face, shall be included in the computation of the area of the sign whether this open space be enclosed or not by a frame or border. For projecting or double-faced signs, only one display face shall be measured in computing [the] sign area when the sign faces are parallel, or where the interior angle formed by the faces is 60 degrees or less; provided, that it is a common attached structure. If the two faces of a double-faced sign are of unequal area, the area of the sign shall be taken as the area of the larger face.

Site built dwelling. Any structure which is wholly constructed on a building site. All on-site work, including building foundations and connections to public utilities, i.e., gas, electrical and

plumbing, shall comply with the City of Hinesville Building Code and other related codes and ordinances.

Special event. Any activity or circumstance above and beyond the normal day-to-day activities of the business or institution concerned, to include sales, grand openings, going-out-of-business sales, relocations, new product announcements, and other temporary events.

Special use. A special use is a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to [the] number, area, location, design characteristics, or relation to the neighborhood would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in zoning districts as special uses, if specific provision for such special uses are made in this Zoning Ordinance. This is not to be confused with "variance."

Stanchion sign. A freestanding sign mounted on one or more steel poles set in the ground and of sufficient strength and size to support the advertisement portion of such structure that rests upon or is supported by such poles. Such freestanding signs must be in conformance with size and height restrictions imposed elsewhere in this chapter [ordinance].

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it or, if there is not [no] floor above it, then the space between the floor and the ceiling.

Street. Any public or private thoroughfare which affords the principal means of access to abutting property.

Street centerline. That line surveyed and monumented by the governing authority shall be the centerline of a street, or in the event that no centerline has been determined, it shall be that line running midway between, and parallel to, the outside right-of-way lines of such streets.

Street, intersecting. Any street which joins another street at an angle, whether or not it crosses the other.

Streetscape. A combination of vegetation, amenities, and special visual features along either side of vehicular travel lanes for the purpose of aesthetics or shade.

Streetscape furniture. Amenities, such as benches, lighting, and trash receptacles which help to carry out the development's chosen theme.

Structural alterations. Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any substantial change in the roof or in the exterior walls.

Structural trim. The molding, battens, capping, nailing strips, latticing, and platforms which are attached to a sign structure.

Structure. Anything constructed or erected, the use of which required location on the ground or attached to something having a location on the ground, including but not limited to buildings, manufactured (mobile) homes, signs, walls and fences.

Structure height. The vertical distance from the base of the structure and that portion of the lot on which the structure is located to the highest point of the structure.

Subdivision. The division of a parcel or tract of land into two or more lots for immediate or future use.

Surface. See *Facing*.

Telecommunication/transmission antenna. An exterior device used to send or receive electromagnetic waves for cellular telephone, pager, or other personal communications devices.

Telecommunication/transmission tower. Any structure designed and constructed for the primary purpose of supporting one or more telecommunication/transmission antennas.

Telecommunication/transmission towers may be of the following construction types.

(1)**Guyed.** A vertical structure anchored by guy wires.

(2)**Monopole.** A vertical self-supporting structure, not guyed, made of spin-cast concrete, concrete, steel, or similar material, presenting a solid appearance.

(3)**Lattice.** A vertical self-supporting structure, not guyed, with three or more sides consisting of open-frame supports.

(4)**Stealth.** A tower designed and constructed so as to resemble some object other than a telecommunications tower. Objects may include, but are not limited to, trees or church steeples.

Temporary sign. Any non-permanent sign erected, affixed, or maintained on a premises and anticipated to be removed within a six-month period.

Temporary stanchion sign. A non-permanent, freestanding sign mounted on one or more posts or poles set in the ground and of sufficient strength and size to support the advertising portion of the structure. Said sign is used to announce the occurrence of a special event as hereinabove defined, or the occurrence of a temporal event or activity. Such freestanding signs must be in conformance with size and height restrictions imposed elsewhere in this article.

Temporary subdivision sign. Any non-permanent sign erected, affixed, or maintained on a site, whether of a residential or commercial nature, used to announce the future or ongoing occurrence of development.

Townhouse (building). A building containing three or more attached single-family dwelling units separated by lot lines, with no related common areas.

Travel way. A pedestrian, bicycle, or motorized vehicle path.

Use. The specific purpose for which land, structure, or a building is designed, arranged, or intended and for which it is or may be used, occupied or maintained.

Useable open space. Areas which serve the need for leisure, recreation, or pedestrian interaction. Spaces may include, but are not limited to plaza areas, open lawn areas, trails, recreational facilities, gardens, and pedestrian walkways.

Variance. A variance is a relaxation of the terms of the Zoning Ordinance. Where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance will result in unnecessary and undue hardship. As used in this appendix a variance is authorized only for height, area, and size of structure, for size of yards and open spaces, and for any rule or regulation herein involving distance, area height, or any other dimension, to include, by way of example but not limited to, setback distances for buildings, distances of curb cuts from corner, etc.; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district. This is not to be confused with "special uses."

Vehicle use area. The area of development subject to vehicle traffic, including accessways, loading and service areas, areas used for parking or storage of vehicles, boats or portable construction equipment, and all land which vehicles cross over as a function of the primary use.

Vehicular signs. A "vehicular sign" includes any name, insignia, logo, or sign attached to, mounted on, pasted on, painted, drawn on, or otherwise affixed to any vehicle (motorized or drawn) or conveyance placed, parked, or maintained at one particular location for the primary purpose of advertising or promoting a product or service, or directing people to a business or activity. For purposes of these regulations, the length of time a vehicle is present at one particular location shall raise a presumption that its primary purpose is to serve as a vehicular sign, except where the business has no reasonable alternative location on the site to park the vehicle. This definition shall not apply when:

- (1) To signs on vehicles when in motion or to vehicles, with vehicular signs, that are "actively" used to transport persons, goods, or services in the normal course of business (i.e. delivery service, construction trailer, etc.), or to portable signs as defined herein.
- (2) When such vehicles are parked in an inconspicuous area;
- (3) When such vehicles are actively being used for storage of construction materials for, and on the same lot with a bona fide construction project for which building and other applicable permits have been issued and where construction is underway and provided said vehicles or conveyance are located within designated storage areas.

Wall sign. See **Building sign**.

Yard. An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a principal structure from the ground upward except where otherwise specifically provided in these regulations that an accessory building may be located in a portion of a yard required for a principal building. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard or the depth of a rear yard, the least horizontal distance between the lot line and the principal building shall be used.

- (1) **Yard, front.** A yard located in front of the front elevation of a building and extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of the principal building.

(2)***Yard, rear.*** A yard extending across the rear of a lot measured between lot lines and being the minimum horizontal distance between the rear lot line and the rear outside wall of the principal building. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

(3)***Yard, side.*** A yard between the building and the side line of the lot and extending from the front yard line to the rear yard line and being the minimum horizontal distance between a side lot line and the outside wall of the side of the principal buildings.

Zoning. An amendment to, or change in the Zoning Ordinance. Rezoning, or amendment can take three forms:

- (1)A comprehensive revision or modification of the zoning text and map;
- (2)A text change in zone requirements; and
- (3)A change in the map, i.e., the zoning designations of a particular parcel or parcels.

ARTICLE V. - SPECIFIC ZONING DISTRICT REGULATIONS

Sec. 507. - MH, manufactured home park district.

The intent of this district is to provide a sound and healthy residential area sufficient to meet the unique need of inhabitants living in manufactured homes and RV parks, to protect manufactured home parks and RV parks from encroachment by incompatible uses, to encourage the consolidation of manufactured homes in parks and RVs in parks, to enhance property values in the community by providing distinctive areas for manufactured home parks and RV parks. It is intended that all manufactured home parks be desirable living areas, providing adequate open space, and that RV parks be desirable temporary living areas, providing adequate open space.

(A)***Use regulations.*** The following uses shall be permitted in any MH, manufactured home park district:

- (1)Manufactured home parks and RV parks (see article III, Definitions)
- (2)Parks and playgrounds; [and]
- (3)Laundromats.

(B)***Special permit uses.*** The following uses may be permitted in accordance with provisions contained in article IX section 905, and if additional conditions which may be required are met: manufactured home park offices; uses which are in keeping with the intent of this district, and which will serve exclusively the residents of that particular MH district.

(C)***Height regulations.*** No building shall exceed 35 feet in height.

(D)***Area regulations for manufactured home parks.*** Unless otherwise specified in the ordinance, uses permitted in manufactured home parks shall conform to the following requirements:

- (1)Density is limited to eight manufactured homes per acre.
- (2)Minimum lot area for a manufactured home park developed after the date of the adoption of this appendix is five acres of net area. A manufactured home park may expand, but the proposed expansion must consist of an area of not less than five acres of net area, and the proposed expansion and the original park must conform to the requirements in this appendix for a manufactured home park district.
- (3)Each manufactured home shall be located on a space having an area of at least 3,600 square feet.

- (4) Each manufactured home park shall be graded and drained so that rainwater will not stand in pools or puddles.
- (5) The minimum distance required for the separation of a manufactured home from any other manufactured home shall be: 15 feet from side to side, 20 feet from side to rear, and ten feet from rear to rear; setback from driveways shall be at least ten feet.
- (6) No manufactured home shall be located closer than 30 feet from the edge of the private access street or public right-of-way lines and not closer than 20 feet from property lines. Exception: When abutting an arterial or collector street the setback shall be 35 feet.
- (7) Each manufactured home park shall have a minimum area of 16,000 square feet set aside for common open space; in the cases of manufactured home parks larger than the minimum five acres, or in case of expansion of existing parks, 400 square feet of common open space shall be added for each additional manufactured home space.
- (8) All manufactured home spaces shall abut a paved interior manufactured home park street of which shall have access to a public street; all manufactured home spaces shall have all-weather walkways, leading from the entry of the manufactured home to the parking pad of not less than three feet in width.
- (9) All manufactured (mobile) homes shall be secured to an approved foundation by tie-downs and be fitted with a foundation type wall or skirt around the entire base of the unit. Such wall or skirt shall extend from the bottom (floor level) of the unit to the ground so that no open space remains between the unit and surface of the ground. Tie-downs, foundations, foundation walls and skirting shall comply with the City of Hinesville Building Codes and other related codes and ordinances.
- (10) Paved streets shall be required in all manufactured home parks. Paving shall conform to the article VI, Subdivision Regulations.
- (11) Manufactured home uses within this district shall conform to the requirements listed in article VI, section 602 of this appendix.
- (12) Off-street parking shall be in accordance with article VII of this appendix.

(E) **Area Regulations for RV Parks.** Unless otherwise specified in the ordinance, uses permitted in RV Parks shall conform to the following:

(1) **Standards and Requirements**

- (a) **Inspections.** It shall be unlawful for any person to operate any RV park within the city limits unless the applicant holds a valid permit issued by the local Health Department, pending an approval by the Building Official and the Director of LCPC, and a business license from the City of Hinesville. To ensure compliance with this Article and/or other Hinesville Code of Ordinances, the Building Official is hereby authorized to make inspections whenever deemed necessary.
- (b) **RV Park Area and Density.** The minimum area to be set aside for an RV park shall be a minimum of three (3) acres and not more than (5) five acres; The maximum density of RV spaces shall not exceed eight (8) RVs per acre;
- (c) **Individual RV Lots.** Each space within an RV Park shall be a minimum of thirty (30) feet wide and seventy (70) feet long. Each space shall be directly accessible from an approved

internal private road and there shall be no direct access from any external public or private street. All areas within the park shall be well-drained, grassed or hard-surfaced and dust-free. The only structures or vehicles which may be placed in an RV space are one (1) RV and one (1) motor vehicle. All RV spaces shall be clearly marked identifying the space number.

- (d) **Individual Parking Area.** Within each 30 ft. x 70 ft. RV space, there shall be a concrete parking pad which is at least ten (10) feet wide and thirty (30) feet in length. The remainder of the space, with the exception of the parking pad, must either be grassed or covered with a mulching material.
- (e) **Setbacks.** Within an RV park, minimum setbacks shall be provided as follows: RVs shall be located at least twenty-five (25) feet from any boundary of the RV park and at least thirty (30) feet from the edge of a public right-of-way. For arterial or collector streets the setback shall be a minimum of (35) feet. Service buildings, service areas and recreation areas shall be located at least ten (10) feet from any private road or RV space.
- (f) **Utilities.** If public sanitation service is available to all trailer/RV spaces, service station(s) shall not be required. If public sanitation service is not available to all RV spaces, then a sanitary station shall be provided in the ratio of one (1) for every one hundred (100) RV spaces or fraction thereof and/or meet the most current Georgia Health Regulations, whichever is more restrictive.
- (g) **Duration of Stay.** No RV shall remain in an RV park for a period of more than twelve (12) months. The owner of an RV park shall keep a chronological RV lot guest register showing the arrival and departure dates of each vehicle. This register shall be open for review to the City of Hinesville and shall be submitted to the City semi-annually.
- (h) **Registration office and staff.** Each RV park shall have an office on the premises which shall be open during normal business hours Monday through Friday. Each RV park shall require at least one staff member to live on site in the event of weekend or evening arrivals and/or emergencies. A responsible caretaker, owner, or manager shall be placed in charge of any RV park to keep all grounds, facilities and equipment in a clean, orderly, and sanitary condition, and shall be answerable to the owner or the City of Hinesville for any violation of the provisions of this or any other ordinance(s).
- (i) **State and County Licenses.** All RVs must have all licenses appropriate to the state and county of origin, and in no case shall such vehicles be considered real property;
- (j) **Green space and recreational area.** A minimum of twenty percent (20%) of the total land area of the RV park shall be

devoted to green space; at least one (1) recreation area which consists of a minimum of ten percent (10%) gross acreage of the recreational vehicle park parcel (e.g. community centers, swimming pools, playgrounds and/or other recreational equipment and sites) shall be provided. Such recreational areas shall be shown on a site plan to be approved by the LCPC, and the City of Hinesville Building, and Health Departments.

- (k) **Accessory Uses.** Permitted accessory uses of a commercial service nature and parking areas serving such accessory uses shall not occupy more than five percent (5%) of the gross area of the RV park, and shall be sized, laid out and designed to serve the frequent trade or service needs of travelers patronizing the RV park.
- (l) **Non-permitted uses.** No part of any RV park may be used for the parking or storage of any heavy equipment or trucks being used for commercial distribution, towing, or other commercial-related activities. No structural addition to any RV or manufactured home shall be permitted;
- (m) **Refuse.** All refuse containers shall have animal-proof lids and shall be maintained in a clean and sanitary condition. Garbage and refuse shall be disposed of in such a manner as to control flies, rodents and odors;

(2)Layout and Design Specifications

(a) **Perimeter Buffer.** The following layout and design specifications shall apply to any RV park. A 6 foot privacy fence shall be installed against all neighboring properties consisting of an opaque material as described in Chapter 17 of the City of Hinesville's Code of Ordinances in connection with a retained landscape/tree buffer or planted buffer of evergreen shrubs or trees at least twenty (20) feet in width.

(b) **Traffic and Roadways.** Each RV park shall have access to a public street. Each RV Park shall be so designed as to provide for a proper flow of traffic. Each RV space shall have sufficient unobstructed access to an RV park road, so as to permit the necessary maneuvering of RVs. All RV park roads shall be surfaced with asphalt or concrete. The entrance off of the public right-of-way shall have a pavement width of at least thirty (30) feet with an adequate curb radius. The major thoroughfare shall have a pavement width of twenty-four (24) feet in accordance with city standards. Each emergency access lane shall have a clear unobstructed width of twenty-four (24) feet (fifteen (15) feet if one-way) and shall have a turning area and radii with a minimum of sixty (60) feet to permit free movement of emergency vehicles and RVs. Dead-end streets shall not be permitted.

(c) **Lighting.** All roads, walkways, grouped-bay parking and service areas shall be provided with lighting adequate to ensure the safety of vehicular and pedestrian traffic. All lighting shall be arranged as far away as possible to reflect away from RV spaces.

Sec. 514. - C-3, highway commercial district.

This district establishes a heavy commercial zone to provide a wide variety of commercial facilities, areas for wholesaling and distribution uses, commercial uses needing access to major highways, and commercial uses utilizing large sites. **Temporary residential uses requiring**

access to major highways, such as RV parks, shall also be permitted in the highway commercial district. Encroachment by residential, industrial or other uses considered capable of adversely affecting the commercial character of the district will be discouraged.

(A) **Use regulations.** Buildings and property shall be used for the following purposes:

- (1) All uses permitted in the C-1 and C-2 districts;
- (2) Shopping center; provided, that they meet the standards and requirements of section 622
- (3) Auto and truck repair shops;
- (4) Restaurants, drive-in restaurants, and diners;
- (5) Motels, hotels, inns;
- (6) Theaters, drive-in theaters;
- (7) Bowling alley, skating rink (ice or roller), golf driving range, putt-putt course, tennis courts, skateboard park;
- (8) Commercial greenhouse and plant nursery;
- (9) Auto, marina, and heavy equipment sales;
- (10) Fruit and/or vegetable and/or produce structures;
- (11) Building supply store;
- (12) Accessory uses and structures incidental to the above uses;
- (13) Any other use which the Director of Inspections determines to be compatible with the intent of this zone; and
- (14) Recreational Vehicle Park (RV Park).

SECTION II SEVERABILITY

In the event that any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, sentences, clauses, or phrases of this Ordinance, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof.

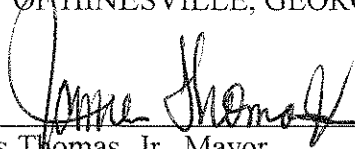
SECTION III REPEALER

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed

**SECTION IV
EFFECTIVE DATE**

This Ordinance shall become effective on the 1st day of May, 2014.
APPROVED this 3rd day of April, 2014, by the Mayor and Council of the City
of Hinesville.

CITY OF HINESVILLE, GEORGIA:



James Thomas, Jr., Mayor



Charles Frasier, Mayor Pro Tem


Jason Floyd, Council Member



David Anderson, Sr., Council Member



Keith Jenkins, Council Member



Kenneth Shaw, Council Member

ATTEST:



Sarah R. Lumpkin, City Clerk