PIKE COUNTY PLANNING AND ZONING BOARD

P.O. Box 377 . 77 Jackson Street
Zebulon, GA 30295

Jason Leatherman
Brandy Loggins
Bryan Pate
Edward "Ed" Penland
Scott Huckaby (At Large)

Planning and Zoning Board AGENDA
Thursday, November 10, 2022 - 6:30 PM
Courthouse, Main Courtroom, 16001 Barnesville Street, Zebulon, Georgia

I. Call to Order

II. Approval of the Agenda - (O.C.G A. § 50-14-1 (e) (1))

III. Approval of the Minutes - (O.C.G A. § 50-14-1 (e) (2))

a. Approval of minutes from the October 13, 2022 Planning and Zoning Board Meeting.

IV. Unfinished Business

a. Elect Chairman and Vice Chairman for the Planning and Zoning Board for the remainder of 2022 and 2023.

V. New Business

Public Hearing

a. VAR-22-12 Matthew Caraway owner and applicant request a variance to development regulations for property located at 285 New Road, Molena, GA 30258 in Land Lot 157 of the 9th District, further identified as Parcel ID 034 040. The property consists of 5 +/- acres and the request is to allow an accessory building to be constructed on a lot less than 10 acres before the primary structure is built. Commission District 2, Commissioner Tim Guy. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will have final decision.**

b. SE-22-04 Peach State Aerodrome owner and Keven Sasser Applicant request a special exception to allow residential pilot quarters in the C-2 zoning district on a portion of Parcel ID 050 022 and 050 022A located on Jonathan Roost Road, Williamson, GA 30292 in Land Lots 232 & 249 of the 8th District. The property consists of 28.16+/- acres. Commission District 4, Commissioner James Jenkins. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

c. SE-22-05 Joshua Denton owner and applicant request a special exception to operate a general home occupation for property located at 264 Walker Road, Meansville, GA 30256 in Land Lot 89 of the 8th District, further identified as Parcel ID 093 035CB. The property consists of 3.0 +/- acres and the request is to allow the parking of 3 trucks in association with a general home occupation. Commission District 3, Commissioner Jason Proctor. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation**

to the BOC for final decision.

d. Text amendments to Title XV, Land Usage, Chapter 150, Building Regulations, Chapter 155, Subdivisions, Chapter 156 Zoning Code, Chapter 160, US Highway 19 & US Highway 41 Overlay District Ordinance, and Chapter 164, Fence, Wall & Buffer Ordinance. The purpose of this text amendment is to change the name of the Planning Commission and the Board of Appeals to the newly created Planning and Zoning Board in the aforementioned sections of the Code. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

VI. Discussion - None

VII. Adjournment

PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

October 13, 2022 Minutes

SUBJECT:

Approval of minutes from the October 13, 2022 Planning and Zoning Board Meeting.

ACTION:

ADDITIONAL DETAILS:

ATTACHMENTS:

	Type	Description
🗋	Exhibit	Minutes

REVIEWERS:

Department	Reviewer	Action	Comments
County Clerk	Gilbert, Jeremy	Approved	Item Pushed to Agenda

PIKE COUNTY
Planning and Zoning Board
October 13, 2022
6:30 P.M.

POST AGENDA

Jason Leatherman **ABSENT** ● Brandy Loggins ●
Bryan Pate **ABSENT** ● Edward "Ed" Penland ● Scott Huckaby(At Large)

I. Call to Order

Board Member Huckaby called the meeting to order by sound of the gavel at 6:30 pm and lead us in the pledge of allegiance.

II. Approval of the Agenda

Board Member Penland moved to approve the agenda. Board Member Loggins seconded the motion. The agenda was approved by a vote of 3-0-0.

IV. <u>Old Business:</u> NONE

V. <u>New Business:</u>

(1.) Election of Chairman and Vice Chairman for 2022 for the Planning and Zoning Board

The Planning & Development Director Jeremy Gilbert proposed to the newly elected board to elect a chairman and a vice-chairman.

Board Member Loggins moved to Postpone the Election of the Chairman and Vice-Chairman for 2022 for the Planning and Zoning Board until the next Board Meeting on November 10, 2022, with hopefully a full Board present. Board Member Huckaby seconded the motion. The motion was passed by a vote of 3-0-0.

<u>Public Hearing:</u>

(2.) REZ-22-06. J. Craig Darsey, owner and applicant is requesting a rezoning from A-R (Agricultural-Residential) to C-3 (Heavy Commercial) for property located at 5385 US Highway 19, Zebulon, GA., 30295, in Land Lots 232 & 249 of the 8th Land District further identified as Parcel ID Number 069 017. The property consist of 12.3 +/- acres and the request is to rezone

the property to C-3 to allow the parking and storing of equipment and commercial vehicles. Commission District: 2, Commissioner: Tim Guy. THE PUBLIC IS INVITED TO ATTEND TO SPEAK IN FAVOR OR IN OPPOSITION OF THE REQUEST. THE PLANNING AND ZONING BOARD WILL FORWARD A RECOMMENDATION TO THE BOARD OF COMMISSIONERS FOR FINAL DECISION.

The Planning & Development Director Jeremy Gilbert introduced the application with his staff recommendation to the board to approve with 3 Zoning Conditions. The conditions are as following:

1. **The Portion of the property that is located within the overlay shall go through the overlay review process before any new development is allowed on that portion of the property.**
2. **A Special Exception will be required for outside storage to be permissible.**
3. **A fifty-foot(50) buffer shall be planted or maintained on all property lines that abut a residentially zoned property meeting the standards outline in Chapter 164 of the Pike County Code.**

The Planning & Development Director, Jeremy Gilbert asked the Applicant and Owner, J. Craig Darsey to come forth to sign in on the sign in sheet and to explain his Application.

The Planning & Development Director, Jeremy Gilbert opened the floor up for public opinion, whether for or against.

Names of people in favor	Names of people who oppose
1. Craig Darsey	1. NONE
2. Ron Snowden	

The Planning & Development Director, Jeremy Gilbert closed the floor.

The Planning & Development Director, Jeremy Gilbert then asked the Board for any discussion and then to make a motion.

Board Member Loggins made a motion to approve the rezoning with the following 4 Zoning Conditions:

1. **The portion of the property that is located within the overlay shall go through the overlay review process before any new development is allowed on that portion of the property.**
2. **A special exception will be required for outside storage to be permissible.**
3. **A fifty-foot (50') buffer shall be planted or maintained on all property lines that abut a residentially zoned property meeting the standards outline in Chapter 164 of the Pike County Code.**

4. **Only the proposed use of parking and storage of trucks, trailers and equipment will be allowed. All other commercial uses will require board approval.**

Board Member Huckaby seconded the motion. The motion was passed by a vote of 3-0-0.

III. <u>Discussions:</u>

The Planning & Development Director, Jeremy Gilbert thanked the Newly Elected Board for coming out tonight. Jeremy Gilbert also explained to them about the manuals that he had passed out earlier before the meeting and the procedures. (emailing packets exactly one week before the Board Meeting)

IV. Adjournment

Board Member Penland moved to adjourn the meeting. Board Member Huckaby seconded the request. The motion was passed by vote of 3-0-0.

The meeting was closed by the sound of the gavel at 6:44 pm.

PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

Election of Chairman and Vice Chairman for 2022/2023

SUBJECT:

Elect Chairman and Vice Chairman for the Planning and Zoning Board for the remainder of 2022 and 2023.

ACTION:

ADDITIONAL DETAILS:

REVIEWERS:

Department	Reviewer	Action	Comments
County Clerk	Gilbert, Jeremy	Approved	Item Pushed to Agenda

PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

VAR-22-12

SUBJECT:

VAR-22-12 Matthew Caraway owner and applicant request a variance to development regulations for property located at 285 New Road, Molena, GA 30258 in Land Lot 157 of the 9th District, further identified as Parcel ID 034 040. The property consists of 5 +/- acres and the request is to allow an accessory building to be constructed on a lot less than 10 acres before the primary structure is built. Commission District 2, Commissioner Tim Guy. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will have final decision.**

ACTION:

ADDITIONAL DETAILS:

ATTACHMENTS:

	Type	Description
🗋	Exhibit	Staff Report

REVIEWERS:

Department	Reviewer	Action	Comments
County Clerk	Gilbert, Jeremy	Approved	Item Pushed to Agenda

PLANNING AND DEVELOPMENT OFFICE
Planning – Zoning – Environmental – Permits & Inspections
Code Enforcement
P. O. Box 377
77 Jackson Street
Zebulon, GA 30295
Phone: 770-567-2007
Fax: 770-567-2024
sparks@pikecoga.com
"Serving Citizens Responsibly"

Case Number: VAR-22-12

Planning and Zoning Board Meeting: November 10, 2022

Mailed Notices: October 25, 2022

Sign Posted: October 26, 2022

Owner and Applicant: Matthew Caraway

Property Location: 285 New Road
Molena, GA 30258
Landlot: 157
District: 9th
Parcel ID: 034 040

Acreage: 5.0+/- acres

Commission District: District 2, Tim Guy

FEMA Data: Does not lie within a flood zone.

Request: The applicant is requesting a variance to development regulations regarding accessory structures as outlined in Section 156.44 (H)(4) of the Pike County Code. The requested variance is to allow the accessory structure on a lot less than 10 acres prior to the primary structure being constructed.

Code Reference: CH 156.44(H) Accessory building standards:

(4) An accessory building, except for dwellings such as guest quarters and garage apartments, erected on a lot prior to the time of construction of the principal building must be located on lots 10 acres or more and can be located towards the front of the principal building.

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Staff Analysis: The Subject property is zoned A-R, Agricultural-Residential. The applicant is wanting to construct an accessory building prior to the construction of the primary structure on a lot that is less than 10 acres. The applicant is asking for this variance so they will have a building to store their building materials in during construction of the primary structure.

§156.26 VARIANCES

(A) A variance is a permit, issued by the Board of Appeals, which allows use of a parcel of land in a way that does not meet certain requirements for the district in which the property is located. A variance may be granted only in an individual case where an extreme hardship would result if all of the requirements of this chapter were applied stringently to a particular piece of property. The hardship must be proven by showing beyond a doubt that reasonable use of the land is not possible if all of the requirements of this chapter are to be met. The hardship cannot be self-created such as:

(1) A lot purchased with knowledge of an existing restriction;

According to the applicant they were not aware that Pike County had a requirement for accessory structures being built on lots less than 10 acres before the primary structure.

(2) A claim of hardship in terms of prospective sales;

No hardship has been indicated for a prospective sale.

(3) An expressed economic need requiring a variance, when such a need can be met in other ways which would not require a variance.

The need can be meet without the approval of a variance. The applicant can pull the house permit and the accessory permit at the same time and have the accessory structure completed before the primary structure is completed.

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(B) Relief from the hardship and the variance must not cause substantial detriment to the public good or impair the purposes of this chapter.

Allowing the proposed variances will not cause a substantial detriment to the public good or but could impair the purpose of this chapter by setting a precedence of allowing accessory structures before the primary structure on lots less than 10 acres in size.

Recommendation:
Staff recommends **DENIAL** of the variance. However, Should the Board approve the variance staff would recommend the following condition:

1. A building permit application for the primary structure shall be submitted within 90 days of the accessory structure certificate of completion being issued.

Attachments:
- Application
- Tax Map
- Plat
- Legal Ad
- Sign photo

PIKE COUNTY
PLANNING AND ZONING BOARD

Application # VAR-22-12 Planning and Zoning Board Public Hearing Date: 11-10-22

Board of Commissioners Public Hearing Date: 11-29-22

[ ] Special Exception [ ] Special Use Permit [✓] Variance [ ] Appeal

Property Information: District(s): ~~Pike~~ 9 Land Lot(s): 157 Acres: 5

Tax Map Parcel #: 034 040 Address if assigned: 285 New Rd

Description of Request: construction of accessory building

Code Reference(s): 156.44 (H) (4) Present Zoning: AR

Documentation Required: [ ] Copy of Recorded Plat [ ] Copy of Recorded Deed

[ ] Letter of Explanation [ ] Health Department Letter of Approval [ ] Sketch or site plan (preferable)

[ ] Agent Authorization (if needed) [ ] Campaign Disclosure Form [ ] Other

Property Owner: Matthew Caraway Applicant: Matthew Caraway

Address: 285 New Rd Address: 285 New Rd

City: Molena State: GA Zip: 30258 City: Molena State: GA Zip: 30258

Phone/email: 678-588-1753 Phone/email: lacey092110@gmail.com

Property Owner Authorization: I declare to the best of my knowledge the information given on this application to be true, correct and accurate. I hereby authorize the staff of the Department of Planning and Development, members of the Planning and Zoning Board and Board of Commissioners to inspect the property which is the subject of this application.

Owner's Signature: [signature] Date: 10-6-2022

Owner's Printed Name: Matthew Caraway

Sworn to and subscribed before me this 7th day of October, 2022

Notary Public (signature & seal): [signature]

NOTARY PUBLIC GEORGIA PIKE COUNTY EXPIRES April 3, 2026

Additional Property Owners (attach additional sheets as needed):

Property Owner Authorization I declare to the best of my knowledge the information given on this application to be true, correct and accurate. I hereby authorize the staff of the Department of Planning and Development, members of the Planning and Zoning Board and Board of Commissioners to inspect the property which is the subject of this application.

Owner's Signature: Lacey Caraway Date: 10-7-22

Owner's Printed Name: Lacey Caraway

Sworn to and subscribed before me this 7th day of October, 2022.

Notary Public (signature & seal): Rose M Fields

ROSE M FIELDS NOTARY PUBLIC PIKE COUNTY GEORGIA EXPIRES April 3, 2026

Property Owner Authorization I declare to the best of my knowledge the information given on this application to be true, correct and accurate. I hereby authorize the staff of the Department of Planning and Development, members of the Planning and Zoning Board and Board of Commissioners to inspect the property which is the subject of this application.

Owner's Signature: Matthew Caraway Date: 10-7-22

Owner's Printed Name: Matthew Caraway

Sworn to and subscribed before me this 7th day of October, 2022.

Notary Public (signature & seal): Rose M Fields

ROSE M FIELDS NOTARY PUBLIC PIKE COUNTY GEORGIA EXPIRES April 3, 2026

Property Owner Authorization for Applicant (if Applicant is Different From Property Owner): I swear and affirm that I am the sole owner or own at least 51% of the property described on this application, and further authorize the person named as applicant to file this application and act as my agent. Further, I hereby authorize the staff of the Department of Planning and Development, members of the Planning and Zoning Board and Board of Commissioners to inspect the property which is the subject of this application.

Owner's Signature: _____ Date: _____

Owner's Printed Name: _____

Sworn to and subscribed before me this _____ day of _____, 20___.

Notary Public (signature & seal): _____

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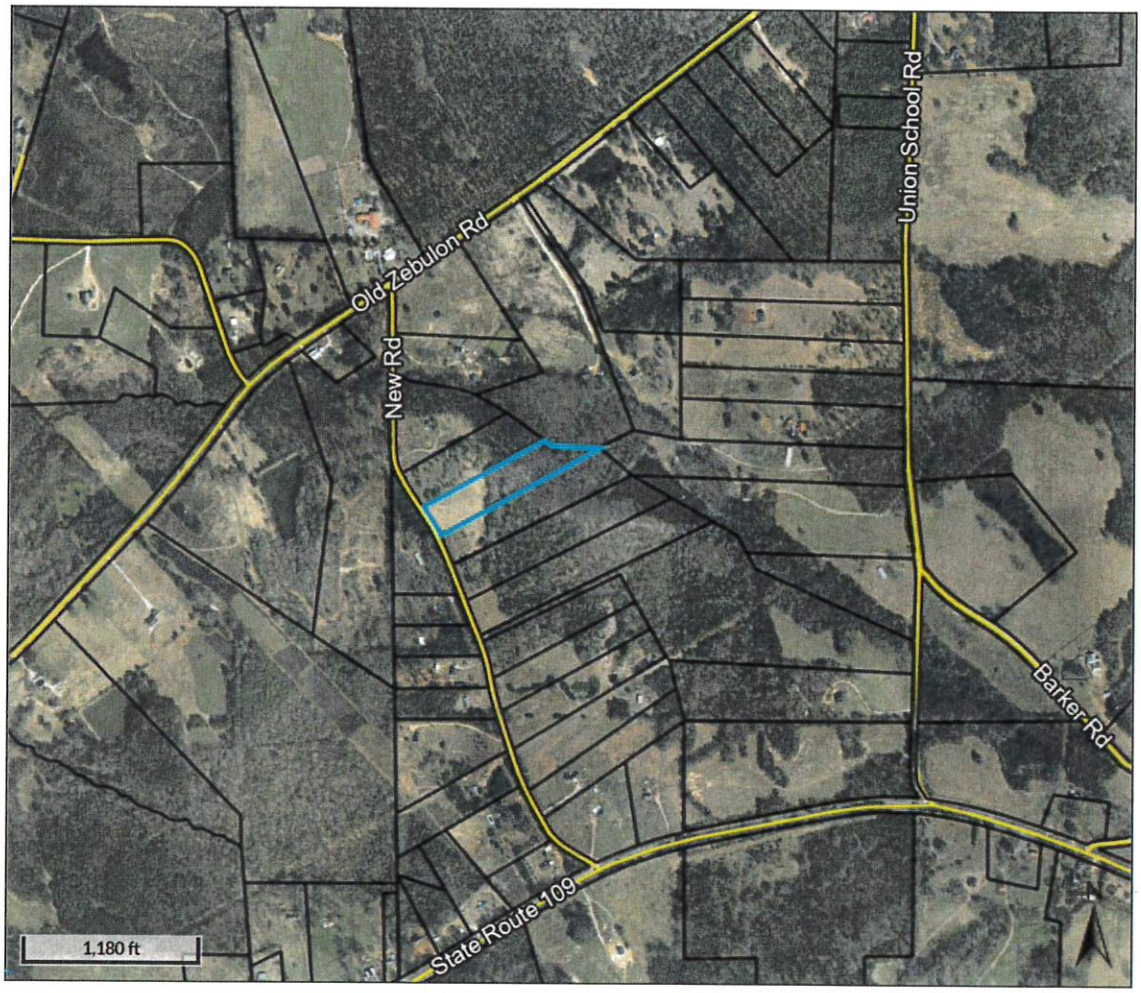


Overview

Legend

- Parcels
- Roads
- Streams and River (Large)

Flood Map

- A - 100 Year Flood Area - Areas of 1% annual chance floo also known as the base flood. Base Flood Elevations (BFE) have not bee determined.
- AE -100 Year Flood Area - Areas of 1% annual chance floo also known as the base flood. Determined by detailed methods with Base Flood Elevations (BFE).
- VE: Coastal SFHA with BFE & velocity wave action - Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.
- X: 500 Year Flood - Areas of 0.2% annual chance floo

Parcel ID	034 040
Class Code	Residential
Taxing District	UNINCORPORATED
Acres	5

(Note: Not to be used on legal documents)

Owner	LUIS, JOSEPH M. 211 DOBBINS MILL RD GRIFFIN, GA 30223
Physical Address	285 NEW RD
Assessed Value	Value $34000

Last 2 Sales

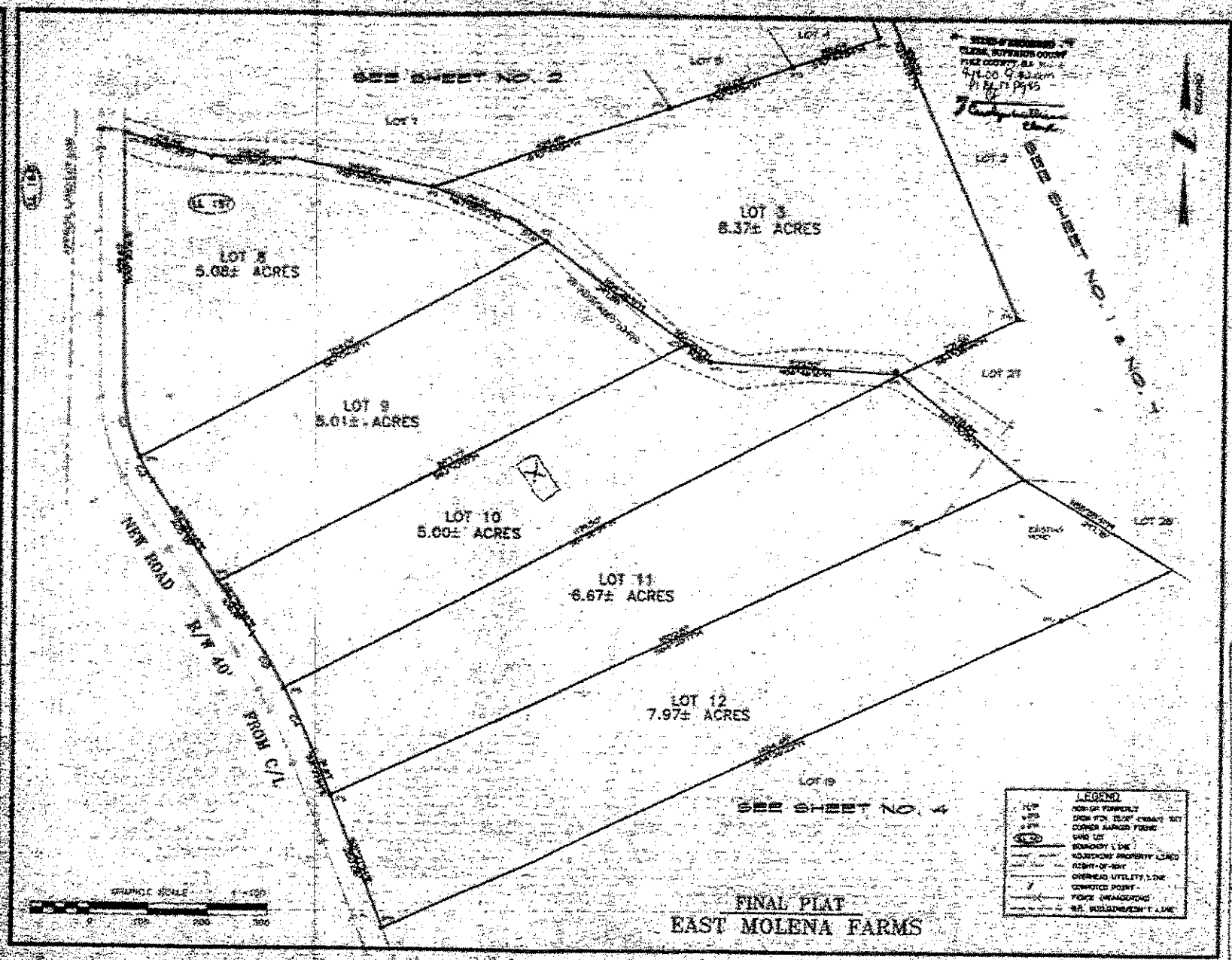
Date	Price	Reason	Qual
4/2/2021	$45000	FM	Q
4/18/2017	$34600	LM	Q

Date created: 10/28/2022
Last Data Uploaded: 10/28/2022 6:54:21 AM

Developed by

Terra Services, Inc.

LAND SURVEYING, PLANNING & ENGINEERING



FINAL PLAT
EAST MOLENA FARMS

CLYDE PASTLEBERRY CO., COVINGTON, GA. 30209

PIKE COUNTY
PLANNING AND ZONING BOARD
6:30 p.m. November 10, 2022

The Pike County Planning and Zoning Board will conduct its scheduled monthly meeting on November 10, 2022, at 6:30 p.m. on the second floor of the Pike County Courthouse located at 16001 Barnesville Street, Zebulon, Georgia. The Board will conduct **PUBLIC HEARINGS** on the following item:

(1) VAR-22-12 Matthew Caraway owner and applicant request a variance to development regulations for property located at 285 New Road, Molena, GA 30258 in Land Lot 157 of the 9th District, further identified as Parcel ID 034 040. The property consists of 5 +/- acres and the request is to allow an accessory building to be constructed on a lot less than 10 acres before the primary structure is built, Commission District 2, Commissioner Tim Guy. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will have final decision.**

(2) SE-22-04 Peach State Aerodrome owner and Keven Sasser Applicant request a special exception to allow residential pilot quarters in the C-2 zoning district on a portion of Parcel ID 050 022 and 050 022A located on Jonathan Roost Road, Williamson, GA 30292 in Land Lots 232 & 249 of the 8th District. The property consists of 28.16+/- acres. Commission District 4, Commissioner James Jenkins. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

(3) SE-22-05 Joshua Denton owner and applicant request a special exception to operate a general home occupation for property located at 264 Walker Road, Meansville, GA 30256 in Land Lot 89 of the 8th District, further identified as Parcel ID 093 035CB. The property consists of 3.0 +/- acres and the request is to allow the parking of 3 trucks in association with a general home occupation. Commission District 4, Commissioner James Jenkins. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

(4) Text amendments to Title XV, Land Usage, Chapter 150, Building Regulations, Chapter 155, Subdivisions, Chapter 156 Zoning Code, Chapter 160, US Highway 19 & US Highway 41 Overlay District Ordinance, and Chapter 164, Fence, Wall & Buffer Ordinance. The purpose of this text amendment is to change the name of the Planning Commission and the Board of Appeals to the newly created Planning and Zoning Board in the aforementioned sections of the Code. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

The Pike County Board of Commissioners will conduct a **PUBLIC HEARING** on November 29, 2022, at 6:30 pm at the Pike County Courthouse located at 16001 Barnesville Street, Zebulon, Georgia. **The public is invited to speak in favor or in opposition of the request.**

#314 10/26; 11/2

Sign Photo VAR-22-12

Posted 10-26-2022

PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

SE-22-04

SUBJECT:

SE-22-04 Peach State Aerodrome owner and Keven Sasser Applicant request a special exception to allow residential pilot quarters in the C-2 zoning district on a portion of Parcel ID 050 022 and 050 022A located on Jonathan Roost Road, Williamson, GA 30292 in Land Lots 232 & 249 of the 8th District. The property consists of 28.16+/- acres. Commission District 4, Commissioner James Jenkins. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

ACTION:

ADDITIONAL DETAILS:

ATTACHMENTS:

Type	Description
Exhibit	Staff Report

REVIEWERS:

Department	Reviewer	Action	Comments
County Clerk	Gilbert, Jeremy	Approved	Item Pushed to Agenda

PLANNING AND DEVELOPMENT OFFICE
Planning – Zoning – Environmental – Permits & Inspections
Code Enforcement
P. O. Box 377 **Phone: 770-567-2007**
77 Jackson Street **Fax: 770-567-2024**
Zebulon, GA 30295 **sparks@pikecoga.com**
"Serving Citizens Responsibly"

Case Number: SE-22-04

Planning and Zoning Board: November 10, 2022

Board of Commissioners Meeting: November 29, 2022

Mailed Notices: October 25, 2022

Sign Posted: October 26, 2022

Owner: Peach State Aerodrome

Applicant: Keven Sasser

Acreage: 28.16 acres

Commission District: District 4, James Jenkins

FEMA Data: Does not lie within a flood zone.

Request: Applicant and owner are requesting permission via the special exception process to allow residential uses, pilot quarters in hangers, in the C-2 Zoning District .

Code Reference: *156.203 Permitted Uses: (E)* Any use not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special exception and follow the procedures for a special exception.

Staff Analysis: The applicant is requesting a special exception to allow residential uses within the C-2 Zoning District. The applicant is wanting to allow private pilot quarters in some of the hangers in the development in particular buildings as identified on the proposed site plan attached. Based on the letter of intent provided by the applicant they are wanting this special exception to allow the new hangers that are planned for the development the ability to have a place in the hanger to allow for overnight quarters, an office, lounge area and a kitchenette to provide the pilot a place to stay when flying into the airpark to their hangers.

Pike County Department of Planning and Development

PLANNING AND DEVELOPMENT OFFICE

Planning – Zoning – Environmental – Permits & Inspections
Code Enforcement

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(E) The Planning and Zoning Board will consider the following points in arriving at a recommendation on the special exception:

(1) It must not be contrary to the purposes of these regulations;

The request is not contrary to the purpose of the ordinance as it allows special exceptions to allow uses that are not listed as permitted uses.

(2) It must not be detrimental to the use or development of adjacent properties or to the general neighborhood and it must not adversely affect the health, safety or welfare of the residents or workers;

Allowing pilot quarters in the C-2 zoning district would not be detrimental to the use or development of adjacent properties or to the general neighborhood and it must not adversely affect the health, safety or welfare of the residents or workers.

(3) It must not constitute a nuisance or hazard because of the number of persons who will attend or use such a facility, vehicular movement, noise or fumes generated or type of physical activity;

The proposed use of the property should not create a nuisance or a hazard to the surrounding properties.

(4) It must not adversely affect existing uses and it must be proposed to be placed on a lot of sufficient size to satisfy the space requirements of the use;

The proposed use should not adversely affect any existing uses in the area as it is consistent with the overall plan for the airpark.

(5) It must meet all other requirements of these regulations;

All other requirements will be met.

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(6) In addition, the Planning and Zoning Board shall also consider whether the applicant for the special exception at the time of submitting the application is in violation of the Zoning Code or any other provision of Code of Pike County, Georgia. If the applicant is determined to be in violation of the Zoning Code or any other provision of the Code of Pike County, Georgia, then the Board of Appeals shall further consider the circumstances related to such violation(s) as part of the criteria for considering the requested special exception.

The property is not currently in violation of the code.

Recommendation:
Staff recommends **APPROVAL** of this special exception with the following conditions:

1. The allowance of residential uses shall only be allowed on the 10 lots identified on the as-built survey provided as Lot A, Lot B, Lot C, Lot D, Lot E, Lot 1, Lot 2, Lot 3, Lot X and Lot Y.

2. The use of the building for residential shall be subordinate to the use of the building as a hanger.

Attachments:
- Application
- Tax Map
- As-built Survey
- Legal Ad
- Sign Photo
- Special Exception Packet

RECEIVED 10/5/22

PIKE COUNTY
~~BOARD OF APPEALS~~
PLANNING & ZONING BOARD

Application # SE 22-04

Board of Appeals Public Hearing Date: 11/10/22 @ 6:30 pm

Board of Commissioners Public Hearing Date: 11/29/22 @ 6:30 pm

[X] Special Exception [ ] Special Use Permit [ ] Variance [ ] Appeal

Property Information: District(s): 1 Land Lot(s): ~~Tract 1~~ 131 Acres: ~~508~~ 28.16

Tax Map Parcel #: 050 022 & 050 022A Address if assigned:

Description of Request: Request for residential exceptions (small pilot quarters) to current C-2 zoned property.

Code Reference(s): 156.203 (E) Present Zoning: C-2

Documentation Required: [X] Copy of Recorded Plat [X] Copy of Recorded Deed

[X] Letter of Explanation [X] Health Department Letter of Approval [X] Sketch or site plan (preferable)

[ ] Agent Authorization (if needed) [ ] Other

Property Owner: Peach State Aerodrome
Address: 349 Jonathan's Roost Rd.
City: Williamson State: GA Zip: 30292
Phone/email: Keven.Sasser@peachstateaero.com

Applicant: Keven Sasser
Address: 314 Jonathan's Roost Rd.
City: Williamson State: GA Zip: 30292
Phone/email: 405-406-6313

Property Owner Authorization: I declare to the best of my knowledge the information given on this application to be true, correct and accurate. I hereby authorize the staff of the Department of Planning and Development, members of the Board of Appeals and Board of Commissioners to inspect the property which is the subject of this application.

Owner's Signature: Keven Sasser Date: 10-4-22

Owner's Printed Name: Keven Sasser

Sworn to and subscribed before me this 4 day of October, 2022.

Notary Public (signature & seal): Hannah V. Wilson
Comm. Exp. 11/22/24

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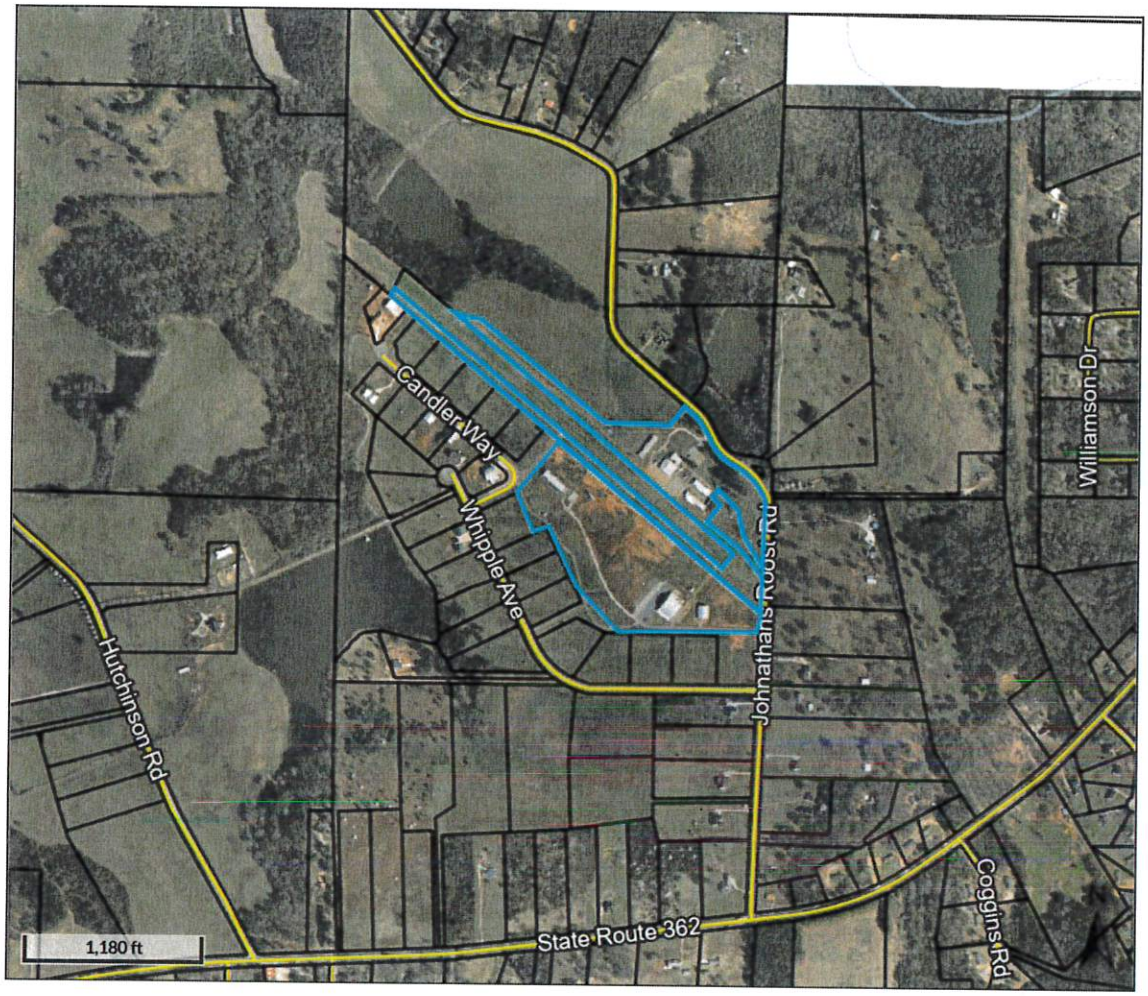


Overview

Legend

- Parcels
- Roads
- Streams and River (Large)

Flood Map

- A - 100 Year Flood Area - Areas of 1% annual chance floo also known as the base flood. Base Flood Elevations (BFE) have not bee determined.
- AE - 100 Year Flood Area - Areas of 1% annual chance floo also known as the base flood. Determined by detailed methods with Base Flood Elevations (BFE).
- VE: Coastal SFHA with BFE & velocity wave action - Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.
- X: 500 Year Flood - Areas of 0.2% annual chance floo

Parcel ID	050 022
Class Code	Commercial
Taxing District	UNINCORPORATED
Acres	14.57

(Note: Not to be used on legal documents)

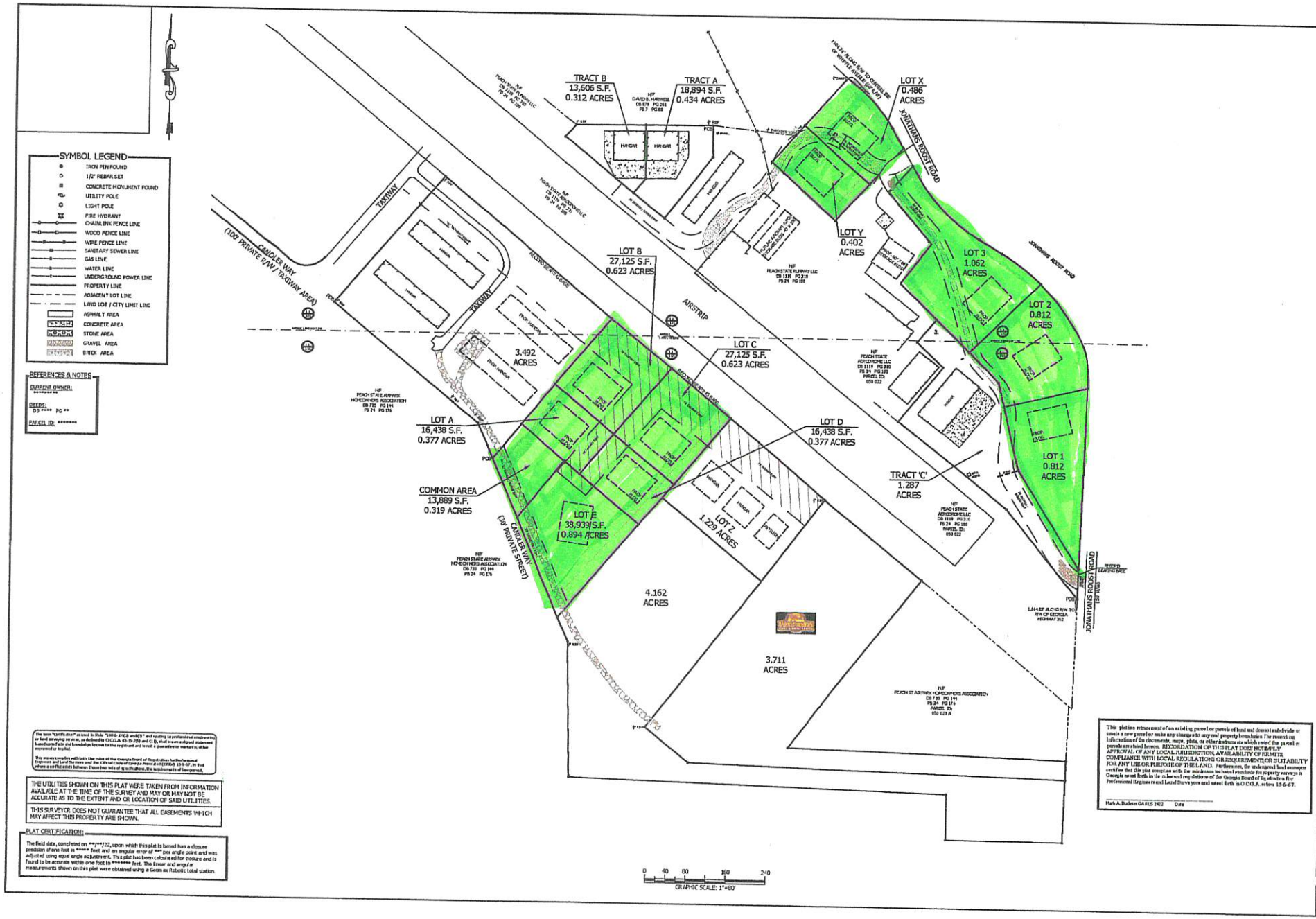
Owner	PEACH STATE AERODROME LLC 112 STILLWATER TRACE GRIFFIN, GA 30223
Physical Address	JONATHANS ROOST RD
Assessed Value	Value $344756

Last 2 Sales

Date	Price	Reason	Qual
4/4/2018	0	IC	U
4/4/2018	$229500	MP	U

Date created: 10/28/2022
Last Data Uploaded: 10/28/2022 6:54:21 AM

Developed by


SYMBOL LEGEND
IRON PIN FOUND
1/2" REBAR SET
CONCRETE MONUMENT FOUND
UTILITY POLE
LIGHT POLE
FIRE HYDRANT
CHAIN LINK FENCE LINE
WOOD FENCE LINE
WIRE FENCE LINE
SANITARY SEWER LINE
GAS LINE
WATER LINE
UNDERGROUND POWER LINE
PROPERTY LINE
ADJACENT LOT LINE
LAND LOT / CITY LIMIT LINE
ASPHALT AREA
CONCRETE AREA
STONE AREA
GRAVEL AREA
BRICK AREA
REFERENCES & NOTES
CURRENT OWNER:
DEEDS:
PARCEL ID:
TRACT B
13,606 S.F.
0.312 ACRES
TRACT A
18,894 S.F.
0.434 ACRES
LOT X
0.486
ACRES
LOT Y
0.402
ACRES
LOT 3
1.062
ACRES
LOT 2
0.812
ACRES
LOT 1
0.812
ACRES
LOT B
27,125 S.F.
0.623 ACRES
LOT C
27,125 S.F.
0.623 ACRES
LOT A
16,438 S.F.
0.377 ACRES
LOT D
16,438 S.F.
0.377 ACRES
COMMON AREA
13,889 S.F.
0.319 ACRES
LOT E
38,939 S.F.
0.894 ACRES
LOT Z
1.229 ACRES
TRACT 'C'
1.287
ACRES
3.492
ACRES
4.162
ACRES
3.711
ACRES
HANGAR
TAXIWAY
AIRSTRIP
CANDLER WAY
(100' PRIVATE R/W / TAXIWAY AREA)
CANDLER WAY
(50' PRIVATE STREET)
JOHNNIES ROOST ROAD
PEACH STATE AIRPARK HOMEOWNERS ASSOCIATION
PEACH STATE AERODROME LLC
PEACH STATE RUNWAY LLC
DAVID B. HARWELL
THE UTILITIES SHOWN ON THIS PLAT WERE TAKEN FROM INFORMATION AVAILABLE AT THE TIME OF THE SURVEY AND MAY OR MAY NOT BE ACCURATE AS TO THE EXTENT AND OR LOCATION OF SAID UTILITIES.
THIS SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.
PLAT CERTIFICATION:
The field data, completed on **/**/22, upon which this plat is based has a closure precision of one foot in ***** feet and an angular error of *** per angle point and was adjusted using equal angle adjustment. This plat has been calculated for closure and is found to be accurate within one foot in ******* feet. The linear and angular measurements shown on this plat were obtained using a Geomax Robotic total station.
This plat is a resurvey of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and set forth in O.C.G.A. section 15-6-67.
Mark A. Buderer GA RLS 2422 Date
GRAPHIC SCALE: 1"=80'
0 40 80 160 240
SES
ENGINEERING PLANNING SURVEYING
SCANLON ENGINEERING SERVICES, INC.
211 EAST BANK STREET
GRIFFIN, GEORGIA 30223
PHONE: (678) 647-2884 www.scanlonengr.com
BOUNDARY / AS-BUILT SURVEY FOR
PEACH STATE AERODROME LLC
LOCATED IN LAND LOTS 131 & 158 OF THE 1st DISTRICT, PIKE COUNTY, GEORGIA
GEORGIA REGISTERED PROFESSIONAL LAND SURVEYOR
DRAFT
BOUNDARY / AS-BUILT SURVEY
Review by: MHB
Drawn by: JMS
Project #: 0225001
Date: 4.8.2022
SHEET TITLE
445D
SHEET # 01 OF 02

PIKE COUNTY
PLANNING AND ZONING BOARD
6:30 p.m. November 10, 2022

The Pike County Planning and Zoning Board will conduct its scheduled monthly meeting on November 10, 2022, at 6:30 p.m. on the second floor of the Pike County Courthouse located at 16001 Barnesville Street, Zebulon, Georgia. The Board will conduct **PUBLIC HEARINGS** on the following item:

(1) VAR-22-12 Matthew Caraway owner and applicant request a variance to development regulations for property located at 285 New Road, Molena, GA 30258 in Land Lot 157 of the 9th District, further identified as Parcel ID 034 040. The property consists of 5 +/- acres and the request is to allow an accessory building to be constructed on a lot less than 10 acres before the primary structure is built. Commission District 2, Commissioner Tim Guy. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will have final decision.**

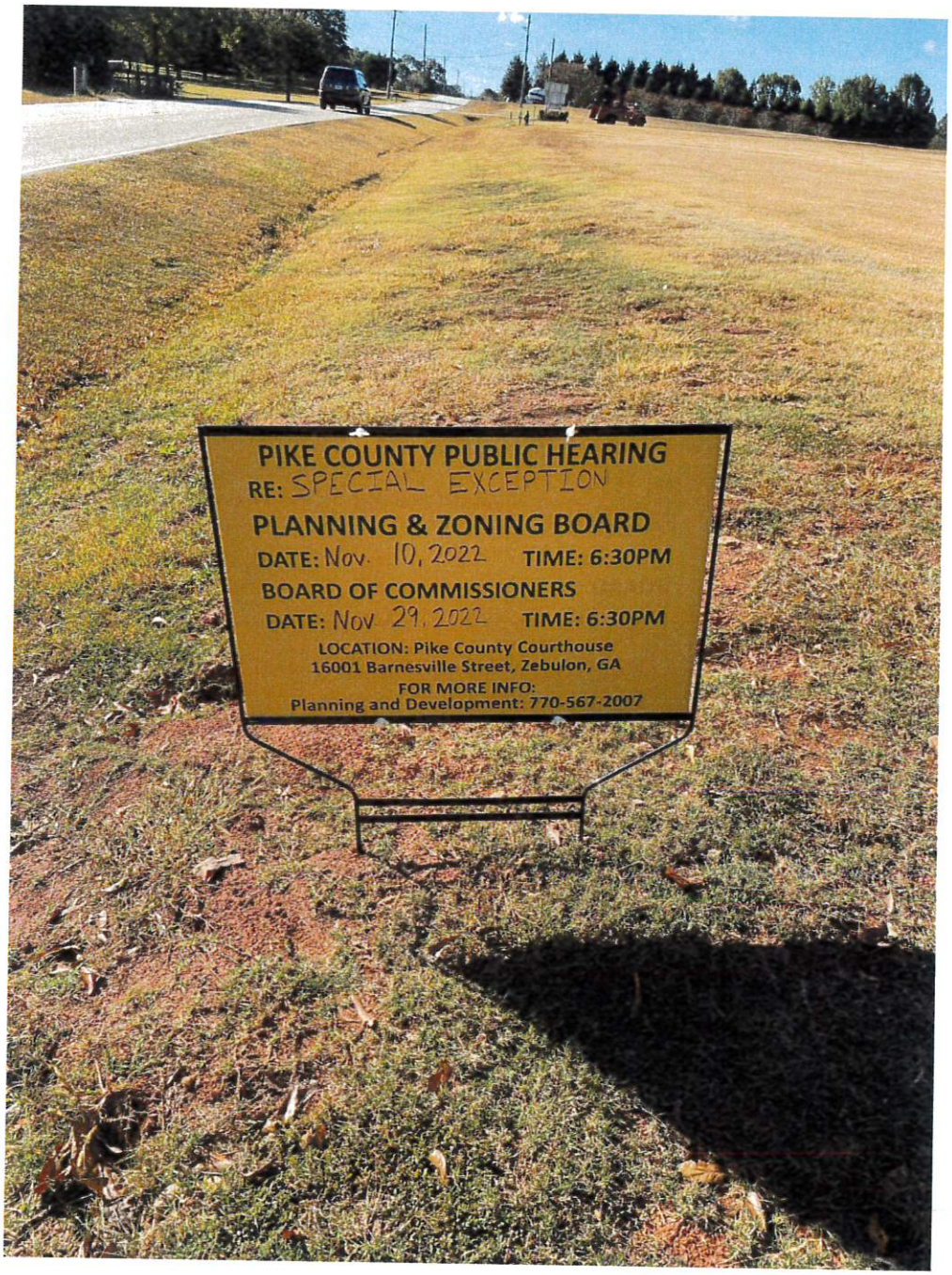
(2) SE-22-04 Peach State Aerodrome owner and Keven Sasser Applicant request a special exception to allow residential pilot quarters in the C-2 zoning district on a portion of Parcel ID 050 022 and 050 022A located on Jonathan Roost Road, Williamson, GA 30292 in Land Lots 232 & 249 of the 8th District. The property consists of 28.16+/- acres. Commission District 4, Commissioner James Jenkins. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

(3) SE-22-05 Joshua Denton owner and applicant request a special exception to operate a general home occupation for property located at 264 Walker Road, Meansville, GA 30256 in Land Lot 89 of the 8th District, further identified as Parcel ID 093 035CB. The property consists of 3.0 +/- acres and the request is to allow the parking of 3 trucks in association with a general home occupation. Commission District 4, Commissioner James Jenkins. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

(4) Text amendments to Title XV, Land Usage, Chapter 150, Building Regulations, Chapter 155, Subdivisions, Chapter 156 Zoning Code, Chapter 160, US Highway 19 & US Highway 41 Overlay District Ordinance, and Chapter 164, Fence, Wall & Buffer Ordinance. The purpose of this text amendment is to change the name of the Planning Commission and the Board of Appeals to the newly created Planning and Zoning Board in the aforementioned sections of the Code. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

The Pike County Board of Commissioners will conduct a **PUBLIC HEARING** on November 29, 2022, at 6:30 pm at the Pike County Courthouse located at 16001 Barnesville Street, Zebulon, Georgia. **The public is invited to speak in favor or in opposition of the request.**

#314 10/26; 11/2



Sign Photo SE-22-04

Posted 10-26-2022

Special Exception Packet

Peach State Aerodrome is a 30-acre public paradise and pilot oasis located in northern Pike County. It is a private/public airport with a manicured 3,000-foot grass runway. The entire airport property is currently under a C-2 zoning structure. At present there is a youth aviation program, an event center and restaurant, owned and rented aircraft hangar space, a well-known aircraft maintenance shop, a flying club, and a self-serve aviation fueling facility. In addition to the commercial side of the aerodrome there is also a 31-lot airpark subdivision that has easement access to the runway. All in all, when all the features and properties are combined it creates a very robust economic engine for Pike County.

There has been a huge demand and constant request for developing some of the hangar sites on the commercial side of the aerodrome into some form of pilot quarters or light residential capacity. Thus, the following special exception request is being proposed.

We appreciate your consideration for this request and look forward to the process and answering any questions you may have.

Kevin Sann

10-4-22

Letter of Explanation

The purpose of the special exception request is to create a residential living quarter overlays on top of the current C-2 zoning. This will allow for small pilot quarters to be included with future hangar developments.

These areas are designated on the global master plan document. (See attached)

This approval will create the opportunity for approximately 10 hangar buildings to have the option to include pilot quarters within the traditional hangar structure. (See master plan)

These pilot quarters will typically consist of an office, pilots lounge, kitchenette and single bathroom.

Utilities:

A. Power - Will be provided by either Georgia Power or Southern Rivers. Both entities have been contacted and have tentatively approved services to the proposed concepts.

B. Water - County water is available.

C. Septic - The county health department has conceptionally approved the septic system compatibilities. (See attached)

PREPARED BY:

S.J. reeves & associates, inc.

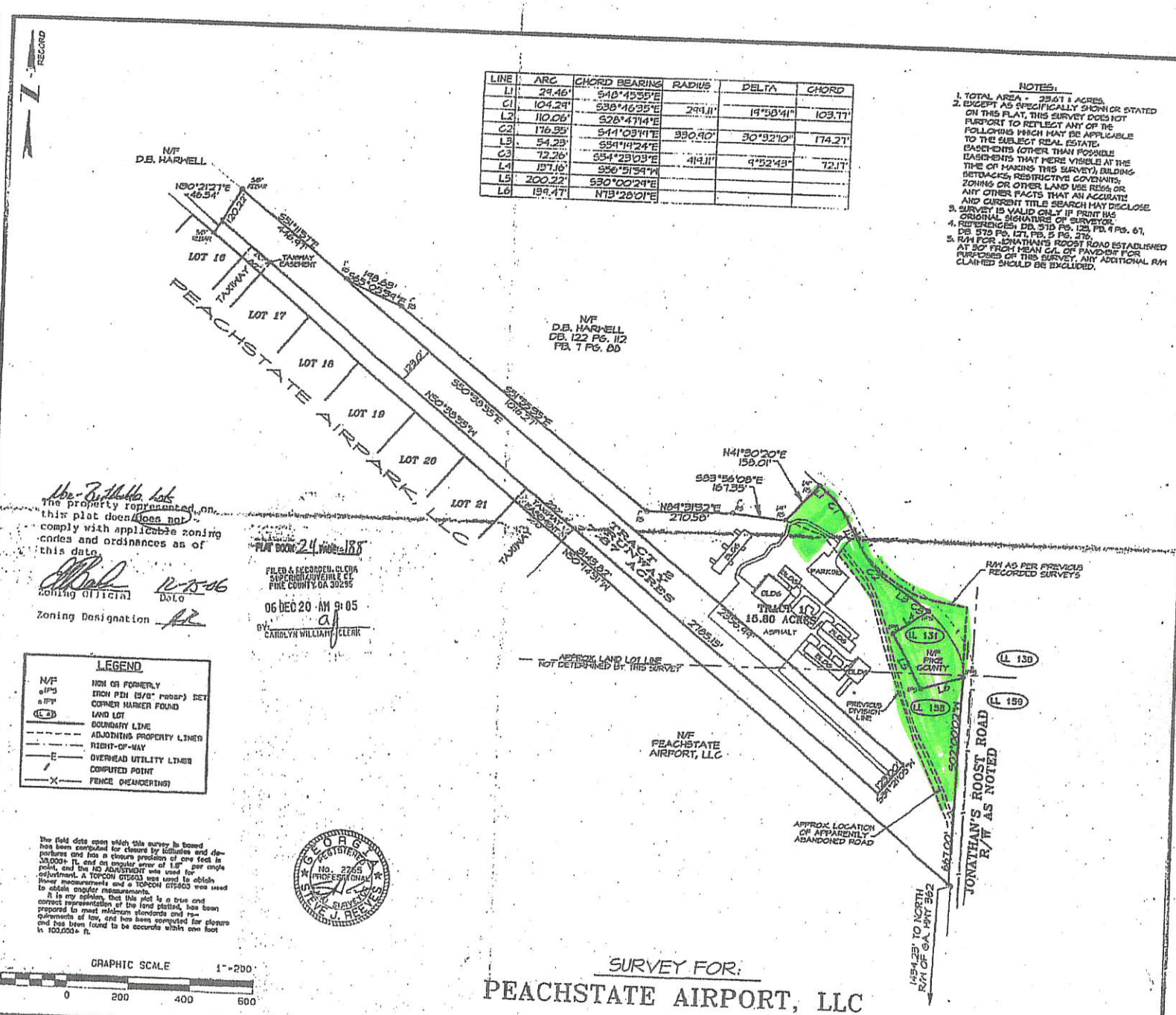
P.O. BOX 1219 • HIGHWAY 19 N • ZEBULON, GA. 30295
770-567-1000 • 770-567-1007 (FAX)

LAND SURVEYING, PLANNING & SUBDIVISION DESIGN

LINE	ARC	CHORD BEARING	RADIUS	DELTA	CHORD
L1	29.46'	S18°45'55"E			
C1	104.29'	S38°16'35"E	299.11'	19°58'41"	103.77'
L2	110.06'	S28°47'14"E			
C2	176.55'	S44°03'11"E	330.90'	30°32'10"	174.27'
L3	54.23'	S59°19'24"E			
C3	72.26'	S54°23'03"E	414.11'	9°52'43"	72.17'
L4	137.16'	S56°51'59"W			
L5	200.22'	S30°00'24"E			
L6	199.47'	N13°28'01"E			

NOTES:

1. TOTAL AREA = 23.671 ± ACRES.
2. EXCEPT AS SPECIFICALLY SHOWN OR STATED ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS (OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY), BUILDING SETBACKS, RESTRICTIVE COVENANTS, ZONING OR OTHER LAND USE REGS, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
3. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SIGNATURE OF SURVEYOR.
4. REFERENCES: DB. 319 PG. 129, PB. 4 PG. 67, DB. 319 PG. 127, PB. 5 PG. 216.
5. R/W FOR JONATHAN'S ROOST ROAD ESTABLISHED AT 30' FROM MEAN C/L OF PAVEMENT FOR PURPOSES OF THIS SURVEY. ANY ADDITIONAL R/W CLAIMED SHOULD BE EXCLUDED.



The property represented on this plat does does not comply with applicable zoning codes and ordinances as of this date.

Zoning Official — Date 12-15-06

Zoning Designation

PLAT BOOK 24 PAGE 188

FILED & RECORDED, CLERK SUPERIOR/JUVENILE CT. PIKE COUNTY GA 30295
06 DEC 20 AM 9:05
BY: CAROLYN WILLIAMS, CLERK

LEGEND

N/F	NON OR FORMERLY
IPS	IRON PIN (5/8" rebar) SET
IPF	CORNER MARKER FOUND
(LL 158)	LAND LOT
	BOUNDARY LINE
	ADJOINING PROPERTY LINES
	RIGHT-OF-WAY
—E—	OVERHEAD UTILITY LINES
/	COMPUTED POINT
—X—	FENCE (MEANDERING)

The field data upon which this survey is based has been computed for closure by latitudes and departures and has a closure precision of one foot in 100,000+ ft. and an angular error of 1.0" per single point, and the NO ADJUSTMENT was used for adjustment. A TOPCON GTS603 was used to obtain linear measurements and a TOPCON GTS603 was used to obtain angular measurements.

It is my opinion, that this plat is a true and correct representation of the land platted, has been prepared to meet minimum standards and requirements of law, and has been computed for closure and has been found to be accurate within one foot in 100,000+ ft.

GEORGIA REGISTERED PROFESSIONAL LAND SURVEYOR No. 2265 STEVE J. REEVES

GRAPHIC SCALE 1"=200'
0 200 400 600

LAND LOT 131,158	DISTRICT 1st
SCALE. 1"=200'	COUNTY PIKE
DATE OF FIELD WORK 04/19/06	
DATE OF PLAT 11/11/06	
JOB NO.	REV.

SURVEY FOR:

PEACHSTATE AIRPORT, LLC

6176929952
PARTICIPANT ID

BK:34 PG:142-142

P2021000075

FILED IN OFFICE
CLERK OF COURT
05/20/2021 01:57 PM
PAM THOMPSON, CLERK
SUPERIOR COURT
PIKE COUNTY, GA

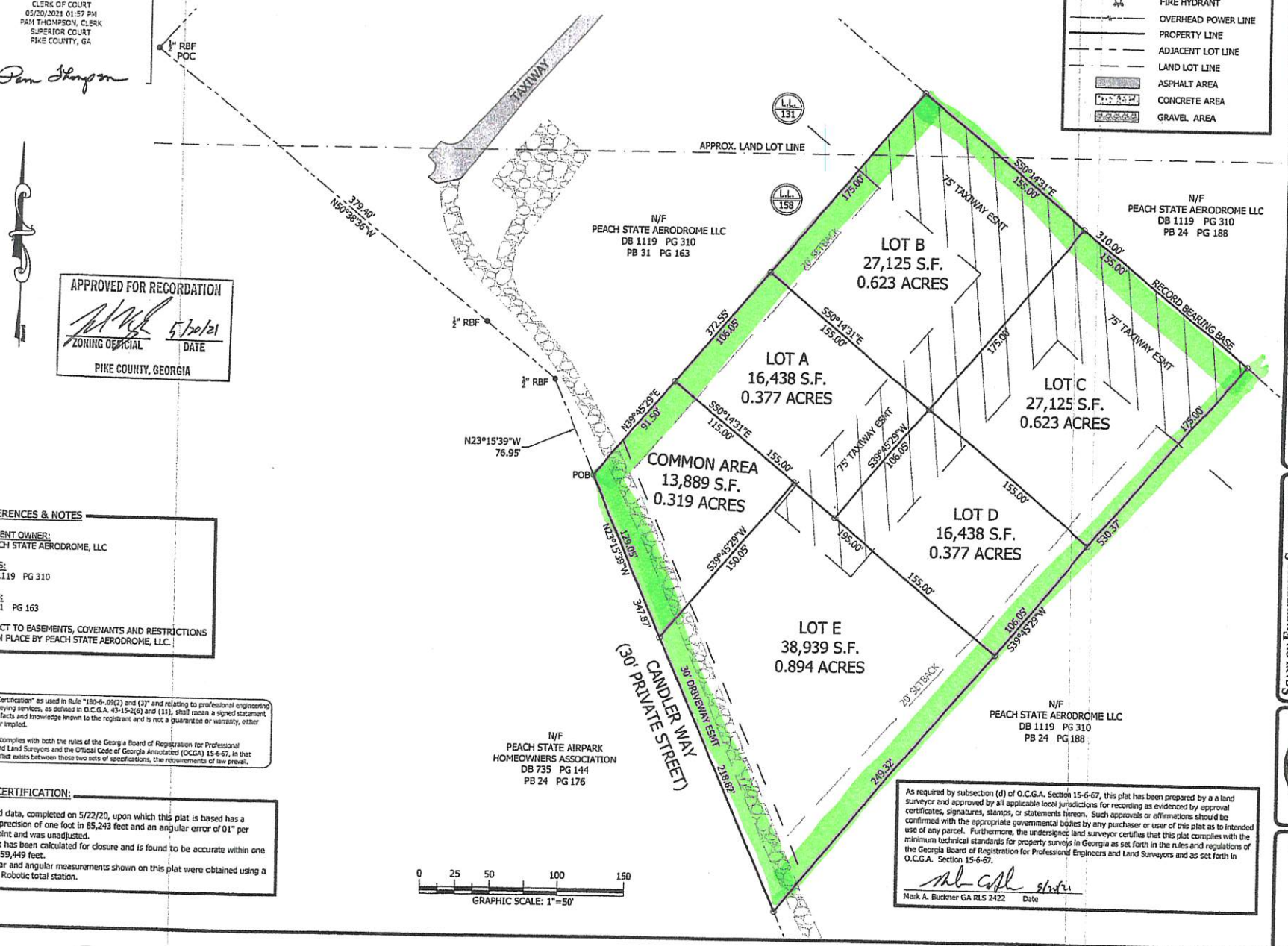
Pam Thompson

THE UTILITIES SHOWN ON THIS PLAT WERE TAKEN FROM INFORMATION AVAILABLE AT THE TIME OF THE SURVEY AND MAY OR MAY NOT BE ACCURATE AS TO THE EXTENT AND OR LOCATION OF SAID UTILITIES.

THIS SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.

SYMBOL LEGEND

- IRON PIN FOUND
- 1/2" REBAR SET
- UTILITY POLE
- LIGHT POLE
- FIRE HYDRANT
- OVERHEAD POWER LINE
- PROPERTY LINE
- ADJACENT LOT LINE
- LAND LOT LINE
- ASPHALT AREA
- CONCRETE AREA
- GRAVEL AREA



APPROVED FOR RECORDATION

ZONING OFFICIAL — DATE 5/20/21

PIKE COUNTY, GEORGIA

REFERENCES & NOTES

CURRENT OWNER:
PEACH STATE AERODROME, LLC

DEEDS:
DB 1119 PG 310

PLATS:
PB 31 PG 163

SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS PUT IN PLACE BY PEACH STATE AERODROME, LLC.

The term "Certification" as used in Rule "180-6-.09(2) and (3)" and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-2(6) and (11), shall mean a signed statement based upon facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied.

This survey complies with both the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the Official Code of Georgia Annotated (OCGA) 15-6-67, in that where a conflict exists between those two sets of specifications, the requirements of law prevail.

PLAT CERTIFICATION:

The field data, completed on 5/22/20, upon which this plat is based has a closure precision of one foot in 85,243 feet and an angular error of 01" per angle point and was unadjusted.
This plat has been calculated for closure and is found to be accurate within one foot in 559,449 feet.
The linear and angular measurements shown on this plat were obtained using a Geomax Robotic total station.

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Mark A. Buckner GA RLS 2422 — Date 5/20/21

SES
ENGINEERING
PLANNING
SURVEYING

"THIS DRAWING IS THE PROPERTY OF SCANLON ENGINEERING SERVICES, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN, AND IS NOT TO BE USED ON OTHER PROJECTS OR EXTENSIONS TO THIS PROJECT, OR REPRODUCED IN WHOLE OR IN PART, EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION."

FINAL PLAT FOR VINTAGE VILLAGE

LOCATED IN LAND LOTS 131 & 158 OF THE 1st DISTRICT, PIKE COUNTY, GEORGIA

SCANLON ENGINEERING SERVICES, INC.
211 EAST BANK STREET
GRIFFIN, GEORGIA 30223
PHONE: (678) 967-2051 www.scanlonengs.com
LSF 000859

Rev.	Description	Date
1	---	---
2	---	---
3	---	---

Project #: S20042104 3 | Drawn by: JWS | Review by: MAB | Date: 10/15/20

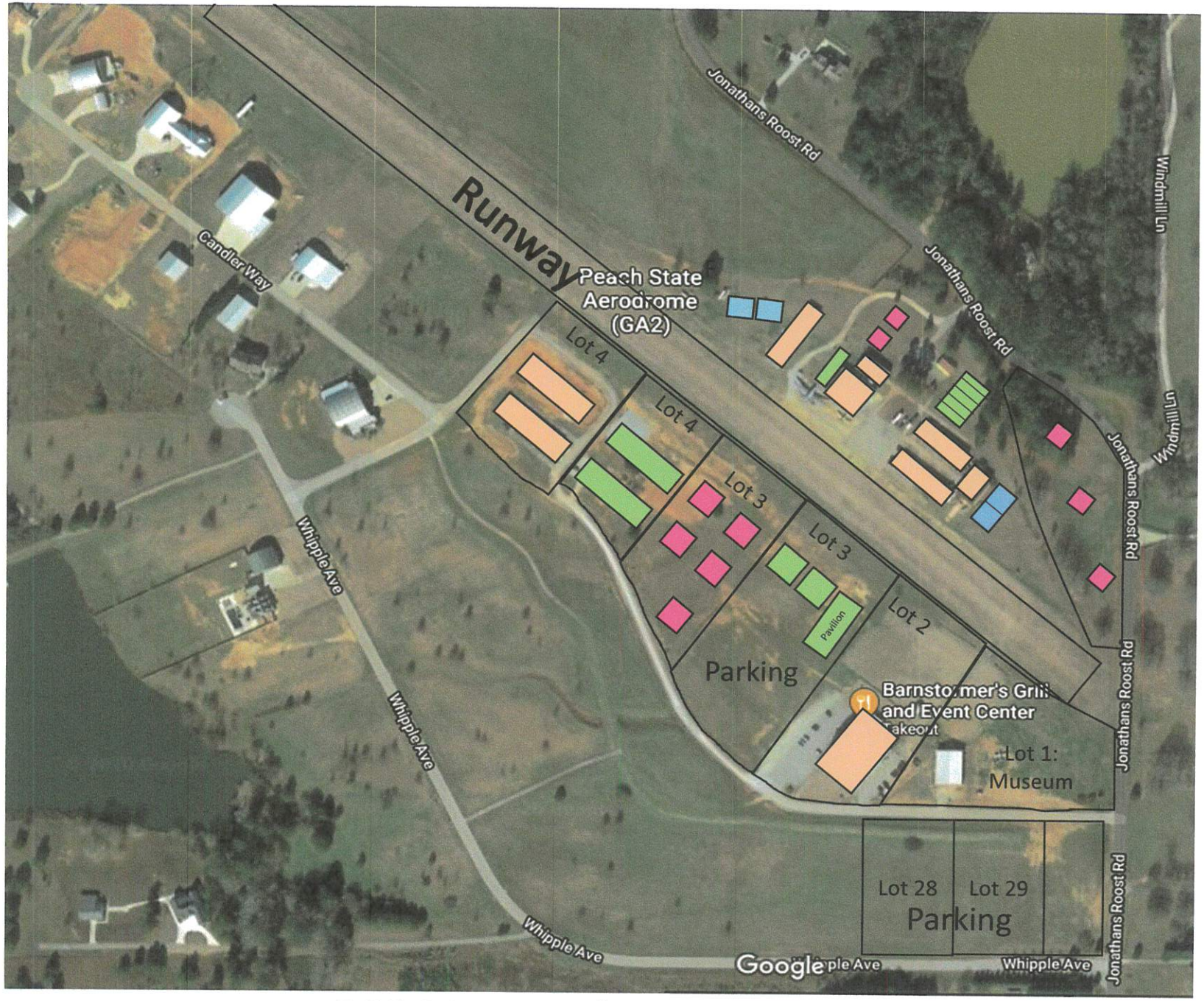
GEORGIA REGISTERED No. 2422 LAND SURVEYOR MARK A. BUCKNER

SHEET DESCRIPTION
FINAL PLAT

SHEET NUMBER
607C

SHEET 1 OF 1

Z:\SES Projects\Misc Surveying_04210\Jonathans Roost Rd 6 Lots - Pike Co_S20042104\AutoCAD_S20042104\survey\Jonathans Roost Rd - 6 LOTS - VER2.dwg Thursday, May 20, 2021 9:17:59 AM



Future Rental

Sold

Lots for Sale

Existing Rentals

PSA Master Plan 2022

Residential Airport Communities

Spicewood Airport – Texas

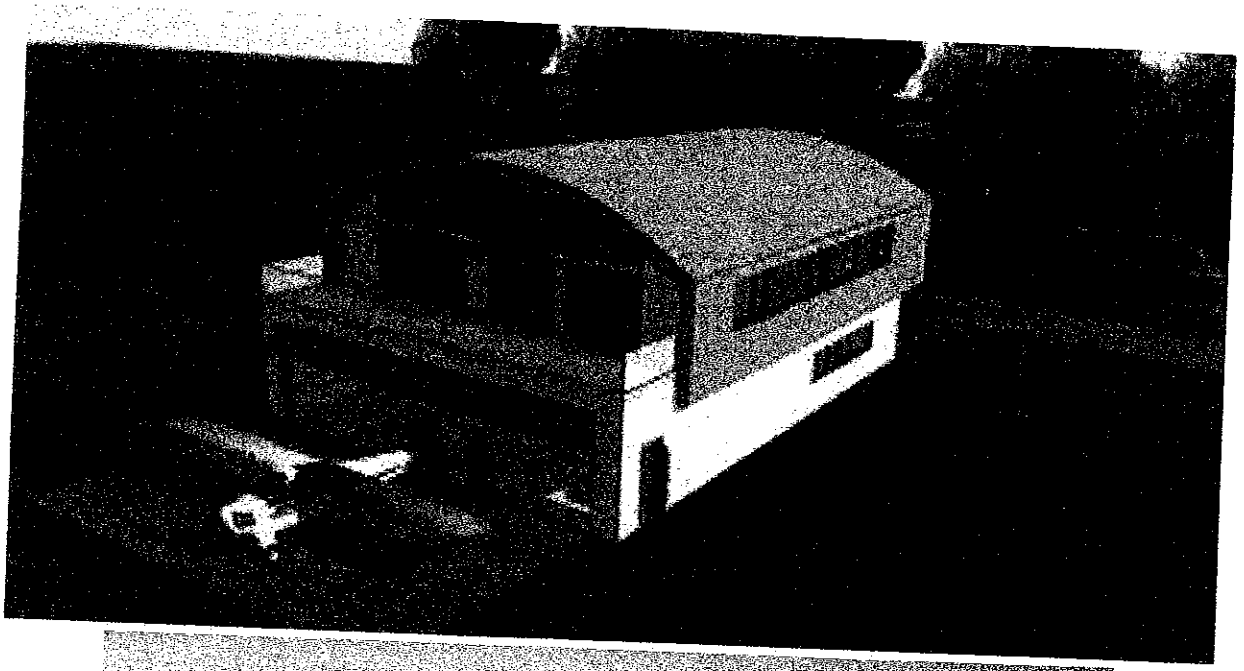
Google Maps

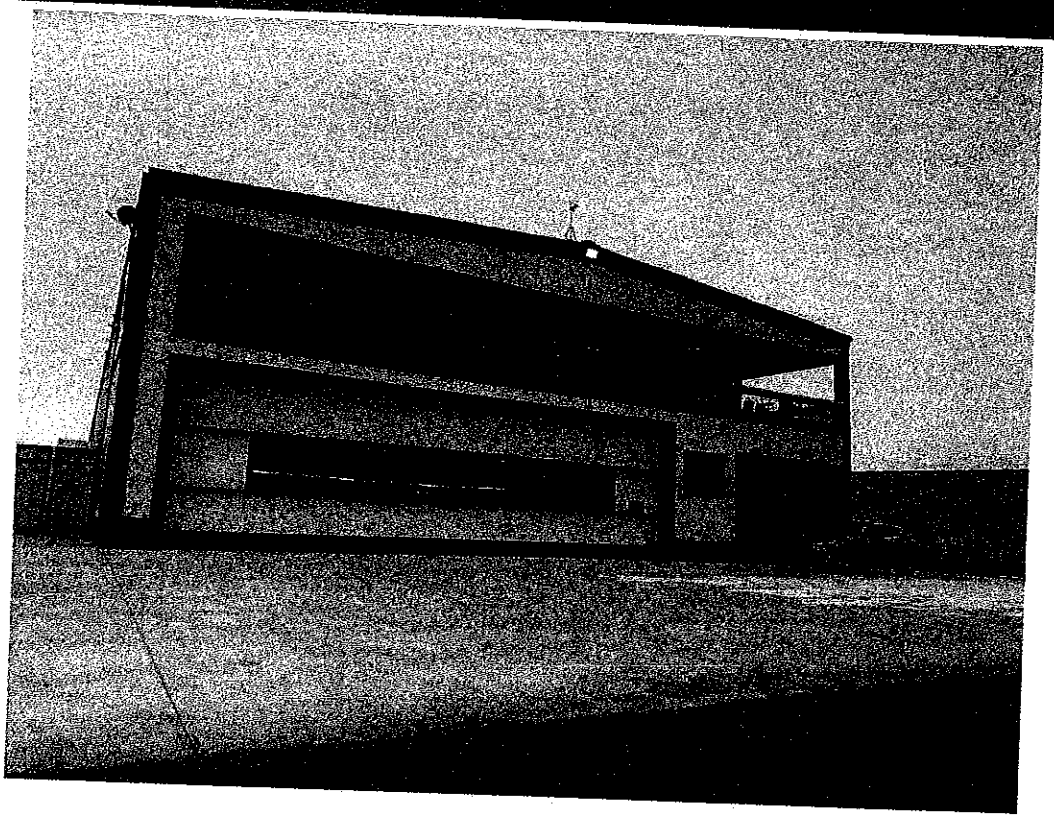
Imagery ©2019 Google, Map data ©2019 Google 50 ft

17
35

2023

2081





PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

SE-22-05

SUBJECT:

SE-22-05 Joshua Denton owner and applicant request a special exception to operate a general home occupation for property located at 264 Walker Road, Meansville, GA 30256 in Land Lot 89 of the 8th District, further identified as Parcel ID 093 035CB. The property consists of 3.0 +/- acres and the request is to allow the parking of 3 trucks in association with a general home occupation. Commission District 3, Commissioner Jason Proctor. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

ACTION:

ADDITIONAL DETAILS:

ATTACHMENTS:

Type	Description
Exhibit	Staff Report

REVIEWERS:

Department	Reviewer	Action	Comments
County Clerk	Gilbert, Jeremy	Approved	Item Pushed to Agenda

PLANNING AND DEVELOPMENT OFFICE
Planning – Zoning – Environmental – Permits & Inspections
Code Enforcement
P. O. Box 377 **Phone: 770-567-2007**
77 Jackson Street **Fax: 770-567-2024**
Zebulon, GA 30295 **sparks@pikecoga.com**
"Serving Citizens Responsibly"

Case Number: SE-22-05

Planning and Zoning Board: November 10, 2022

Board of Commissioners Meeting: November 29, 2022

Mailed Notices: October 25, 2022

Sign Posted: October 26, 2022

Owner/Applicant: Joshua Denton

Acreage: 3.00 acres

Commission District: District 3, Jason Proctor

FEMA Data: Does not lie within a flood zone.

Request: Applicant requests permission via the special exception process to operate a general home occupation at the subject property.

Code Reference: *156.43 Permitted Uses: (D)* The following accessory uses are permitted as special exceptions in A-R Districts:

(1) Home occupation, General, excluding public garage, repair garage and shooting ranges;

Staff Analysis: The applicant/owner is seeking a special exception to allow a general home occupation on the subject property. The applicant is requesting the general home occupation to allow the parking of 3 bucket trucks that has a weight of less than 15,000 pounds each. The business is a telecommunication business that works in the area providing maintenance work. According to the ordinance all associated vehicles with the home occupation have to be parked in the rear yard or side yard. Currently the trucks are parked in the front yard and would need to be relocated to meet the code requirements. Also, the code limits the number of employees that do not reside at the location to two (2) and states that the use cannot cause a nuisance to the neighborhood. The code requirements are listed below as outlined in Section 156.06 (78) of the Pike County code.

PLANNING AND DEVELOPMENT OFFICE
Planning – Zoning – Environmental – Permits & Inspections
Code Enforcement
P. O. Box 377 **Phone: 770-567-2007**
77 Jackson Street **Fax: 770-567-2024**
Zebulon, GA 30295 **sparks@pikecoga.com**
"Serving Citizens Responsibly"

The subject property is zoned A-R, Agricultural-Residential. Per the guidelines for A-R zoning, general home occupations are permissible via the special exception process.

Pike County code defines general home occupation as follows:

(*78*) *HOME OCCUPATION, General: An occupation for gain or support conducted by resident(s) on the premises, ancillary and accessory to the main agricultural and/or residential use on the property, meeting the following criteria:*

(a) No home occupation shall employ more than two (2) persons who perform regular, sustained work on the premises but do not reside in the dwelling located on the premises.

(b) The home occupation must be incidental and subordinate to the residential use of the dwelling and must not change the residential character of the property.

(c) No display of products or advertising shall be visible from the street except for one individual parcel sign, a maximum of 4 square feet in area and 4 feet in height, as provided for by the Pike County Sign Ordinance, Chapter 158.

(d) Use of the principal and/or accessory building(s) for the home occupation shall not exceed twenty-five (25) percent of the combined gross floor area of the principal and accessory buildings on the property.

(e) No internal or external alterations inconsistent with the residential use of the building is permitted.

(f) The home occupation must not constitute a nuisance in the neighborhood.

(g) No continuous unenclosed outside storage of materials or supplies used in connection with the home occupation shall be permitted, provided that this restriction shall not preclude the conduct of minor outside home gardening activities in conjunction with a home occupation.

(h) All parking for the home occupation shall be located on the property and only in the side or rear yards.

(i) Only vehicles equivalent in size to pickup trucks and cargo vans shall be used in connection with home occupations in platted residential subdivisions (named neighborhoods) in A-R, R-20, R-18, R-15, R-11, and PRD zoning districts. The parking of tractor trailer trucks, whether

PLANNING AND DEVELOPMENT OFFICE
Planning – Zoning – Environmental – Permits & Inspections
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Fax: 770-567-2024
sparks@pikecoga.com
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connected with a Pike County Home Occupation or an out-of-county occupation or business, is prohibited in platted residential subdivisions (named neighborhoods) in A-R, R-20, R-18, R-15, R-11, and PRD zoning districts.

(E) The Planning and Zoning Board will consider the following points in arriving at a recommendation on the special exception:

(1) It must not be contrary to the purposes of these regulations;

Regulations require general home occupations be approved via the special exception process.

(2) It must not be detrimental to the use or development of adjacent properties or to the general neighborhood and it must not adversely affect the health, safety or welfare of the residents or workers;

The request as proposed could adversely affect adjacent properties. Due to increased traffic and noise that could be associated with proposed bucket trucks.

(3) It must not constitute a nuisance or hazard because of the number of persons who will attend or use such a facility, vehicular movement, noise or fumes generated or type of physical activity;

Noise and fumes could potentially impact the adjacent properties; however, they could be mitigated by conditions places on the property. Increased traffic and activity in the area, would be increased if the use is allowed.

(4) It must not adversely affect existing uses and it must be proposed to be placed on a lot of sufficient size to satisfy the space requirements of the use;

The proposed use should not adversely affect any existing uses in the area as the lot is adequate in size to accommodate the proposed use.

PLANNING AND DEVELOPMENT
OFFICE
Planning – Zoning – Environmental – Permits & Inspections
Code Enforcement
P. O. Box 377 **Phone: 770-567-2007**
77 Jackson Street **Fax: 770-567-2024**
Zebulon, GA 30295 **sparks@pikecoga.com**
"Serving Citizens Responsibly"

(5) It must meet all other requirements of these regulations;

All other requirements of the code will have to be meet in order to be in compliance with the Pike County Code for General Home Occupations.

(6) In addition, the Planning and Zoning Board shall also consider whether the applicant for the special exception at the time of submitting the application is in violation of the Zoning Code or any other provision of Code of Pike County, Georgia. If the applicant is determined to be in violation of the Zoning Code or any other provision of the Code of Pike County, Georgia, then the Board of Appeals shall further consider the circumstances related to such violation(s) as part of the criteria for considering the requested special exception.

The property is currently in violation of the code as the property is being used for a general home occupation without an approved Special Exception. Also, currently the vehicles that are associated with the use are parked in the front yard and will need to be relocated to the side or rear yard if the special exception is approved.

Recommendation:
Staff recommends **APPROVAL** of this special exception with the following conditions:

1. No more than two employees not residing on the property can be employed by the general home occupation.

2. All vehicles associated with the home occupation shall be parked in the side or rear yard.

3. No continual open outside storage of materials or supplies shall be allowed on the property.

4. The home occupation shall not cause a nuisance to the neighborhood.

PLANNING AND DEVELOPMENT
OFFICE

Planning – Zoning – Environmental – Permits & Inspections
Code Enforcement

P. O. Box 377
77 Jackson Street
Zebulon, GA 30295

Phone: 770-567-2007
Fax: 770-567-2024
sparks@pikecoga.com

"Serving Citizens Responsibly"

Attachments:

- Application
- Tax Map
- Plat
- Letter of Explanation
- Legal Ad
- Sign Photo

$200.00

PIKE COUNTY
PLANNING AND ZONING BOARD

Application # SE 22-05 Planning and Zoning Board Public Hearing Date: 11-10-22

Board of Commissioners Public Hearing Date: 11-29-22

[✓] Special Exception [ ] Special Use Permit [ ] Variance [ ] Appeal

Property Information: District(s): 8 Land Lot(s): 89 Acres: 3

Tax Map Parcel #: D93-035CB Address if assigned: 264 walker rd measville GA 30256

Description of Request: park 3 bucket trucks F550 at my home we work in atlant to Griffin GA trucks are only parked here at night I park trucks in front of my barn so a camra is watching them have had alot of Break ins

Code Reference(s): Present Zoning:

Documentation Required: [✓] Copy of Recorded Plat [✓] Copy of Recorded Deed

[✓] Letter of Explanation [N/A] Health Department Letter of Approval [ ] Sketch or site plan (preferable)

[ ] Agent Authorization (if needed) [ ] Campaign Disclosure Form [ ] Other

Property Owner: Joshua Denton Applicant: Joshua Denton

Address: 264 walker rd Address: 264 walker rd

City: measville State: GA Zip: 30256 City: measville State: GA Zip: 30256

Phone/email: 470-349-1937 Phone/email: JoshuaDenton17@Gmail.com

Property Owner Authorization: I declare to the best of my knowledge the information given on this application to be true, correct and accurate. I hereby authorize the staff of the Department of Planning and Development, members of the Planning and Zoning Board and Board of Commissioners to inspect the property which is the subject of this application.

Owner's Signature: Date: 10-6-22

Owner's Printed Name: Joshua Denton

Sworn to and subscribed before me this 6 day of October, 20 22.

Notary Public (signature & seal): ROBERT GREGORY HOBBS NOTARY PUBLIC WHITFIELD COUNTY GEORGIA MY COMMISSION EXPIRES Jan. 17, 2023

qPublic.net™ Pike County, GA

Overview

Legend

- Parcels
- Roads
- Streams and River (Large)

Flood Map

- A - 100 Year Flood Area - Areas of 1% annual chance floo also known as the base flood. Base Flood Elevations (BFE) have not bee determined.
- AE - 100 Year Flood Area - Areas of 1% annual chance floo also known as the base flood. Determined by detailed methods with Base Flood Elevations (BFE).
- VE: Coastal SFHA with BFE & velocity wave action - Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.
- X: 500 Year Flood - Areas of 0.2% annual chance floo

Parcel ID	093 035 CB	**Owner**	DENTON JOSHUA K	**Last 2 Sales**			
Class Code	Residential		264 WALKER RD	**Date**	**Price**	**Reason**	**Qual**
Taxing District	UNINCORPORATED		MEANSVILLE, GA 30256	4/30/2020	$145000	FM	Q
Acres	3	**Physical Address**	264 WALKER RD	4/24/2020	0	TM	U
		Assessed Value	Value $66697				

(Note: Not to be used on legal documents)

Date created: 10/29/2022
Last Data Uploaded: 10/28/2022 10:14:37 PM

Developed by

0802928423
PARTICIPANT

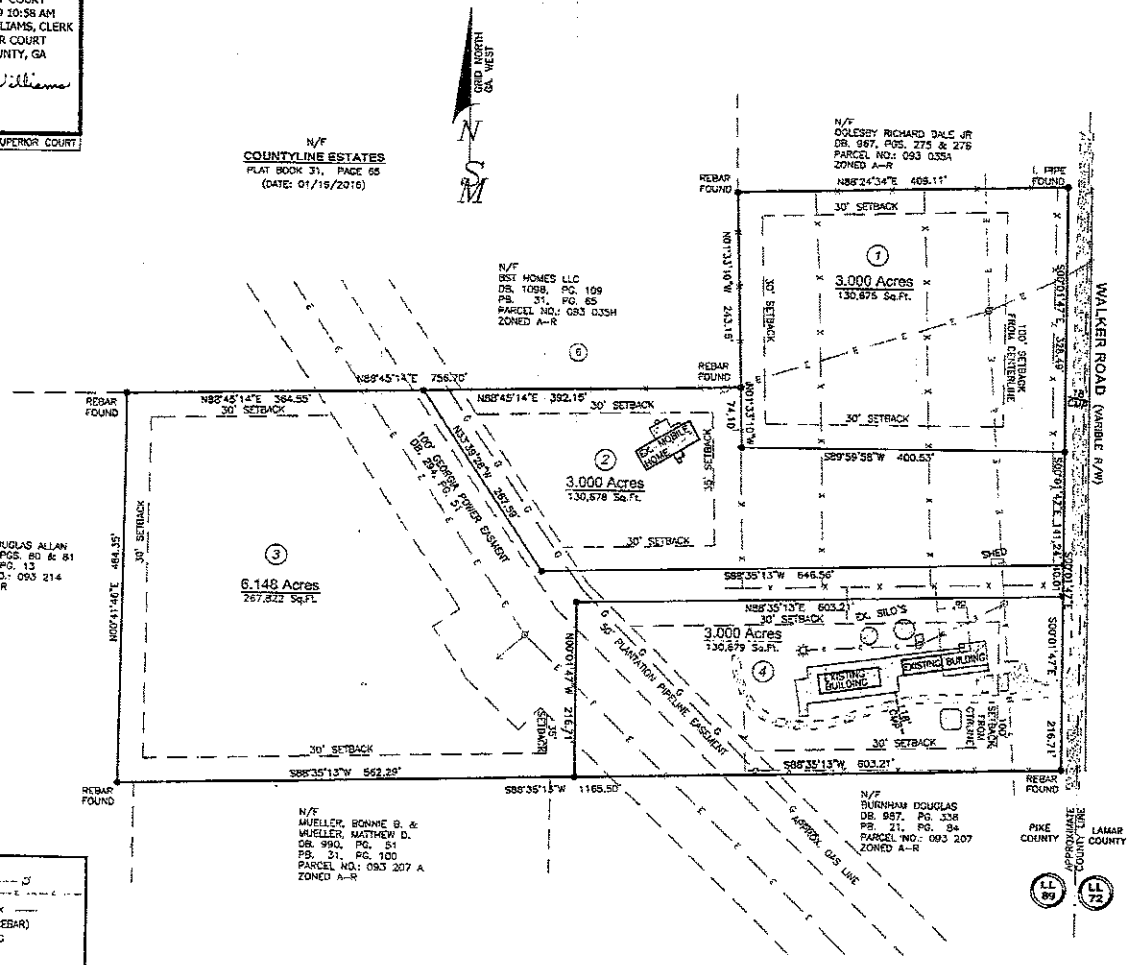
BK:33 PG:134-134

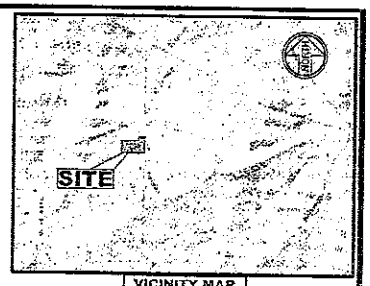
P2019000013

FILED IN OFFICE
CLERK OF COURT
01/30/2019 10:58 AM
CAROLYN WILLIAMS, CLERK
SUPERIOR COURT
PIKE COUNTY, GA

Carolyn Williams

RESERVED FOR CLERK OF THE SUPERIOR COURT





VICINITY MAP
NTS

APPROVED FOR RECORDATION

ZONING OFFICIAL — DATE 5/15/18

PIKE COUNTY, GEORGIA

0' 100' 200' 300'
GRAPHIC SCALE: 1" = 100'

LEGEND

- WOODEN POWER POLE
- EX. OVERHEAD POWER LINES
- EX. FENCE
- IPS = IRON PIN SET (#4 REBAR)
- POB = POINT OF BEGINNING
- DB. = DEED BOOK
- PB. = PLAT BOOK
- N/F = NOW OR FORMERLY
- PG. = PAGE
- EX. = EXISTING
- R/W = RIGHT OF WAY
- CMP = CORRUGATED METAL PIPE
- CTP = CRIMP TOP PIPE
- ASPHALT
- CONCRETE
- EX. GRAVEL

SIBLEY–MILLER
SURVEYING & PLANNING INC.
2062 HWY. 42 NORTH
McDONOUGH, GA. 30253
PHONE:(770) 320–7555
FAX:(770) 320–7333
www.sibleysurveying.com

*TOPOGRAPHICAL SURVEYS
*LAND SURVEYING
*LAND PLANNING
*CONSTRUCTION LAYOUT
*LAND DEVELOPMENT DESIGN
*CIVIL ENGINEERING

FINAL PLAT

WALKER RAOAD SUBDIVISION
LAND LOT 89
of the 8th. DISTRICT
PIKE COUNTY, GEORGIA

GEORGIA REGISTERED PROFESSIONAL NO. 3100 5-3-18 LAND SURVEYOR TIM L. MILLER

PROJECT NO.: D18003
FINAL PLAT
DRAWN BY: JWS
SCALE: 1" = 100'
DATE: 5–3–2018
SHEET 2 OF 2

10-5-22

I work for primoris services we do
manlince work for tellucuications company's
I park 1 to 3 trucks in front of my barn
at night when we leave them on the Job
site or location where we work people breaks
in or steals equiment. we work for ervin aswell who
is building fiber lines in and around pike.
I belive the only reason someone called is
becouse me and my niebior have been in
an disagrement so he is more than likely
the one that called we live on a
dirt rd he has stated he lived here
first to me about driving my truck down
my rd I'm just a father trying to
put food on the table for my family
this is the only income i have I
can't afford not to be able to work
I dont make enough to by a lot
just to park 3 reagler sized trucks
under 15 thousand pounds.

PIKE COUNTY
PLANNING AND ZONING BOARD
6:30 p.m. November 10, 2022

The Pike County Planning and Zoning Board will conduct its scheduled monthly meeting on November 10, 2022, at 6:30 p.m. on the second floor of the Pike County Courthouse located at 16001 Barnesville Street, Zebulon, Georgia. The Board will conduct **PUBLIC HEARINGS** on the following item:

(1) VAR-22-12 Matthew Caraway owner and applicant request a variance to development regulations for property located at 285 New Road, Molena, GA 30258 in Land Lot 157 of the 9th District, further identified as Parcel ID 034 040. The property consists of 5 +/- acres and the request is to allow an accessory building to be constructed on a lot less than 10 acres before the primary structure is built. Commission District 2, Commissioner Tim Guy. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will have final decision.**

(2) SE-22-04 Peach State Aerodrome owner and Keven Sasser Applicant request a special exception to allow residential pilot quarters in the C-2 zoning district on a portion of Parcel ID 050 022 and 050 022A located on Jonathan Roost Road, Williamson, GA 30292 in Land Lots 232 & 249 of the 8th District. The property consists of 28.16+/- acres. Commission District 4, Commissioner James Jenkins. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

(3) SE-22-05 Joshua Denton owner and applicant request a special exception to operate a general home occupation for property located at 264 Walker Road, Meansville, GA 30256 in Land Lot 89 of the 8th District, further identified as Parcel ID 093 035CB. The property consists of 3.0 +/- acres and the request is to allow the parking of 3 trucks in association with a general home occupation. Commission District 4, Commissioner James Jenkins. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

(4) Text amendments to Title XV, Land Usage, Chapter 150, Building Regulations, Chapter 155, Subdivisions, Chapter 156 Zoning Code, Chapter 160, US Highway 19 & US Highway 41 Overlay District Ordinance, and Chapter 164, Fence, Wall & Buffer Ordinance. The purpose of this text amendment is to change the name of the Planning Commission and the Board of Appeals to the newly created Planning and Zoning Board in the aforementioned sections of the Code. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

The Pike County Board of Commissioners will conduct a **PUBLIC HEARING** on November 29, 2022, at 6:30 pm at the Pike County Courthouse located at 16001 Barnesville Street, Zebulon, Georgia. **The public is invited to speak in favor or in opposition of the request.**

#314 10/26; 11/2

Sign Photo SE-22-04

Posted 10-26-2022

PIKE COUNTY PIKE COUNTY PLANNING AND ZONING BOARD

Text Amendment

SUBJECT:

Text amendments to Title XV, Land Usage, Chapter 150, Building Regulations, Chapter 155, Subdivisions, Chapter 156 Zoning Code, Chapter 160, US Highway 19 & US Highway 41 Overlay District Ordinance, and Chapter 164, Fence, Wall & Buffer Ordinance. The purpose of this text amendment is to change the name of the Planning Commission and the Board of Appeals to the newly created Planning and Zoning Board in the aforementioned sections of the Code. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

ACTION:

ADDITIONAL DETAILS:

ATTACHMENTS:

	Type	Description
	Exhibit	Staff Report
	Exhibit	Chapter 150
	Exhibit	Chapter 155
	Exhibit	Chapter 156
	Exhibit	Chapter 158
	Exhibit	Chapter 160
	Exhibit	Chapter 164
	Exhibit	Legal Ad

REVIEWERS:

Department	Reviewer	Action	Comments
County Clerk	Gilbert, Jeremy	Approved	Item Pushed to Agenda

PLANNING AND DEVELOPMENT OFFICE
Planning – Zoning – Environmental – Permits & Inspections
Code Enforcement
P. O. Box 377 **Phone: 770-567-2007**
77 Jackson Street **Fax: 770-567-2024**
Zebulon, GA 30295 **sparks@pikecoga.com**
"Serving Citizens Responsibly"

Case Number: Text Amendment

Planning and Zoning Board: November 10, 2022

Board of Commissioners Meeting: November 29, 2022

Request: Planning and Development staff request several text amendments to Title XV, Land Usage, Chapter 150, Building Regulations, Chapter 155, Subdivisions, Chapter 156 Zoning Code, Chapter 160, US Highway 19 & US Highway 41 Overlay District Ordinance, and Chapter 164, Fence, Wall & Buffer Ordinance. The purpose of this text amendment is to change the name of the Planning Commission and the Board of Appeals to the newly created Planning and Zoning Board in the aforementioned sections of the Code.

Staff Analysis: The Board of Commissioners amended Chapter 33 of the Pike County Code on May 31, 2022, combining the Planning Commission and the Board of Appeals and creating the Planning and Zoning Board to take effect upon the board members being appointed. This requested text amendment is to replace all references to the Planning Commission and Board of Appeals in all other associated Chapters of the code by replacing the names with the newly created Planning and Zoning Board. The affected Chapters are as follows:

- Chapter 150, Building Regulations,
- Chapter 155, Subdivisions,
- Chapter 156 Zoning Code,
- Chapter 160, US Highway 19 & US Highway 41 Overlay District Ordinance,
- Chapter 164, Fence, Wall & Buffer Ordinance.

Copies of all of the proposed updates are included in this package for your review.

Recommendation:
Staff recommends **APPROVAL** of the text amendments to Chapter 150, Building Regulations, Chapter 155, Subdivisions, Chapter 156 Zoning Code, Chapter 160, US Highway 19 & US Highway 41 Overlay District Ordinance, and Chapter 164, Fence, Wall & Buffer Ordinance, changing the name of the Planning Commission and the Board of Appeals to the newly created Planning and Zoning Board.

PLANNING AND DEVELOPMENT
OFFICE
Planning – Zoning – Environmental – Permits & Inspections
Code Enforcement
P. O. Box 377 **Phone: 770-567-2007**
77 Jackson Street **Fax: 770-567-2024**
Zebulon, GA 30295 **sparks@pikecoga.com**
"Serving Citizens Responsibly"

Attachments:

- Chapter 150, Building Regulations,
- Chapter 155, Subdivisions,
- Chapter 156 Zoning Code,
- Chapter 160, US Highway 19 & US Highway 41 Overlay District Ordinance,
- Chapter 164, Fence, Wall & Buffer Ordinance.
- Legal Ad

TITLE XV:

LAND USAGE

Chapter 150 – Building Regulations
Chapter 151 – Historic Preservation Commission
Chapter 152 – Floodplain Regulations Management Ordinance
Chapter 153 – Soil Erosion and Sedimentation Control
Chapter 154 – Environmental Review
Chapter 155 – Subdivisions
Chapter 156 – Zoning Code
Chapter 157 - Development Impact Fee Ordinance
Chapter 158 – Sign Ordinance
Chapter 159 – Conservation Subdivisions Ordinance
Chapter 160 – U.S. Highway 19 & U.S. Highway 41 Overlay District Ordinance
Chapter 161 – Yard Sales and Flea Markets Ordinance
Chapter 162 – Mailbox Construction Ordinance
Chapter 163 – Abandoned Cemetery and Burial Grounds Protection Ordinance
Chapter 164 – Fence, Wall and Buffer Ordinance
Chapter 165 – Cemetery and Burial Regulations

TITLE XV:

LAND USAGE

Chapter 150

Building Regulations

TITLE XV: LAND USAGE

Chapter

150. Building Regulations
151. Historic Preservation Commission
152. Floodplain Management Regulations Ordinance
153. Soil Erosion and Sedimentation Control
154. Environmental Review
155. Subdivisions
156. Zoning Code
157. Development Impact Fee Ordinance
158. Sign Ordinance
159. Conservation Subdivisions Ordinance
160. U.S. Highway 19 & U.S. Highway 41 Overlay District Ordinance
161. Yard Sales and Flea Markets Ordinance
162. Mailbox Construction Ordinance
163. Abandoned Cemetery and Burial Ground Protection Ordinance
164. Fence, Wall and Buffer Ordinance
165. Cemetery and Burial Regulations

CHAPTER 150: BUILDING REGULATIONS

Sections:

General Provisions
150.01 Future Land Use Plan Adopted
Building Codes
150.15 Technical codes
150.16 Administration and enforcement of codes
150.17 Construction Board of Adjustments and Appeals
150.18 Construction and Development Permit fees
150.19 Regulations for vinyl siding
150.20 Regulations for perimeter footers
Uniform Numbering System
150.35 Uniform System of Identification and Addressing of Properties and Buildings
150.36 Administration
150.37 Enforcement

General Provisions

§ 150.01 FUTURE LAND USE PLAN ADOPTED

The Future Land Use Plan for Pike County, Georgia is adopted, and the Clerk of the County Commissioners is directed to spread a copy of the Land Use Plan on the Official Minutes of the Board of Commissioners of Pike County, Georgia.
(Res. passed 6-16-89)

§ 150.15 TECHNICAL CODES

(A) The Georgia State Minimum Standard Building Codes, as adopted and amended by the Georgia Department of Community Affairs, are to be enforced within Pike County. As of the revised date of this subchapter, the Georgia State Minimum Building Code includes the latest adopted editions of:

(1) Georgia State Minimum Standard Building Code (International Building Code with Georgia State Amendments);

(2) Georgia State Minimum Standard One and Two Family Dwelling Code (International Residential Code for One- and Two-Family Dwellings with Georgia State Amendments Standard Mechanical Code);

(3) Georgia State Minimum Standard Fire Code (International Fire Code with Georgia State Amendments);

(4) Georgia State Minimum Standard Plumbing Code (International Plumbing Code with Georgia State Amendments);

(5) Georgia State Minimum Standard Mechanical Code (International Mechanical Code with Georgia State Amendments);

(6) Georgia State Minimum Standard Gas Code (International Fuel Gas Code with Georgia State Amendments);

(7) Georgia State Minimum Standard Electrical Code (National Electric Code);

(8) Georgia State Minimum Standard Energy Code (International Energy Conservation Code with Georgia State Supplements and Amendments).

(B) The latest edition of the Life Safety Code (NFPA 101), as adopted and amended by the Georgia State Fire Marshal's Office, is to be enforced within Pike County.

(C) In any case where there is a question of the application of the requirements of two or more of the technical codes, the most restrictive requirement shall be deemed to apply and the county shall enforce same.

(Ord. passed 10-11-00) (Am. Ord. Passed 6-12-13)

§ 150.16 ADMINISTRATION AND ENFORCEMENT OF CODES

(A) All references to the "Building Official" set forth in the International Building Code shall be deemed to refer to the Zoning Administrator (Director of Pike County Planning and Development).

(Ord. passed 10-11-00) (Am. Ord. Passed 6-12-13)

§ 150.17 CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS

(A) The Pike County Planning and Zoning Board ~~of Zoning Appeals~~ shall serve as the Construction Board of Adjustments and Appeals.

(B) The Planning and Zoning Board ~~of Zoning Appeals~~ may, from time to time, establish rules not inconsistent with these and other applicable regulations.

(C) The Director of Pike County Planning and Development shall ensure that a detailed record of all proceedings is kept, which shall set forth the reasons for decisions of the Board, the vote of each member, the absence of any member and any failure of a member to vote.

(Ord. passed 10-11-00) (Am. Ord. Passed 6-12-13)

§ 150.18 CONSTRUCTION AND DEVELOPMENT PERMIT FEES

A schedule of permit fees pertaining to construction and all types of development shall be maintained by the Director of Planning and Development, which is incorporated by reference as if appearing in total. A copy of this schedule shall be posted for public inspection at all times. Establishment and/or amendment of the schedule of permit fees shall be made by resolution of the Pike County Board of Commissioners. The schedule of permit fees shall be tendered by the Director of Planning and Development to the Pike County Board of Commissioners with suggestions for revision and/or approval at least once in each calendar year.
(Ord. passed 10-11-00) (Am. Ord. Passed 6-12-13)

§ 150.19 REGULATIONS FOR VINYL SIDING

Commencing on June 1, 2001, any and all structures that are to have vinyl siding as an exterior covering shall be completely sheathed with either O.S.B. or plywood. Sheathing shall be ½-inch thick or the manufactured equal thereof. Sheathing shall be applied to all areas to be covered by vinyl siding. Vinyl shall be fastened with either nails or staples, but in either case, the fastener shall be of such a length so as to penetrate the sheathing without protruding into the interior of the building. Excessive length fasteners can and have penetrated the wires that pass through the wall cavities. Also, excessive length fasteners are a hazard to the workers who follow after siding crews.
(Am. Ord. passed 6-13-01)

§150.20 REGULATIONS FOR PERIMETER FOOTERS

(A) Commencing on January 1, 2001, any and all perimeter footers, whether for "stick built" homes or for manufactured homes, shall have no less than two runs of at least #4 rebar for the entire length of the footer. Rebar shall be supported on metal chairs or metal stakes so as to hold the rebar off the bottom of the footing trench at least 3½ to 4 inches. Rebar shall be supported by either means, but not more than four-foot intervals.
(B) It is also required that footers be treated for termites prior to the pouring of concrete into the footing trench. This is a recommendation, since it is much better to treat the ground, not the concrete or blocks.

(Am. Ord. passed 4-11-01)(Am. Ord. passed 05-27-03)

Uniform Numbering System

§ 150.35 UNIFORM SYSTEM OF IDENTIFICATION AND ADDRESSING OF PROPERTIES AND BUILDINGS

(A) Pike County has implemented a uniform system for the identification and addressing of properties and buildings located in Pike County, Georgia.
(B) All properties and buildings within the unincorporated area of Pike County, as well as any properties and buildings located inside the city limits of participating municipalities that have consented for the County to apply this uniform system within its municipal boundaries, shall hereafter be so identified in accordance with the uniform identification system set forth herein.
(C) The uniform identification and addressing of properties and building shall be as follows:
  (1) Each new identification address shall be issued by the Office of Planning and Development of Pike County.

(2) Applicants for identification addresses shall submit a request form as required by the Office of Planning and Development along with a completed driveway permit issued by the Pike County Department of Public Works or the Georgia Department of Transportation, whichever entity may have jurisdiction over the subject driveway permit.

(3) The installation of the driveway(s) in connection with a request for new identification address(es) shall be in accordance with the applicable driveway specifications, Pike County or the Georgia Department of Transportation, before a new addressed is issued.

(4) The determination and identification of the new address(es) shall be as follows:

a. All new addresses will be measured from the intersection of the parent road and the thoroughfare from which it originates to the center of the installed driveway. The originating point shall be the zero mark and point of origin for the determination process of the new identification address.

b. Addresses will then count up from the zero mark every 5.4 feet, which will result in the next sequential available address number.

c. The middle point of the installed driveway shall be the point used to determine the address number. Due to the width of the driveway, the number may be amended one sequential number up or down at the discretion of the Office of Planning and Development.

d. Even numbers shall be assigned to properties on the right side of the street and odd numbers to the left side of the street as measured from the zero mark and point of origin.

e. For cul-de-sacs, the point directly at the top of the cul-de-sac as gauged by the centerline of the road shall be used in connection with defining even and odd addresses.

(5) In the event an address is requested for a vacant parcel of land a defined driveway must be installed per proper specifications as discussed above.

(6) The Office of Planning and Development has administrative discretion to issue a new identification address in the event a driveway has not yet been completed as long as the driveway can be clearly identified by tangible evidence such as through the use of plats, site plans, pins/markers placed, or other evidence of identifying the location of the driveway.

(7) For larger scale developments, residential or non-residential, requests for new identification addresses shall be defined by utilizing the main address of the development and then further identified through the use of additional sequential identification including, but not limited to, numbers, letters, buildings, suites. For example, a request for a new identification address for a business location in a larger business development may be identified by use of the main street address for the development, then referencing a sequential designation for the appropriate building, and then further referencing a sequential suite identification for the subject business (i.e., 123 Commercial Blvd., Building A, Suite 1).

(D) Administration and specifications for new addresses shall be as follows:

(1) Once the new identification address has been assigned by the Office of Planning and Development, no changes may be made to the assigned address except by the Office of Planning and Development in writing.

(2) After the assignment of a new identification address, the Office of Planning and Development will provide an official notification of the assigned address to the owner, which may be obtained from the Office of Planning and Development during regular

business hours. The Office of Planning and Development will maintain a master record of all assigned addresses.

(3) All assigned address numbers must be posted on the property in accordance with the physical standards for address displays required by this section. The posting of the assigned address shall be visible from the road, shall be displayed no more than 25 feet from the road, and shall be visible both day and night. A mailbox at the entrance to a property will suffice as long as the address is displayed on both sides of the mailbox; or, the address is displayed on one side of the mailbox and also in the yard so that the address is visible from either direction while traveling on the adjacent road.

(4) Each applicant for a new identification address will be responsible for the display of the new address. The address display shall be a minimum of 3 inches in size.

(5) No person, agency or business shall adopt, assign, display or cite any address other than the address assigned by the Office of Planning and Development for the purpose of designating the location of subject property.

(6) The Office of Planning and Development may make available to public agencies, such as those responsible for emergency and law enforcement services, tax officials and post offices, a compiled record of the assigned addresses to assist with the efficient administration of services to the citizens and general public.

(E) The enforcement of this section shall include the following provisions;

(1) Any person who shall do anything prohibited by this subchapter as it exists, or as it may hereafter be amended, or who shall fail to do anything required by this subchapter as it now exists or as it may hereafter be amended, is declared to be in violation of this subchapter and the regulations or county ordinances herein set forth.

(2) Each and every day that any such violation exists shall be deemed a separate offense.

(3) Any such violation of this subchapter and any citation issuing thereon may be returnable and tried in the Magistrate Court of Pike County, Georgia. The maximum penalty that may be enforced is as provided by Georgia law (OCGA § 15-10-60) and §10.99 of the Code of Pike County, Georgia as said laws now exist or as they may hereafter be amended.

(4) The imposition of any fine or imprisonment, or both, for any violation shall not excuse the violation nor permit it to continue; and, all such violators shall be required to correct or remedy such violations or defects.

(5) The remedies herein set out for the purpose of enforcing this section shall not be deemed to be exclusive, but shall be cumulative of all other remedies, civil or criminal, provided by the laws of Georgia or by the ordinances of Pike County.

(Res. 2-94, passed 2-9-94)(Am. Ord. passed 08-31-04)(Am. Ord. passed 12-9-20)

§ 150.36 ADMINISTRATION

(A) The Director of Pike County 911 shall be responsible for implementing and maintaining the numbering system as adopted by this subchapter, including the supplementary documents referred to herein.

(B) The Director of Pike County 911or his or her designee shall assign and maintain a record of all property numbers for the county.

(C) The Director of Pike County 911 or his or her designee may make available to public agencies, such as those responsible for emergency services, tax officials and the post office,

such part of the records of property number assignments as may be required to accomplish a public purpose.

(Res. 2-94, passed 2-9-94)(Am. Ord. Passed 08-31-04)

§ 150.37 ENFORCEMENT

(A) Any person who shall do anything prohibited by this subchapter as it exists, or as it may hereafter be amended, or who shall fail to do anything required by this subchapter as it now exists or as it may hereafter be amended, is declared to be in violation of this subchapter and the regulations or county ordinances herein set forth.

(B) Each and every day that any such violation exists shall be deemed a separate offense.

(C) Any such violation of this subchapter and any citation issuing thereon may be returnable and tried in the Magistrate Court of Pike County, Georgia. The maximum penalty that may be enforced is that as provided by Ga. Code, § 15-10-60 as it now exists or as it may hereafter be amended.

(D) The imposition of any fine or imprisonment, or both, for any violation shall not excuse the violation nor permit it to continue; and all such violators shall be required to correct or remedy such violations or defects.

(E) The remedies herein set out for the purpose of enforcing this subchapter shall not be deemed to be exclusive, but shall be cumulative of all other remedies, civil or criminal, provided by the laws of Georgia or by the ordinances of Pike County.

(Res. 2-94, passed 2-9-94)(Am. Ord. passed 08-31-04)

TITLE XV:

LAND USAGE

Chapter 155

Subdivisions

CHAPTER 155: SUBDIVISIONS

Section

General Provisions
155.01 Title
155.02 Definitions
155.03 Suitability of Land to be Subdivided
155.04 Name of Subdivision
155.05 Platting Authority
155.06 Plats Required and County Approval Required Related to Subdivision and Development
155.07 Pre-Application Review and Pre-Application Planning Conference
155.08 Plat Applications, Submissions and Reviews
155.09 Minor Subdivisions
155.10 Major Subdivisions
155.11 Information to be Provided on Preliminary Plat
155.12 Application for Final Plat Approval
155.13 Final Plat Specifications
155.14 Recording of Final Plat
155.15 Effect of Filing Final Plat, Bond Requirements and Acceptance of Deeded Dedications
155.16 Access
155.17 Conformance to Adopted Throughfares and Other Plans
155.18 Private Streets
155.19 Continuation of Existing Streets
155.20 Street Names
155.21 Street Jogs
155.22 Cul-De-Sacs
155.23 Alleys
155.24 Reserve Strips
155.25 Easements
155.26 Development Standards for Drainage Piping and Structures
155.27 Street Design Requirements
155.28 Construction Standards for Streets
155.29 Roadway Classification Standards
155.30 Block Lengths and Widths
General Design Requirements
155.31 Lot Sizes
155.32 Lot Lines
155.33 Front Yard Setbacks
155.34 Lots Abutting Streets
155.35 Double and Reverse Frontage Lots
155.36 Required Improvements
155.37 Improvements Bond
155.38 Large Scale Developments

§ 155.01 TITLE

This chapter shall be known and may be cited as "The Pike County Subdivision Regulations" or "Subdivisions" for short.

§ 155.02 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(A) ADMINISTRATIVE OFFICIAL. The County employee appointed by the Board of Commissioners to administer subdivision regulations. Unless otherwise specified, the ADMINISTRATIVE OFFICIAL shall be the ZONING ADMINISTRATOR for Pike County (usually the Director of the Planning and Development Department).

(B) ALLEY. A private secondary way which affords access to the side or rear of abutting property or structures.

(C) BLOCK. A piece or parcel of land entirely surrounded by public highways or streets, other than alleys.

(D) BUILDING. Any structure having a roof and intended for shelter, housing or enclosure of persons, animals or property of any kind. Includes the word STRUCTURE.

(E) BUILDING SETBACK LINE. A line establishing the minimum allowable distance between the nearest portion of any building, excluding steps, gutters and similar fixtures, and the road centerline or the deeded right-of-way line of the abutting street on which the building faces.

(F) COMMUNITY FACILITIES PLAN. That section of the Pike County Comprehensive Plan that analyzes existing community facilities and future needs for such facilities and proposes a plan for meeting these future needs.

(G) COMPREHENSIVE PLAN. A plan prepared by or for the ~~Planning Commission~~Planning and Zoning Board which analyzes existing social and physical conditions and proposes a plan for action to meet the future needs of the community adopted by the Board of Commissioners as the official plan of the community.

(H) COUNTY COMMISSION. The elected governing body of Pike County, Georgia.

(I) CUL-DE-SAC. A local street or court with only one outlet; sometimes called a dead-end street.

(J) EASEMENT. The right or privilege of using another's property for purposes such as constructing and maintaining sanitary sewers, water mains, electric lines, telephone lines, storm sewers, gas lines, bicycle paths, drive ways, pedestrian ways, or other purposes.

(K) ENGINEER. A registered professional engineer in good standing in the State of Georgia.

(L) HEALTH DEPARTMENT. The Pike County Environmental Health Department.

(M) LOCAL STREET. A street used primarily to serve the abutting property and not part of the Pike County Thoroughfare Plan.

(N) LEGAL LOT OF RECORD. A nonconforming lot or parcel which meets any one of the following conditions:

1. Lots in existence prior to zoning. Any lot, the contract or deed to which was recorded in the office of the Clerk of Superior Court for Pike County, Georgia prior to June 14, 1989, and has not been changed since the effective date of the official adoption of the Pike County Zoning Code; or
2. Residual parcels. Any residual parcel that was reduced from a lot on a single deed that

was legally recorded in the office of the Clerk of Superior Court for Pike County, Georgia prior to June 14, 1989, and was created by a taking or dedication for a public right-of-way or public purposes, or was reduced pursuant to a court order; or

3. Enlarged parcels. Any parcel that was enlarged from a lot on a single deed that was legally recorded in the office of the Clerk of Superior Court for Pike County, Georgia prior to June 14, 1989, voluntarily or pursuant to a court order or other legal requirement; or
4. Bisected lot. Any lot that was legally recorded in the office of the Clerk of Superior Court for Pike County, Georgia prior to June 14, 1989, and remains as a single lot but is rendered nonconforming by a taking or dedication for a public right-of-way or public purposes; or
5. Lots legally permitted under prior ordinances. Any lot legally created under ordinances in effect prior to the adoption of this Ordinance.

(O) LOT. A parcel of land occupied or capable of being occupied by one or more buildings and customarily incidental accessory buildings or uses, including such open spaces as are required. For the purpose of these regulations, the term does not include any part of a dedicated right-of-way.

(P) LOT WIDTH. The distance between side lot lines measured at the front building line; if a corner lot, the distance between lot lines measured along the front building line which parallels or more nearly parallels the rear lot line.

(Q) MAJOR THOROUGHFARE. A street designed and built to move traffic at high speeds over long distances; such streets are designated as MAJOR THOROUGHFARES in the Thoroughfare Plan. All U.S. highways are MAJOR THOROUGHFARES.

(R) MARGINAL ACCESS STREET. A local street parallel and adjacent to a major or minor thoroughfare which provides access to abutting properties with protection from through traffic.

(S) MINOR THOROUGHFARE. A street designed and built to take traffic to and from major thoroughfares and to move traffic from one part of the county to another and designated as a MINOR THOROUGHFARE in the Thoroughfare Plan. All state highways that are not also U.S. highways are MINOR THOROUGHFARES unless shown on the Thoroughfare Plan as major thoroughfares.

(T) PERSON. A firm, association, organization, partnership, trust, company or corporation as well as an individual.

(U) ~~PLANNING COMMISSION~~PLANNING AND ZONING BOARD. The local planning agency; in this case the Pike County ~~Planning Commission~~Planning and Zoning Board.

(V) PLAT. A map, plan or layout of a county, city, town, section or subdivision indicating the location and boundaries of properties. When the PLAT proposes to divide a lot, tract or parcel of land into more than two lots, tracts or parcels, then the proposed division becomes a subdivision, and the subdivision requirements of these regulations will apply.

(W) ROADWAY. That portion of the street between the regularly established curb lines or that portion of a street devoted to vehicular traffic.

(X) SHALL. This term is always mandatory.

(Y) STREET. The full right-of-way of a public thoroughfare which affords the principal means of access to abutting property.

(Z) STREET, PRIVATE. A road or street that has not been accepted for maintenance by Pike County, and that is not owned and maintained by a state, county, city, or another public entity.

(AA) SUBDIVIDER. Any person, as defined by this Chapter, who undertakes the subdivision of land, and any person having such a proprietary interest in land to be subdivided as will authorize the maintenance of proceedings to subdivide such land under this Chapter, or the authorized agent of such person. For the purpose of this Chapter, the term 'subdivider' shall also include 'developer'.

(BB) SUBDIVISION. The division of a lot of record at the time of enactment of this chapter into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy or building development and includes all divisions of land involving a new street or a change in existing streets. The word "subdivision" includes re-subdivision and when appropriate to the context, relates either to the process of subdividing or to the actual land or area which is subdivided.

(CC) SUBDIVISION-MINOR (Minor Subdivision). The division of a tract or parcel of land into four (4) or fewer lots; except, however, a minor subdivision that includes interior improvements such as interior road(s) or interior utility system(s) and related infrastructure (water, sewer, etc.), or requires the alteration of existing public streets, shall be deemed as major subdivisions, not as minor subdivisions.

(DD) SUBDIVISION-MAJOR (Major Subdivision). The division of a tract or parcel of land into five (5) or more lots which may or may not involve the construction of a new public or private street. A major subdivision shall also include any minor subdivision that includes interior improvements such as interior streets or interior utility system(s) and related infrastructure, or requires the alteration of existing public streets.

(EE) THOROUGHFARE SYSTEMS PLAN. That section of the Pike County Comprehensive Plan that analyzes the existing thoroughfares system and future needs for thoroughfares and proposes a plan for meeting these future needs.

(FF) USED or OCCUPIED. As applied to any land or building, shall be construed to include the words INTENDED, ARRANGED OR DESIGNATED TO BE USED OR OCCUPIED.

§ 155.03 SUITABILITY OF LAND TO BE SUBDIVIDED

Land subject to flooding, improper drainage or erosion or that is for topographical or other reasons unsuitable for residential use shall not be platted for residential use or any other use that will continue or increase the danger to health, safety or property, unless the hazards can be and are corrected.

§ 155.04 NAME OF SUBDIVISION

The name of any minor subdivision must have the approval of the Administrative Official or the ~~Planning Commission~~Planning and Zoning Board; and, the name of any major subdivision must have the approval of the Board of Commissioners. The name of any subdivision shall not duplicate nor closely approximate the name of an existing subdivision in Pike County.

§ 155.05 PLATTING AUTHORITY

(A) MINOR SUBDIVISIONS. The Administrative Official/Zoning Administrator and the ~~Planning Commission~~Planning and Zoning Board shall have platting authority for all minor subdivision plats, including revised or modified minor subdivision plats; except, however, neither the Administrative Official

nor the ~~Planning Commission~~Planning and Zoning Board shall have platting authority for minor subdivisions that include interior improvements such as interior roads and/or interior utility system(s) and related infrastructure, which are deemed as major subdivisions by definition and shall require the approval process for major subdivision plats described herein. To further clarify, the Administrative Official has the platting authority to approve administratively all plats for minor subdivisions. However, the Administrative Official also has the discretion to refer any minor subdivision plat to the ~~Planning Commission~~Planning and Zoning Board for its review and approval. Accordingly, the Administrative Official and ~~Planning Commission~~Planning and Zoning Board have concurrent platting authority for minor subdivision plats.

(B) MAJOR SUDIVISIONS. The Board of Commissioners of Pike County shall have platting authority for major subdivision plats. No major subdivision final plat shall be recorded with the Clerk of Superior Court of Pike County unless it has been approved by the Board of Commissioners and bears the approval of the body on all copies to be recorded. Any major subdivision plat previously approved by the Board of Commissioners that is altered or modified or otherwise changes lot lines, lot sizes, or total number of lots shall submitted to the Pike County Board of Commissioners for approval; except, however the Administrative Official/Zoning Administrator shall have the authority to approve minor changes to previously approved final plats for Major Subdivisions, where the proposed revision(s) is/are considered minor in nature such as correcting errors in the previously filed plat or constitute(s) a reconfiguration of a previously approved plat that does not increase the total number of lots.

§ 155.06 PLATS REQUIRED AND COUNTY APPROVAL REQUIRED RELATED TO SUBDIVISIONS AND DEVELOPMENT

(A) Pike County prefers that all properties in Pike County in connection with the subdivision and development of properties in the County be platted or surveyed; and, that said plat/survey be approved by the appropriate platting authority prior to being recorded in the office of the Clerk of Superior Court. However, existing lots of record with adequate metes and bounds legal descriptions that sufficiently and accurately describe the property to be subdivided or developed may be allowed in connection with minor and major subdivisions in the discretion of the Zoning Administrator, ~~Planning Commission~~Planning and Zoning Board, or Board of Commissioners.

(B) Any plat or survey of property that was not approved by the proper Pike County platting authority prior to being recorded in the office of the Clerk of Superior Court will not be sufficient for the purposes of applying for the subdivision and/or developing of property as either minor or major subdivisions in Pike County. However, and upon the request of the applicant, the proper Pike County platting authority may in its sole discretion review and approve any plat recorded without prior Pike County approval, after said platting authority takes into consideration the reason said plat was not approved by Pike County prior to being recorded.

§ 155.07 PRE-APPLICATION REVIEW AND PRE-APPLICATION PLANNING CONFERFENCE

(A) PRE-APPLICATION REVIEW. Any subdivider may consult with the Administrative Official, or other designated person, for a pre-application review and discussion prior to submitting the formal plat application to Pike County for review and consideration. This pre-

application review is an informal discussion between the subdivider and the Administrative

Official. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout and development of the subdivision. No fee shall be charged and no formal application shall be required. In connection with these informal discussions, the Administrative Official may provide the subdivider with pertinent information or suggestions in connection with the anticipated plat application process. At the discretion of the Administrative Official or upon the request of the subdivider, the Administrative Official may present the information to either the ~~Planning Commission~~Planning and Zoning Board or the Board of Commissioners for further pre-application review and discussions. The Administrative Official may determine during the pre-application review that proposed subdivision will require a pre-application planning conference. Many minor subdivisions (such as single lot subdivisions) would not need either a pre-application review or a pre- application conference.

(B) PRE-APPLICATION PLANNING CONFERENCE. All subdividers of major subdivision are required to participate in a pre-application planning conference. In addition, the Administrative Official may determine that a minor subdivision should undergo a pre-application planning conference. This pre-application planning conference is a formal meeting that is scheduled by appointment only. The subdivider and Administrative Official, and any other person or entity that may be beneficial to the conference, will meet to discuss the proposed application process, related requirements, fees, and the calendar for the review and consideration of the application upon submission. There is no fee related to the pre-application planning conference.

(C) A subdivider may request a written confirmation from the Administrative Official as to whether a pre-application planning conference is required; and/or whether the subdivider may move forward with the submission of an application for either a minor or major subdivision.

§ 155.08 PLAT APPLICATIONS, SUBMISSIONS AND REVIEWS

(A) INITIAL REVIEW BY ADMINISTRATIVE OFFICIAL OR DESIGNEE. All plat applications, along with the requisite information, documentation, and fees required by this Chapter, shall be submitted to the office of the Administrative Official for initial review. The initial review will determine whether the submitted application is complete with all of the requisite information, documentation, and fees; whether the application constitutes a minor subdivision or major subdivision; and, whether there are any issues that need to be further addressed before deeming the application complete.

(B) PLAT REQUIREMENTS. All plats shall meet the following requirements:

(1) CLARITY AND SCALE. All plats shall be clearly and legibly drawn at a scale not smaller than 100 feet equals 1 inch;

(2) SHEET SIZE. All plat sheets may be no smaller than 18” by 24” and no larger than 36” by 38”; and,

(3) NUMBER OF COPIES AND FORMAT. The applicant shall provide 1 hardcopy of the proposed plat and one digitally formatted (pdf preferred) copy of the plat upon submitting the application for plat review.

(C) INCOMPLETE AND COMPLETE APPLICATIONS. If the application is deemed incomplete, then the office of the Administrative Official shall so notify the applicant in writing detailing why the applicant is incomplete. Once an application is deemed complete, the Administrative Official shall so notify the applicant in writing and then proceed to

process the application for review as either a minor subdivision plat or major subdivision plat in accordance with this Chapter.

§ 155.09 MINOR SUBDIVISIONS

(A) Upon the determination by the Administrative Official that the application for minor subdivision is complete, the Administrative Official/Zoning Administrator shall then either consider the minor subdivision plat for approval or determine that the minor subdivision plat should be reviewed and considered by the ~~Planning Commission~~Planning and Zoning Board. If the proposed minor subdivision plat is to be considered by the ~~Planning Commission~~Planning and Zoning Board, then the Administrative Official/Zoning Administrator will place the matter of the proposed minor subdivision plat on the agenda for the next meeting of the ~~Planning Commission~~Planning and Zoning Board for its review and consideration.

(B) Prohibition of "chain" minor subdivisions. It is the intent of the Board of Commissioners to prohibit the practice of "chain" subdivisions where multiple applications for minor subdivisions for the same property(ies) or contingent property(ies) are filed either simultaneously or during a five (5) year period in an apparent attempt to circumvent the requirements of a major subdivision. The Administrative Official or the ~~Planning Commission~~Planning and Zoning Board, in the sound discretion of either, may require an applicant to proceed with the filing of a major subdivision application if multiple and/or subsequent minor subdivision applications are filed within a five (5) year period involving the same property or contiguous properties. In such cases, the Administrative Official or ~~Planning Commission~~Planning and Zoning Board will require the applicant to resubmit an application for major subdivision application for all the properties related to the already submitted minor subdivisions.

(C) Common Contiguous Parcels Shown or Minor Subdivision Plats. Contiguous common parcels, as defined by this Chapter, shall be referenced on all applications for minor subdivisions. Contiguous common parcels shall be considered part of any application for minor subdivision, for purposes of determining whether or not the division of land proposed is a major subdivision or a minor subdivision. Common contiguous parcels shall be counted as lots in the case of a minor subdivision.

§ 155.10 MAJOR SUBDIVISIONS

(A) PRELIMINARY AND FINAL PLATS REQUIRED. Major Subdivisions require separate submissions, reviews, and approvals of both the preliminary and final, which are reviewed, and considered for approval separately; except, however, a major subdivision with privately owned and maintained streets and rights of way, that do not have public water, and that do not require further EPD review and approval may be considered for a joint submission, review, and approval of the preliminary and final plats.

(B) REVIEW PROCESS OF PRELIMINARY AND FINAL PLATS.

(1) All major subdivision plats (preliminary, final or joint) will first be reviewed by the Administrative Official, who will then forward the plat to the ~~Planning Commission~~Planning and Zoning Board for its review and recommendation. After the review by the ~~Planning Commission~~Planning and Zoning Board, the proposed plat (preliminary, final, or joint) along with the recommendations of the Administrative Official and the ~~Planning Commission~~Planning and Zoning Board will be forwarded to

the Board of Commissioners as the final platting authority for all major subdivision plats (preliminary, final, and joint) for its review and consideration.

(2) CONDITIONS PRECEDENT TO THE REVIEW OF MAJOR SUBDIVISION PLATS. Prior to any application for a major subdivision being processed for review and consideration, the owner/applicant must provide and/or obtain the following:

(a) The name and address of the owner/applicant/representative to whom the notice of all meetings or hearings shall be sent from the County related to the plat.

(b) The approval of the Georgia Department of Transportation for any proposed major subdivision abutting a state highway. No major subdivision plat shall be approved by Pike County until the owner/applicant has obtained the approval of the Georgia Department of Transportation.

(c) Where applicable, a statement from the Pike County Health Department stating the soil analysis requirements for the well and septic systems for the proposed subdivision.

(d) A statement from the Pike County Water and Sewer Authority stating the availability of water and sanitary sewer lines in the proximity of the proposed subdivision. Subdivisions meeting the County's proximity standards shall be required to tie onto said water lines and follow the permitting procedures of the County.

(e) The owner/applicant shall seek statements from the Pike County School Board, the Pike County Sheriff's Department, the Pike County Fire Department and the Pike County Public Works Department regarding the proposed major subdivision with each entity's respective comments and recommendations. If any of these named entities fails to respond to the request of the owner/applicant within 30 days, then the plat may proceed for further review and consideration as if the plat had in fact been reviewed by the non-responding entity.

§ 155.11 INFORMATION TO BE PROVIDED ON PRELIMINARY PLAT

The preliminary plat shall contain the following information:

(A) Proposed name of subdivision, including any unit or phase numbers.

(B) Date of plat.

(C) Name of plan preparer.

(D) Land lot and district.

(E) Provide revision block area.

(F) Written scale and graphic scale (Scale shall not be less than 1'' = 100').

(G) North arrow; North point shall be identified as magnetic, true, or grid north.

(H) Names, addresses, and pertinent telephone and fax numbers of owner(s) or record and of subdivider(s).

(I) Names, addresses, and pertinent telephone and fax numbers of engineer and/or surveyor, registered in Georgia, who prepared plat.

(J) Vicinity map showing subdivision and surrounding existing streets, sufficient enough to accurately locate project on county maps.

(K) Appropriate legend of symbols used on plat.

(L) Exact boundary lines of the property with a heavy line, accompanied by bearings (degrees, minutes, seconds) and distances (to one-hundredths place).

(M) Names of owners of record and current zonings of all properties adjacent to proposed subdivision.

(N) In general notes section, list total acreage and current zoning of subdivided property, and tax parcel identification number(s) of parent tract(s). Verify whether or not parent tract is currently within a CUVA tax classification.

(O) In general notes section, list proposed number of subdivided lots.

(P) In general notes section, calculate net and gross densities for proposed development, if applicable for the subdivided property's zoning.

(Q) In general notes section, list minimum lot area and minimum lot width at building line required for subdivided property.

(R) In general notes section, list front building setback (from right-of-way), as well as side yard and rear yard setbacks required.

(S) Show all yard setbacks with dashed lines for all subdivided lots within development; show representative labels and dimensions for all yard setback types at certain intervals throughout the development.

(T) In general notes section, list source of boundary and right-of-way information, and date of survey.

(U) In general notes section, list source of topographic information and datum.

(V) In general notes section, list current FEMA Flood Insurance Rate Map Community Panel Number(s), with effective date, for property. If floodplain occurs on site, show limits of 1% annual chance flood for proposed development, based on current FEMA Panel and/or independent engineering study.

(W) Statement whether or not state waters and/or wetlands occur on the subdivided property. If they do occur, show their field location with all required buffers.

(X) Statement whether or not the subdivided property lies within any established Pike County Watershed Protection District.

(Y) In general notes section, list total length of centerline of road for proposed development, and breakdown of total length of centerline of road of individual proposed streets.

(Z) In general notes section, list total impervious surface calculations for proposed development in applicable zonings, and for those developments that lie within established Pike County Watershed Protection Districts.

(AA) Show topographic contours within and adjacent to subdivided property at vertical intervals of not more than two (2) feet where a new street is involved in a subdivision; label representative contours at certain intervals. If no interior streets are involved, then topographic contours within and adjacent to subdivided property at vertical intervals every twenty (20) feet must be shown and labeled.

(BB) Show soil conditions on the property, as per USDA manual.

(CC) Show locations of any natural features on the property – water bodies, water courses, tree lines, orchards, exceptional topography, and significant rock outcroppings.

(DD) Show any railroads and railroad rights-of-way on or adjacent to proposed subdivision.

(EE) Show any existing bridges, buildings, and drives on or adjacent to proposed subdivision.

(FF) Show any existing storm and sanitary sewers, water mains, drains, culverts, and other underground facilities or utilities within easements or rights-of-way on or adjoining the subdivided property.

(GG) Show layout of all proposed lots, with sequential lot numbers and scaled dimensions; show utility easements with width and use.

(HH) Show layout of all proposed streets and other access ways with right-of-way and pavement widths, as well as proposed street names. Show sidewalks and ADA ramps if required per the subdivided property's zoning. (if applicable)

(II) The cross section of proposed streets showing width of roadways and location of sidewalks; (if applicable)

(JJ) Show open space area and open space calculations for proposed development, if required per the subdivided property's zoning. Show all parcels of land intended to be dedicated for public use or reserved.

(KK) Show layouts, methods and standards to be used for providing potable water, sanitary sewerage, and storm drainage facilities to each subdivided lot.

(LL) Preliminary plats initially submitted after the ratification dates of other future Pike County Ordinances shall abide by the requirements of those ordinances.

§ 155.12 APPLICATION FOR FINAL PLAT APPROVAL

(A) TIMELINE FOR SUBMITTING FINAL PLAT. Within two (2) years after the preliminary plat of a proposed subdivision has been given approval by the Board of Commissioners, the subdivider may submit an application for final plat approval for the major subdivision. The review and consideration of the application for final plat approval shall be in accordance with the review procedures set forth above.

(B) REQUEST FOR EXTENSION. If within the two (2) years of the approval of the preliminary plat, however, the owner/applicant/developer is not ready to proceed with seeking the final plat approval for the major subdivision, then the owner/applicant/developer may seek an extension from the Board of Commissioners. The request for an extension must be submitted in writing and provide an estimated timeframe for the submission of the application for final plat approval. The Board of Commissioners shall have sole discretion as to whether an extension shall be issued. The Board of Commissioners shall consider the totality of the circumstances when considering such a request for an extension.

(C) CONDITIONS PRECEDENT TO THE REVIEW OF FINAL PLAT. Prior to any application for final plat approval of a major subdivision, the owner/applicant must provide and/or obtain the following:

(1) The name and address of the owner/applicant/representative to whom the notice of all meetings or hearings shall be sent from the County related to the plat;

(2) Where applicable, a statement from the Pike County Health Department approving the water supply and sewage disposal systems, as installed; a statement from the Pike County Water and Sewer Authority approving the water supply and sewer disposal system if applicable; and,

(3) Where applicable, a statement from the County Manager that all improvements have been made as required by this Chapter or that an adequate bond has been posted to cover the cost of the unfinished improvements as provided in this chapter.

§ 155.13 FINAL PLAT SPECIFICATIONS

(A) The final plat shall conform to and meet the specifications of the preliminary plat, with the following additions.

(B) The final plat shall be clearly and legibly drawn in permanent ink on tracing cloth or other high quality reproducible material. Sheet sizes shall be as required by the Superior Court of

Pike County, and where more than one sheet is required, an index map shall be required on the same size sheet. The final plat shall show the following:

(1) Direction and distance from points of reference to points on the boundary of the subdivision and other additional data that may be required to relocate the boundary points from the points of reference. All points of reference shall be monumented positions which can be relocated by reference to maps, plats or other documents on public record;
(2) Municipal, county and land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision;
(3) Exact boundary lines of the tract, determined by a field survey, giving distance to the nearest one-hundredth foot and angles to the nearest minute and second which shall be balanced and closed with an error of closure not to exceed 1 to 5,000;
(4) Name of subdivision and exact locations, widths and names of all streets and alleys within and immediately adjoining the plat;
(5) Street centerlines showing angles of deflection, angles of intersection, radii and lengths of tangents;
(6) Lot lines, with dimensions to the nearest 1/100 foot, and bearings to the nearest minute and second;
(7) Lots numbered in numerical order and blocks lettered alphabetically;
(8) Location, dimensions and purposes of any easements and any areas to be reserved or dedicated for public use;
(9) Accurate location, material and description of monuments and markers;
(10) A statement, either directly on the plat or in an identified attached document, of any private covenants;
(11) All lots shall be numbered or lettered and all streets should bear tentative names;
(12) North point, graphic scale and date;
(13) List current FEMA Flood Insurance Rate Map Community Panel Number(s), with effective date, for property. If floodplain occurs on site, show limits of 1% annual chance flood for proposed development, based on current FEMA Panel and/or independent engineering study.
(14) For subdivided lots within or adjacent to any established 1% annual chance flood limits on the property, show a minimum finished floor elevation for each lot. All proposed structures within or adjacent to the limits of the 1% annual chance flood shall have a minimum finished floor elevation 3 feet above the elevation of the limits of the 1% annual chance flood.

§ 155.14 RECORDING OF FINAL PLAT

(A) Upon approval of a final plat by the Pike County Board of Commissioners, the Administrative Official shall have the final plat recorded in the office of the Clerk of the Superior Court of Pike County. The subdivider shall be responsible for the payment of the recording fee at the time of submitting the final plat, as provided in this Chapter and related fee schedules.
(B) Upon recording of the approved final plat, a high quality reproducible print of the recorded final plat, meeting the size requirements set forth in this Chapter, shall be provided by the subdivider for the records of the Board of Commissioners and filed with the Planning and Development Department.

§ 155.15 EFFECT OF FILING FINAL PLAT, BOND REQUIREMENTS AND ACCEPTANCE OF DEEDED DEDICATIONS

(A) GENERAL. The approval and filing of the final major subdivision plat with the Clerk of Superior Court does not convey title of the rights of way including the streets, easements, and utilities in the major subdivision to the Board of Commissioners. The Board of Commissioners does not accept responsibility for the construction, maintenance, and repair of any rights of way, or related infrastructure, in connection to a major subdivision upon the approval and filing of the final plat, regardless of what language may be stamped on a final plat. Specifically, a statement on a final plat that indicates "dedication accepted by Pike County" shall only be construed as giving the public the right to access said rights of way. Until Pike County has accepted the deed transfer(s) for any rights of way in a major subdivision, the owner/applicant/developer shall remain responsible for the construction, maintenance, and repair of said rights of way.

(B) BOND. The owner/applicant/developer is obligated to maintain a Bond for two (2) years after the completion of a major subdivision to ensure the integrity of the infrastructure related to rights of way. The rights of way infrastructure shall be inspected at the time of completion of the major subdivision (or related phase) by Pike County Public Works, and the owner/applicant/developer shall deliver the Bond to the County in such an amount equal to the amount of the base and pavement costs of the paved improvements if repairs become necessary within the two (2) year period. This Bond must remain valid for the duration of the two-year post construction period, during which time the owner/applicant/developer shall remain responsible for any and all maintenance requirements.

(C) DEED DEDICATION AND CONVEYANCE. At the end of the two-year Bond period, the rights of way infrastructure will be reinspected by Pike County Public Works, who shall provide a report to the County Manager as to whether the rights of way infrastructure is satisfactory to proceed with the acceptance of a deed from the owner/applicant/developer conveying title to the rights of way to Pike County. If the Public Works determines that the rights of way infrastructure are not satisfactory and in need of remediation, the County Manager will so advise the owner/applicant/developer. Pike County will also have the right to collect against the Bond to effectuate the remediation necessary to the rights of way infrastructure. If the rights of way infrastructure are satisfactory, the County Manager will so advised the owner/applicant/developer and a Deed of Dedication shall be then presented to the Board of Commissioner for its consideration concerning the acceptance of the title to the rights of way whereby Pike County assumes all responsibility for the deeded rights of way.

(D) In its discretion and at any time after the completion of the subdivision or approved phase, the Board of Commissioners may accept the deeded dedication and transfer of any property intended to be conveyed to any entity of Pike County, except for the paved rights of way and related infrastructure that must follow the two-year provisions referenced above. Specifically, utility infrastructure, drainage easements, or other property to be conveyed to Pike County may be transferred by a Deed of Dedication prior to the two-year period described above after the approval and recording of the final plat.

§ 155.16 ACCESS

Access to every subdivision shall be provided over public streets, or over private streets that have been approved by the Board of Commissioners. All "private streets" shall be developed as per

the development requirements set forth in this Chapter and as otherwise specifically approved by the Board of Commissioners, which includes having a minimum right of way of 60'.

§ 155.17 CONFORMANCE TO ADOPTED THOROUGHFARES AND OTHER PLANS

(A) All streets and other features of the Thoroughfare Plan of Pike County, Georgia, shall be platted by the subdivider in the location and to the dimensions indicated in the Thoroughfare Plan adopted by the ~~Planning Commission~~Planning and Zoning Board.

(B) When features of other plans adopted by the Board of Commissioners (such as schools or other public building sites, parks, rights-of-way or other land for public uses) are located in whole or in part in a subdivision, such features shall be either dedicated or reserved by the subdivider for acquisition within a reasonable time by the appropriate public agency.

(C) Whenever a plat proposes the dedication of land to a public use that is found by the platting authority to not be suitable for public use, the plat shall not be approved based on the reasons for the unsuitable public use. The proposed unsuitable use, however, may be removed from the proposed plat for further consideration.

§ 155.18 PRIVATE STREETS

(A) PRIVATE STREETS MAY BE PERMITTED. The Board of Commissioners may upon application permit private streets within major subdivisions (including minor subdivisions with interior improvements including streets). Any private streets permitted by the Board of Commissioners shall be subject to the development requirements of this Chapter including the minimum 60' right of way.

(B) CONDITIONS REQUIRED FOR PRIVATE STREET SUBDIVISIONS. At the time of any approval of a proposed development with private streets, the Board of Commissioners will make the private street development conditioned upon such conditions to ensure various public purposes and to mitigate potential problems with private streets. Such conditions may include but will not be limited to the following:

(1) No final plat involving private street(s) shall be approved unless said final plat conforms to the requirements of this Chapter.

(2) Pike County shall not maintain, repair, resurface, rebuild or otherwise improve streets, signs, drainage improvements or any other appurtenances within general-purpose public access and utility easements established for private streets.

(3) A private maintenance covenant recorded with the Clerk of the Superior Court shall be required for any private street and any other improvements within general-purpose public access and utility easements established for private streets. The covenant shall specifically include the following terms:

(a) The Covenant shall establish minimum annual assessments in an amount adequate to defray costs of ordinary maintenance and procedures for approval of additional needed assessments. The Covenant shall also specify that the funds from such assessments will be held by a homeowners or property owners association.

(b) The Covenant shall include a periodic maintenance schedule.

(c) The Covenant shall provide for the enforceability by any property owner served by the private street.

(d) The Covenant shall establish a formula for equitably assessing maintenance and repair costs to the property owners served by the private street.

(e) The Covenant shall run with the land.

(4) The Board of Commissioners may, at its discretion, and as a condition of approving the development with private streets, require a performance bond and/or maintenance bond to be submitted by the subdivider to be held by either the County or a HOA/POA (homeowner or property owners association).

§ 155.19 CONTINUATION OF EXISTING STREETS

Existing streets shall be continued at the same or greater width, but in no case less than the required width given in this Chapter.

§ 155.20 STREET NAMES

Street names shall require review and approval first by the Emergency 9-11 Department and then by the Board of Commissioners. Streets that are obviously in alignment with streets already existing and named shall be given the name of the existing street. Names of new streets shall not duplicate or closely approximate those of existing streets.

§ 155.21 STREET JOGS

Street jogs with centerline off-sets of less than 125 feet shall not be permitted. Wherever possible, proposed street centerlines shall be aligned directly with existing street centerlines.

§ 155.22 CUL-DE-SACS

(A) Permanent dead-end street length is unrestricted; however, the street shall provide a paved turn around having a 45-foot inside radius at the cul-de-sac.
(B) Pavement requirements for cul-de-sacs shall meet requirements as set forth in this Chapter.
(C) If the subdivision has 30 or more lots and is located on a cul-de-sac, then in addition to the above requirements the street shall provide at least two lanes for the purpose of exiting the subdivision. The left hand lane shall be marked "left turn or thru traffic only" and the right hand lane shall be marked either "straight ahead and/or right turn." In addition to the foregoing, if 30 or more lots are located on a cul-de-sac, then and in such event the developer shall be responsible for constructing acceleration and deceleration lanes of such length as the Board of Commissioners may require.

§ 155.23 ALLEYS

Alleys may be required at the rear of all lots to be used for multi-family, commercial or industrial developments. Alleys shall not be required in one or two-family residential developments, unless the subdivider provides evidence satisfactory to the Board of Commissioners of the need for alleys.

§ 155.24 RESERVE STRIPS

Reserve strips controlling access to streets, alleys and public grounds shall not be permitted unless their control is placed in the hands of the Board of Commissioners under conditions approved by the governing body.

§ 155.25 EASEMENTS

Easements having a minimum width of 15 feet, and wherever possible located along the side or rear lot lines, shall be provided as required for utility lines, underground mains and cables.

§ 155.26 DEVELOPMENT STANDARDS FOR DRAINAGE PIPING AND STRUCTURES

(A) Watercourse and drainage easements. Where a proposed subdivision is traversed by a watercourse, drainage way or stream, appropriate provisions must be made to accommodate storm water and drainage through and from the proposed subdivision. Such an easement must conform substantially with the lies of the watercourse and be wide enough and of adequate construction to be satisfactory for the purpose.

(B) Storm drainage. An adequate drainage system, including necessary open ditches, pipes, culverts, interjectional drains, drop inlets, bridges and the like must be provided for the proper drainage of all surface water. Cross-drains, drop inlets, bridges and the like must be provided for the proper drainage of all surface water. Cross-drains must be provided to accommodate all natural water flow and must be extended to 30 feet behind the front-yard setback. All such facilities must be shown in plan and profile, including pipe sizes and invert elevations. Outfall ditching must follow property lines on a 20-foot easement to rear property line or natural drainage course.

(C) Piping. Storm drainage piping within county rights-of-way (except under residential driveways) shall be reinforced concrete pipe or fully bituminous coated corrugated steel pipe meeting current Department of Transportation specifications. All piping shall be at least 18 inches in diameter.

(D) End structures/headwalls. Headwalls flared end, vertical wall with wing walls or other end treatments are required on all culverts (except under residential driveways) and at the ends of all piped collection systems. Headwalls are to be pre-cast concrete or stone masonry with reinforced concrete footings or poured in-place reinforced concrete with reinforced concrete footings.

(E) Storm drain structures. All storm drain structures are to be designed to safely pass the Base Flood Evaluation, as determined by acceptable design practices. Pipe size and material, the contributing drainage area, runoff co-efficient, times of concentration, maximum water surface elevations or computed peak flow rates with storm water elevations are to be shown on the construction plans.

(F) Roadways. All roadways are to be constructed so as not to encroach on the flood plain limit and must be designed to be not less than three feet above the projected Special Flood Hazard Evaluation.

(G) Storm drain length. Storm drains shall not exceed 500 feet of continuous length between an inlet, manhole or junction box access. In residential subdivisions, outfall piping from catch basins shall, at a minimum, extend from the street to a point 30 feet behind the front building setback line or to the Special Flood Hazard Evaluation.

(H) Culverts. Culverts carrying streams or ditch flow under a street shall be sized so that the Base Flood Evaluation head water height, or shoulder height where there are no curbs and gutters, does not exceed the curb height of 12”. Calculations determining the headwater elevation for the Base Flood Evaluation and Special Flood Hazard Evaluation shall be provided by the design engineer. The backwater area computed for the Special Flood Hazard Evaluation shall be shown and delineated on the final plat.

(I) Easements. Drainage easements for improved ditches and pipe construction shall be cleared, opened and stabilized at the time of development to control surface water run-off. Drainage easements shall be provided according to the following minimum requirements and shall conform to county standards:

Easement Types	Easement Requirements
For pipes and conveyance structures at curb depth of 0 to 5 feet from surface	20-foot minimum
For pipes and conveyance structures cut with below 5 feet from surface	20 feet plus 10 feet added to every 2 feet of cut depth

(J) Ditches. Drainage ditches shall have minimum bottom width of two feet and shall have 3:1 side slopes or greater. Erosion and sedimentation considerations shall be covered in the Erosion and Sedimentation Control Plan.

(K) Streams and Creeks. Where streams or creeks exist within the development, provision shall be made to limit the adverse effects of any increased development.

§ 155.27 STREET DESIGN REQUIREMENTS

Except as otherwise specified by the Board of Commissioners, all streets shall meet the following design requirements.

(A) Lots of subdivisions fronting on existing Pike County roads whether it is improved or unimproved shall have right-of-way dedication in accordance with the following chart in order to provide for adequate access, maintenance, drainage and related easements, and other future improvements:

	Type of Street			
	Major Thoroughfare	Minor Thoroughfare	Local	Alley
Right-of-way	100 feet or as shown on Thoroughfare Plan	80 feet or as shown on Thoroughfare Plan	60 feet	24 feet
Pavement Width	48 feet or as shown on Thoroughfare Plan	48 feet or as shown on Thoroughfare Plan	22 feet	20 feet
Maximum Street Grade	9%	12%	15%	15%
Minimum Street Grade	1.0%	1.0%	1.0%	1.0%
Minimum radius of centerline curvature, horizontal curves	800 feet	300 feet	200 feet	100 feet
Minimum length of tangent between radius curves	200 feet	100 feet	None	None
On vertical curves minimum sight distance at 4.5 feet above ground level	500 feet	200 feet	None	None
Street Intersections	All street intersections shall be as nearly at right angles as possible. No street intersection shall at an angle of less than 60 degrees, unless required by unusual circumstances and approved by the Board of Commissioners.			
Curb-line radius at street intersections	40 feet	35 feet	25 feet	15 feet
	(Where angle of intersection is less than 90 degrees more may be required)			

§ 155.28 CONSTRUCTION STANDARDS FOR STREETS

All streets must be prepared and paved according to the following methods or by equivalent methods approved by the Pike County Board of Commissioners. Development standards shall be as following:

(A) Subbase. The subbase must consist either of sand, clay or other approved material. The subbase course shall consist of placing subbase material in layers of maximum thickness of eight inches of compacted material over subgrade surface to support a pavement base course. Specific standards for the subbase are as follows:

(1) Satisfactory soil materials shall be those complying with ASTM D2487 soil classification grips GW, GP, GM, SM, SW and SP;

(2) All subbase materials shall be compacted to a minimum 98% maximum density standard proctor (ASTM D698);

(3) Where subbase material must be moisture conditioned before compaction, uniformly apply water to surface or subbase layer. Apply water in minimum quantity as necessary to prevent free water from appearing on surface. Remove and replace or scarify and air dry soil material that is too wet to permit compaction to specified density;

(4) Subbase material must not be deposited or shaped when subgrade conditions are freezing, thawing or otherwise unfavorable for stability;

(5) Provide quality control testing in accordance with ASRM D1556 (soil care method) or ASTGM D2167 (rubber balloon method). Field density tests shall be performed as directed by the Director of Public Works. If, in the opinion of the Director of Public Works, based on testing service reports and inspection, subgrade or fills that have been placed are below specified density, the contractor shall perform additional compaction and testing until specified density is achieved.

(B) Base. The base must consist of graded aggregate base having a minimum thickness after being thoroughly compacted as stipulated in the roadway classification standards identified as § 155.66. The base must be constructed on a prepared subbase in accordance with these specifications and in conformity with the lines, grades and typical cross-section as shown in the approved construction plans. Specific standards for the base are as follows:

(1) All materials must be of an approved type;

(2) As soon as the base material has been spread and mixed, the base must be brought to the approximate line, grade and cross-section and then rolled with a sheep's foot roller or bigertor roller until the roller walks out. Then the base material must be rolled with a pneumatic tire or general purpose roller until full thickness of the base course has been compacted thoroughly. Defects must be remedied as soon as they are discovered. A representative of Pike County shall measure for proper thickness, line, grade and cross-section prior to placement of any prime coat application;

(3) Base course shall be compacted to 100% maximum dry density;

(4) The base course must be maintained under traffic and kept free from ruts, ridges and dustings. It must be kept true to the approved cross-section until it is primed;

(5) Base material must not be deposited or shaped when subgrade conditions are freezing, thawing or otherwise unfavorable for stability.

(C) Pavement. Wearing surface must conform to mixes found suitable by the Georgia Department of Transportation. Wearing surface must be applied after a prime coat. Unless

otherwise approved by the Administrative Official and Director of Public Works, pavement must be constructed as follows:

(1) The prime coat must be cut-back asphalt or cut-back asphalt emulsion applied on a clean, slightly damp surface in an amount of from 0.15 to 0.30 gallons per square yard, depending upon the nature and condition of the surface;

(2) The tack coat must be cut-back asphalt or cut-back asphalt emulsion applied on a clean surface in an amount from 0.15 to 0.30 gallons per square yard, depending upon the nature and condition of the surface;

(3) The binder surface must consist of any approved plant mix, type "B" modified, prepared in a central plant and composed of aggregate and bituminous materials having an in-pace minimum compacted thickness as described in the roadway classification standards identified in § 155.66;

(4) The wearing surface must consist of an approved plant mix, type "E," prepared in a central plant and composed of aggregate and bituminous material having an in-place minimum compacted thickness as described in the roadway classification standards identified in § 155.66.

(D) Seals. Care and caution must be taken that all points between such structures as manholes and curbs and the surface mixture are well sealed.

§ 155.29 ROADWAY CLASSIFICATION STANDARDS

(All specifications to Georgia Department of Transportation, unless otherwise noted.)

	Arterial Highway	Major Collector	Minor Collector	Local	Cul-de-Sac
Surface Tapping Intersections*	2" type "E"	2" type "E"	2" type "E"	1.5" type "F" 2" type "E" or "F"	1.5" type "E" or "F"
Tack Coat Intersections*	0.20 gal/s.yd	0.20 gal/s.yd	N/A	N/A 0.20 gal/s.yd	0.20 gal/s.yd.
Binder Intersections*	3" type "B" mod.	2" type "B" mod.	N/A	N/A 2" type "B" mod.	2" type "B" mod
Prime Coat	0.25 gal/s.yd.	0.25 gal/s.yd.	0.25 gal/s.yd..	0.25 gal/s.yd.	0.25 gal/s.yd.
Curb and Gutter	L-back	L-back	Rolled Back	Rolled Back	Rolled Back
Base Course Intersections*	8" GAB	8" GAB	6" GAB	6" GAB 8" GAB	8" GAB
Max. Street Grade	5%	8%	10%	12%	12%
Min. Street Grade	1.0%	1.0%	1.0%	1.0%	1.0%
Max Street Design	55	45	35	25	25
Min. Horizontal Degree of Curvature	1260	675	350	200	100
Tangents Between Horizontal Curves	Per GA DOT Specs.	100	50	50	50
*Intersections	Defined as 100 linear feet from center of intersection on local roads Defined as first 200 linear feet of local road when intersecting with existing major or minor thoroughfare				

§ 155.30 BLOCK LENGTHS AND WIDTHS

Block lengths and widths shall be as follows:

(A) Blocks shall be not greater than 1,800 feet nor less than 600 feet in length, except in unusual circumstances;

(B) Blocks shall be wide enough to provide two tiers of lots of minimum depth, except where abutting on major streets, limited access highways, railroads or where other situations make this requirement impractical.

General Design Requirements

§ 155.31 LOT SIZES

(A) Lot sizes shall meet the requirements of the Pike County Zoning Code.

(B) In any case where individual sewage disposal systems or water supply systems are used, the Pike County Environmental Health Department shall prescribe minimum lot sizes in excess of the above provisions.

§ 155.32 LOT LINES

All lot lines shall be perpendicular or radial to street lines, unless not practical because of topographic or other features.

§ 155.33 FRONT YARD SETBACKS

Front yard setbacks shall be as required in the Pike County Zoning Code.

§ 155.34 LOTS ABUTTING STREETS

Each lot shall abut upon a dedicated public street or approved private street. The developer must develop all private streets as set forth in development standards described in this Ordinance.

§ 155.35 DOUBLE AND REVERSE FRONTAGE LOTS

Double and reverse frontage lots should be avoided except where essential to provide separation of residential development from major thoroughfares, arterial and collector streets or to overcome specific disadvantages of topography or orientation. A planting screen, no-access easement of at least ten feet and across which there shall be no right of access shall be provided along the line of lots abutting such major thoroughfares, arterial and collector streets or other incompatible use.

§ 155.36 REQUIRED IMPROVEMENTS

(A) Every major subdivider shall be required to have installed at his or her own expense, and with the prior and ongoing approval of the county, to install the following street improvements and utilities:

(1) Street paving and curbs and gutters; provided that in the case of a major thoroughfare, the major subdivider shall only be responsible to install local street improvements or to pay the cost that would be incurred in the construction of a minor thoroughfare;

(a) Any major subdivider, upon approval of the Pike County ~~Planning Commission~~Planning and Zoning Board and by the Pike County Board of Commissioners, that divides property into parcels of not less than 87,120 square feet (2 acres) will be allowed to develop streets without the requirement of curb and gutter, provided that a plan of construction detailing proper

sloped right of ways and drainage of storm water runoff be provided for technical review. This technical review will occur during the preliminary plat approval stage of the subdividing process. This effectively allows for development of parcels without curb and gutter requirements, provided that all of the above listed conditions apply.

(b) No major subdivision shall be approved whose entrance(s) do not front a paved road. For major subdivisions proposed on an existing dirt or gravel road, the subdivision developer (at his or her own expense) shall pave the existing dirt or gravel road from the limits of the closest existing paved road to an extent determined by the ~~Planning Commission~~Planning and Zoning Board at the time of the preliminary plat review.

(c) Interior streets completely contained within a proposed major subdivision shall require paving, and curb and gutter unless otherwise permitted without curb and gutter in accordance with this Chapter.

(d) All roads shall be paved to County specifications and shall conform to all County bonding requirements.

(e) For any public or private streets that allowed without curb and gutter, the developer is required to slope all shoulders in the following manner:

(i) All slopes for rights of way of streets not requiring curb and gutter must be designed to have a slope of no more than 4 to 1 for the front slope and no more than 3 to 1 for the back slope.

(ii) All roads would require a shoulder width of five (5) foot minimum.

(iii) All drainage ditches shall have a minimum depth of two (2) feet and shall have a minimum of two (2) feet flat bottom.

(2) Sanitary sewer lines and manholes; provided that if the required sewer lines cannot be connected to a trunk-line sewer at the time of the development of the subdivision, septic tanks shall be installed by and at the expense of the subdivider or lot purchaser for interim use in conformity with the requirements of the Pike County Health Department. No part of an individual sewage disposal system shall be within 100 feet of a well or ten feet of an adjoining property lane. Where individual sewage disposal systems are proposed to be used, the County Health Department may require percolation tests to be performed. The subdivider may be required by the County to install any sewer lines which may be needed in the future before the street is paved in order to avoid future destruction of the pavement;

(3) Storm drainage facilities;

(4) Concrete monuments and markers;

(5) Water mains within the subdivision with connections to each lot, whenever a public or community water supply is available, and a plan of construction development has been submitted and approved by the Pike County Water and Sewer Authority; and,

(6) Street name signs shall be subject to the approval of the County Commission.

(B) All required street improvements, utilities and monuments shall be designed, graded, and built to standards specified by the County. All utilities installed in the streets shall be placed and compacted prior to paving. In addition, in subsequent utility work that impacts existing streets must be compacted and/or repaved in accordance with the standards set forth in this Chapter.

§ 155.37 IMPROVEMENTS BOND

(A) The Board of Commissioners may allow the subdivider to post a bond in lieu of completion of all the improvements as required by this Chapter. The Improvements Bond shall be made payable to Pike County, and shall be of an amount equal to actual costs to ensure the completion of all remaining required improvements**,** plus twenty (20) percent. The Bond shall be approved and held by the County until all improvements have satisfactorily been completed or until a specified reasonable length of time for completion has passed after which the Bond may be cashed and the improvements installed by the County.

(B) The Board of Commissioners shall require that the developer post a bond to cover any completion or maintenance of any roadway installed by said developer in the subdivision. The bond shall be made payable to Pike County and shall be of an amount equal to or greater than the cost of the base and paving of the improved road. This bond will have a two-year time of duration, at which time the Pike County Public Works Department will have a final inspection of the roadway in question. Any failure of inspection will be the responsibility of the developer or the bond may be cashed and maintenance requirements will be completed by the County.

§ 155.38 LARGE SCALE DEVELOPMENTS

The requirements of these regulations may be modified by the Board of Commissioners in the case of a large scale planned community or neighborhood having a long range plan of development which in the judgment of the Board of Commissioners provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the Plan and provided such plan of development is in conformity with the purposes and intent of these regulations and meets the appropriate requirements of the Pike County Zoning Code.

(Ord. passed 6-16-89; Am. Res. passed 3-17-98; Am. Res. passed 7-14-99)
(Ord. Passed 08-10-05)(Am. Ord. Passed 12-01-05) (Am. Ord. passed 12-12-12)(Am. Ord. 3-10-21)

TITLE XV

LAND USAGE

Chapter 156

Zoning Code

CHAPTER 156 ZONING CODE

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General Provisions

§ 156.01 SHORT TITLE

This document is entitled "The Zoning Resolution of Pike County, Georgia." It may also be known by and cited by the short title of "Pike County Zoning Resolution."

§ 156.02 AUTHORITY

The power of a municipality to enact a resolution such as this which is intended to protect the public health, safety and welfare and is provided by the Home Rule provisions of the Constitution and Laws of the State of Georgia.

§ 156.03 JURISDICTION

This chapter applies to all land within the unincorporated areas of Pike County, Georgia.

§ 156.04 PURPOSES

(A) The Zoning Code of Pike County, Georgia seeks to encourage the development of desirable land use patterns within Pike County in accordance with the current Pike County Land Use Plan. The promotion of sound land use patterns is intended to reduce or eliminate the occurrence of certain conditions which can threaten the general health, safety and welfare of the residents of Pike County. This chapter should serve the following purposes:
  (1) Reduce the occurrence of hazardous traffic patterns and general congestion;
  (2) Secure safety from fire, panic and other dangers;
  (3) Assure that adequate light and air are provided;
  (4) Prevent the overcrowding of land and undue concentration of population;
  (5) Facilitate the adequate provision of public utilities and facilities;
  (6) Promote adequate living conditions and sustained suitability of neighborhoods;
  (7) Protect property against blight and depreciation.

(B) Additional benefits to the public interest which can accrue from the development of sound land use patterns are as follows:

(1) Efficient development and use of community utility networks;

(2) Economy in governmental expenditures;
(3) A higher level of convenience, order, prosperity and aesthetics.

§ 156.05 CONTENT

This chapter provides for the following:

(A) Defines certain terms used in this chapter;
(B) Establishes certain land use districts and specifies the boundaries of those districts;
(C) Provides procedures for administering and amending the chapter;
(D) Regulates the erection, alteration and use of buildings and structures;
(E) Provides penalties for violation of this chapter;
(F) Regulates the use of buildings and structures;
(G) Regulates the location, height and bulk of structures, as well as percentage of lot which may be occupied;
(H) Defines the powers and duties of the Zoning Administrator, the ~~Planning Commission~~Planning and Zoning Board, the ~~Board of Appeals~~Planning and Zoning Board and the Board of Commissioners in relation to this chapter; and
(I) Repeals conflicting resolutions.

§ 156.06 DEFINITIONS

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. The definitions listed in this section are not all inclusive. Other definitions may be found in other chapters and sections of Title XV, including, but not limited to, Chapters 151 through 153, Chapter 155, Section 156.292, Section 156.312, Section 156.322, Section 156.331, and Chapters 157 through 163.

(1) ADMINISTRATOR, ZONING. The person, officer or official and his or her authorized representative, whom the Board of Commissioners of Pike County has designated as its agent for the administration of these regulations. Unless otherwise specifically designated by the Board of Commissioners, the Zoning Administrator shall be the Director of Planning and Development.

(2) ADULT. Pertaining to dogs and cats, a domestic canine over 12 months of age and a domestic feline over eight months of age.

(3) AGRIBUSINESS. An enterprise or property that derives a significant amount of revenue from sales of agricultural products or sales to agricultural producers.

(4) AGRICULTURAL PRODUCTS. Means Christmas trees, fruits, vegetables, pecans, nuts, horticultural products, and other such fresh farm products that are made available to the general public through pick-your-own operations.

(5) AGRICULTURE. The raising, harvesting, or storing of crops; feeding, breeding, or managing livestock or poultry; producing or storing feed for use in the production of livestock, including, but not limited to, cattle, calves, swine, hogs, goats, sheep, ratites, and rabbits, or for use in the production of poultry, including, but not limited to, chickens, hens, and turkeys; producing plants, trees, fowl, or animals, or the production of aquacultural, horticultural, dairy, livestock, poultry, eggs, and apiarian products.

(6) AGRITOURISM. The act of visiting any agricultural, horticultural, or agri-business operation for the purpose of enjoyment, education, or the purchase of merchandise for sale to the general public.

(7) AIRPORT, PUBLIC. A transportation terminal facility where aircraft take off and land. The facility shall be subject to all applicable FAA regulations.

(8) AIRSTRIP, PRIVATE. An area designated for the take-off and landing of private, noncommercial aircraft, with no terminal facilities and no scheduled take-offs and landings. Airstrips shall be subject to all applicable FAA regulations.

(9) ALLEY. A secondary way which affords access to the side or rear of abutting property or structures.

(10) ALTERATION. Any change in the supporting members of a building, any modification or change in construction, any addition which increases the area or height or any change in use from that of one district classification to another or movement of a building from one location to another.

(11) ANIMAL SHELTER. Any facility operated by or under contract for the state, county, municipal corporation, or any other political subdivision of the state for the purpose of impounding or harboring seized, stray, homeless, abandoned, or unwanted dogs, cats, and other animals; any veterinary hospital or clinic operated by a veterinarian or veterinarians which operates for such purpose in addition to its customary purposes; and any facility operated, owned, or maintained by a duly incorporated humane society, animal welfare society, or other nonprofit organization for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals.

(12) ANTENNA, DISH. A structure intended for receiving audio or video signals via a satellite orbiting the earth. It is constructed of a round or square surface which is parabolically curved focusing on a low-noise signal amplifier and the apparatus is mounted on a base. Such antennas are permitted as an accessory use in all districts, with the following restriction: they must not exceed a size of 18 feet in diameter or 20 feet above the surface upon which the base is affixed.

(13) ARMORY. A military depot used for the storage of weapons and ammunition; or a business specializing in selling weapons and ammunition.

(14) AUCTION GALLERY. A building in which the commissioned public sales of goods to the highest bidder, conducted by a licensed auctioneer for persons or groups other than community non-profit organizations, occur more than once a year.

(15) AUTOMOBILE SERVICE STATION. A land use where gasoline, oils, greases, batteries, tires and general automobile accessories may be provided, but where no part of the premises is used for the storage or dismantling of wrecked or junked vehicles.

(16) BED AND BREAKFAST. A building other than a hotel used for overnight accommodation for compensation, provided that:

(a) Guests normally stay no longer than seven (7) days.

(b) Meals shall be served only to overnight guests on the premises.

(c) The building is not to be used for residential occupancy any length of time, other than by the owner of the bed and breakfast and his or her immediate family.

(17) BLOCK. A piece or parcel of land entirely surrounded by public highways or streets, other than alleys.

(18) ~~BOARD OF APPEALS~~PLANNING AND ZONING BOARD. The ~~Board of Appeals~~Planning and Zoning Board of Pike County, Georgia.

(19) BOARD OF COMMISSIONERS. The Board of Commissioners of Pike County, Georgia.

(20) BOARDING OR ROOMING HOUSE. A building used or intended for use as a place for lodging or feeding or both of three or more persons unrelated to the property owner for compensation. BOARDING OR ROOMING HOUSES shall not provide the same services as those listed for a PERSONAL CARE HOME.

(21) BUFFER. That portion of a lot established for open space purposes and intended to separate properties with different and possibly incompatible types of uses. A BUFFER must not be otherwise occupied with structures. Refer to Chapter 164 of the Pike County Code for other, more specific buffer definitions.

(22) BUILDING. Any structure having a roof and intended for shelter, housing or enclosure of persons, animals or property of any kind. Includes the word STRUCTURE.

(23) BUILDING, ACCESSORY. A structure used for a purpose that is customarily incidental and subordinate to the principal use or structure and located on the same lot as such a principal use or structure.

(24) BUILDING HEIGHT. The vertical distance of a building measured from the average elevation of the finished grade at the front of the building to the highest point of the building as determined by each zoning district's development standards.

(25) BUILDING LINE. The line extending from one side lot line to the other across the actual foundation of a structure.

(26) BUILDING, PRINCIPAL. The building on a lot in which the principal use of the lot is conducted.

(27) CAMPGROUND, RELIGIOUS. A retreat or meeting place used for the conduct of religious worship, discussion, consultation, and instruction, which may include recreational activities of an outdoor nature and overnight accommodations. A church, as defined in this section, may be included within the use, incidental to the primary function of said property as a campground.

(28) CEMETERY. Land either already reserved for burial plots for human deceased or which may in the future be so reserved; it may be maintained either by a family, a church or other place of worship or a private corporation. PUBLIC CEMETERIES are usually associated with a church, funeral home, municipality or other similar entity. They are open to the general public for burials. PRIVATE CEMETERIES are restricted to relatives and other associations of a particular family or families, and may be located on private residential or agricultural property.

(29) CEMETERY, PET. A cemetery devoted exclusively to the interment of pets.

(30) CENTER LINE, STREET. That line surveyed and monumented by the governing authority as the center line of a street, or if such a center line has not been surveyed, it is the line running midway between the outside curbs or ditches of the street.

(31) CHICKEN HOUSE. A branch of agribusiness, with its associated buildings and appurtenances, for the boarding of poultry for commercial purposes.

(32) CLINIC. An establishment where medical or dental patients are admitted for examination and treatment, but where there is no overnight lodging.

(33) CLUB or LODGE. An incorporated or unincorporated association for civic, social, cultural, religious, fraternal, literary, political, recreation or like activities operated for the benefit of its members and not open to the general public.

(34) CONVENTIONAL CONSTRUCTION. A dwelling unit constructed on the building site from basic materials delivered to the site and which is constructed in accordance with the

International Code Council (ICC) or a similar, nationally recognized code adopted by the State of Georgia.

(35) CURB CUT. The point at which vehicular access is provided to an adjoining street from a lot.

(36) DCA. Georgia Department of Community Affairs.

(37) DEER COOLER. Any business or commercial operation which processes deer carcasses either by butchering the carcasses and/or skinning the carcasses. It shall also mean a facility wherein deer carcasses are under refrigeration pending the butcher and/or skinning of the carcasses.

(38) DENSITY. The number of dwelling units per acre of land use for residential purposes. Unless otherwise stated, density figures are to be in terms of net acres or the land devoted to residential use exclusive of streets, rights-of-way, public lands, wetlands or other exclusions listed in specific zoning districts.

LOW DENSITY RESIDENTIAL - A potential development area appropriate for a maximum, individual lot area 3 acres and above.

MEDIUM DENSITY RESIDENTIAL-A potential development area appropriate for a maximum, individual lot area between 2 to 3 acres.

HIGH DENSITY RESIDENTIAL – A potential development area appropriate for a maximum, individual lot area between 1 to 2 acres.

(39) DEVELOPER. Includes a firm, corporation, co-partnership, association, institution or person.

(40) DOMESTICATED ANIMAL. An animal that is accustomed to living in or about the habitation of humans, such as dogs, cats, etc. This definition does not include livestock.

(41) DOMESTIC WINERY. Any winery, manufacturer, maker, producer, or bottler of wine located within the state.

(42) DOUBLE WIDE. An obsolete term used to describe a mobile home or manufactured home having a width of generally between 20 and 28 feet. In the context of this chapter, this term has no specific meaning. See definition of MANUFACTURED HOME.

(43) DWELLING. A building or portion thereof designed, arranged or used principally for residential occupancy, not including motels, hotels, boarding houses or rooming houses.

(44) DWELLING, APARTMENT. One or more dwelling units, under a single ownership, located on one lot of land, occupied by renters.

(45) DWELLING, CLUSTER. One of a series of attached and/or detached dwelling units developed under a single ownership.

(46) DWELLING, CONDOMINIUM. An individually-owned dwelling unit in an attached, detached or multi-family structure, combined with joint ownership of common areas of the buildings and grounds.

(47) DWELLING, GARDEN APARTMENT. A multi-family dwelling one or two stories in height containing from one to four dwelling units and where the area immediately surrounding the dwelling is landscaped and may contain recreation facilities for the private use of dwelling occupants.

(48) DWELLING, MULTIPLE-FAMILY. A building designed, constructed, altered or used for five or more adjoining dwelling units, with each dwelling unit having a party wall or walls and/or a party floor and ceiling connecting it with at least one other dwelling unit

located on one lot of land. A MULTIPLE-FAMILY DWELLING may be apartments or condominiums.

(49) DWELLING, PATIO. A single-family dwelling in which all or a portion of the area required for side and rear yards may be consolidated onto one or more garden court spaces within the walls of the dwelling unit.

(50) DWELLING, SINGLE-FAMILY ATTACHED. A building containing two or more single-family dwelling units joined at one or more points by one or more party walls or other common facilities (not including the walls of an enclosed courtyard or similar area) and with property lines separating each dwelling unit.

(51) DWELLING, SINGLE-FAMILY DETACHED. A single residential detached building designed for or containing one dwelling unit.

(52) DWELLING, TOWNHOUSE. One of a series of three or more attached dwelling units on separate lots which are separated from each other by fire walls extending at least from the lowest floor level to the roof.

(53) DWELLING, TWO-FAMILY. A detached dwelling designed, constructed, altered or used for two adjoining dwelling units, with each dwelling unit having a party wall connecting it with the other dwelling unit, located on one lot; also known as a DUPLEX.

(54) DWELLING UNIT. One or more rooms within a dwelling forming a separate, independent housekeeping establishment for use of one family involving owner or renter occupancy, with provisions for cooking, eating and sleeping and which is physically set apart from other rooms or dwelling units in the same building.

(55) EASEMENT. The right or privilege of using another's property for purposes such as constructing and maintaining sanitary sewers, water mains, electric lines, telephone lines, storm sewers, gas lines, bicycle paths, pedestrian ways or other purposes.

(56) ELEVATION, FRONT. The view of a building or group of buildings as seen from directly in front of the structure.

(57) EMPLOYEE, FULL-TIME. Constitutes 40-hour workweek.

(58) ENVIRONMENTAL REVIEW BOARD. The Environmental Review Board of Pike County, Georgia.

(59) EXOTIC ANIMAL. Any wild or imported animal not customarily confined or cultivated by humans for domestic or commercial purposes, including but not limited to, those animals listed in Georgia Code Section 27-5-4.

(60) FACTORY BUILT HOUSING. An obsolete term used to describe a residential industrialized building. In the context of this chapter, this term has no specific meaning. (See definition of RESIDENTIAL INDUSTRIALIZED BUILDING.)

(61) FAMILY. One or more persons related by blood or additional unrelated individuals, occupying a dwelling unit. A FAMILY may also consist of no more than four unrelated individuals.

(62) FARM. Any tract or parcel of land containing three or more acres which is devoted to the raising of agricultural products, including, but not limited to, soil crops, livestock, fish, poultry and commercial timber, regardless of the quantity or value of production and all related buildings, structures and appurtenances necessary to carry out all associated activities.

(63) FARM VEHICLE. An operable automobile, truck or other vehicle for use on a farm.

(64) FARMER'S MARKET. Any place within this state where farmers or

producers may sell, bring or send to sell, exhibit, or transship agricultural products; or where buyers may come to buy, inspect, or transport agricultural products; or where such products may be processed or stored for sale, either at wholesale or retail. This term shall include all real and personal property, buildings, warehouses, storage facilities, barns, exhibition halls and other structures, including, but not limited to, restaurants, service stations, and other like facilities of every kind and character used or useful at such place in promoting the buying, selling, or exchange of agricultural products. Use of such facilities shall not be limited to the buying, selling or exchange of agricultural products so long as their use promotes the buying, selling, or exchange of agricultural products as determined by the Commissioner. This definition shall include and not prohibit the sale of grocery items or other items commonly sold or offered for sale in conjunction with the sale of agricultural products.

(65) FLAG (PANHANDLE) LOT. A lot, the main portion of which is located away from the public street, with a connecting strip of land that is less than the minimum required building lot width at any point providing frontage on the public street. Flag lots are intended only to provide a means of using the rear portion of an extremely deep tract of land for residential or agricultural purposes and are not intended to provide access to other properties so as to circumvent the requirements of this chapter or other applicable ordinances.

(66) FLOOD BOUNDARY. That area in Pike County threatened by possible flood under normal to severe circumstances, as indicated on the current edition of the Flood Insurance Rate Maps for Pike County, Georgia published by the Federal Emergency Management Agency (FEMA).

(67) FLOOR AREA. The area of a building exclusive of attic, garage, carport, patios, porches, and decks measured from the exterior face of the exterior walls of a building. Also, the gross leasable floor area for any business or industry based on interior dimensions.

(68) FOOD SALES ESTABLISHMENT. Means retail and wholesale grocery stores; retail seafood stores and places of business; food processing plants, except those food processing plants which are currently required to obtain a license from the [State] Commissioner under any other provision of law; bakeries; confectioners; fruit, nuts, and vegetable stores or roadside stands; wholesale sandwich and salad manufacturers, including vending machines and operations connected therewith; and places of businesses and similar establishments, mobile or permanent, engaged in the sale of food primarily for consumption off the premises. Within a food sales establishment, there may be a food service component, not separately operated, which may serve customers on site. The food service component shall be considered as part of the food sales establishment. The food sales component of any food service establishment defined in Code Section 26-2-370 shall not be included in this definition. This term shall not include "food service establishments" as defined in Code Section 26-2-370. This term also shall not include establishments engaged in the sale of food primarily for consumption off the premises is such sale is an authorized part of and occurs upon the site of a fair or festival which:

(a) Is sponsored by a political subdivision of this state or by an organization exempt

from taxes under paragraph (1) of subsection (a) of Code Section 48-7-25 or under Section 501(d) or paragraphs (1) through (8) or paragraph (10) of Section 501(c) of the Internal Revenue Code, as that code is defined in Code Section 48-1-1;

(b) Last 120 hours or less; and

(c) When sponsored by such an organization, is authorized to be conducted pursuant to a permit issued by the municipality or county in which it is conducted.

(69) FOSTER HOME. (For animals) Any place routinely or in the practice of providing temporary care for animals, except equine. A Foster Home must be under a written contract with a licensed animal shelter. A Foster Home will be considered an agent for the animal shelter, and not an animal shelter itself.

(70) GARAGE or CARPORT, PRIVATE. A covered space for the storage of one or more motor vehicles belonging to the occupants of the principal use on the lot. No business occupation or service may be conducted for profit within the private garage except a home occupation under conditions specified in this section.

(71) GARAGE, PUBLIC. Any garage, other than a private garage, which is used for storage, minor repair, rental, servicing, washing, adjusting or equipping of automobiles or other motor vehicles, but not including the storage of wrecked or junked vehicles.

(72) GARAGE, REPAIR. A public garage intended to be used to make major commercial automobile, motorcycle, lawn mower or other motor vehicle repairs, provided that all body work and painting is conducted within fully enclosed buildings, and further provided that there is no open storage of junk, wrecked vehicles, dismantled parts or supplies visible beyond the premises.

(73) HALFWAY HOUSE. A residence established to assist persons who have left highly structured institutions to adjust to and re-enter society and live within its accepted norms. HALFWAY HOUSES utilize security procedures involving a regimen of sign-in, sign-out, and curfew rules.

(74) HOBBY VEHICLE. Any wrecked or non-operable automobile, truck or other vehicle bearing or not bearing a current license plate, which is repaired or restored to become an operable vehicle over an unspecified amount of time or any operable vehicle, bearing a current license plate, which is improved or enhanced over an unspecified amount of time. Hobby vehicles are usually owned by the property owner, and are not intended for the frequent repair and resale of vehicles associated with PUBLIC GARAGES AND REPAIR GARAGES.

(75) HOG PARLOR. Also, Hog Farm. A branch of agribusiness, with its associated buildings, lagoon, and other appurtenances, for the boarding and processing of swine for commercial purposes.

(76) HOME OCCUPATION. An occupation for gain or support conducted by resident(s) on the premises. There are two types of homes occupations in Pike County: MINOR HOME OCCUPATION AND GENERAL HOME OCCUPATION.

(77) HOME OCCUPATION, Minor: An occupation for gain or support conducted by resident(s) on the premises meeting the following criteria:

(a) The home is being used solely for the purpose of maintaining a business address, or the home is being used solely for the purpose of office administration, record keeping, and other clerical work; At the discretion of the Zoning Administrator, an occupation at the same noise/activity level as clerical work, such as online services

and mobile deliveries, may be approved as a Minor Home Occupation, as long as the work occurs solely within the interior of the residence on the premises, does not post advertising on the premises, and does not constitute a nuisance to neighbors.

(b) No employees (other than residents) may come to the home to conduct regular, sustained business. This does not pertain to employees that conduct work offsite for the occupation and must come to the Minor Home Occupation premises for a brief, administrative matter.

(c) No customers may come to the home as a business site to conduct business.

(d) Only vehicles equivalent in size to pickup trucks and cargo vans shall be used in connection with home occupations in platted residential subdivisions (named neighborhoods) in A-R, R-20, R-18, R-15, R-11, and PRD zoning districts. The parking of tractor trailer trucks, whether connected with a Pike County Home Occupation or an out-of-county occupation or business, is prohibited in platted residential subdivisions (named neighborhoods) in A-R, R-20, R-18, R-15, R-11, and PRD zoning districts.

(78) HOME OCCUPATION, General: An occupation for gain or support conducted by resident(s) on the premises, ancillary and accessory to the main agricultural and/or residential use on the property, meeting the following criteria:

(a) No home occupation shall employ more than two (2) persons who perform regular, sustained work on the premises but do not reside in the dwelling located on the premises.

(b) The home occupation must be incidental and subordinate to the residential use of the dwelling and must not change the residential character of the property.

(c) No display of products or advertising shall be visible from the street except for one individual parcel sign, a maximum of 4 square feet in area and 4 feet in height, as provided for by the Pike County Sign Ordinance, Chapter 158.

(d) Use of the principal and/or accessory building(s) for the home occupation shall not exceed twenty-five (25) percent of the combined gross floor area of the principal and accessory buildings on the property.

(e) No internal or external alterations inconsistent with the residential use of the building is permitted.

(f) The home occupation must not constitute a nuisance in the neighborhood.

(g) No continuous unenclosed outside storage of materials or supplies used in connection with the home occupation shall be permitted, provided that this restriction shall not preclude the conduct of minor outside home gardening activities in conjunction with a home occupation.

(h) All parking for the home occupation shall be located on the property and only in the side or rear yards.

(i) Only vehicles equivalent in size to pickup trucks and cargo vans shall be used in connection with home occupations in platted residential subdivisions (named neighborhoods) in A-R, R-20, R-18, R-15, R-11, and PRD zoning districts. The parking of tractor trailer trucks, whether connected with a Pike County Home Occupation or an out-of-county occupation or business, is prohibited in platted residential subdivisions (named neighborhoods) in A-R, R-20, R-18, R-15, R-11, and PRD zoning districts.

(79) HOSPICE FACILITY. A facility providing care to patients diagnosed with a terminal illness operated by a person or organization licensed as a hospice by the Georgia Department of Human Resources and which complies with Georgia Rules and Regulations 290-9-43.24 governing hospice care facilities.

(80) HOSPITAL. A facility where medical patients are admitted for examination and treatment which provides overnight lodging.

(81) HOTEL. A building in which overnight accommodations, without separate cooking facilities, are provided to the public. The term HOTEL includes the terms MOTEL and TOURIST COURT.

(82) HUD. U.S. Department of Housing and Urban Development.

(83) INDUSTRIALIZED BUILDING. Any structure or component 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 and which bears the insignia of approval issued by the Commissioner of the Georgia Department of Community Affairs.

(84) INDUSTRIALIZED HOME. A home manufactured in accordance with the Georgia Industrialized Building Act and the Rules of the Commissioner of the Georgia Department of Community Affairs issued pursuant thereto, or any subsequent applicable state law. State approved buildings meet the State Building and Construction Codes and bear an insignia of approval issued by the Commissioner.

(85) INSTITUTION. A non-profit corporation, establishment or entity for public or semi-public use.

(86) INTERMEDIATE CARE HOME. A facility which admits residents on medical referral. It maintains the services and facilities for institutional care and has a satisfactory agreement with a physician and dentist who will provide continuing supervision, including regulations contained in Chapter 290-5-9: Intermediate Care Homes (Rules of the Georgia Department of Human Resources.)

(87) JUNK YARD. Any use involving the parking, storage or disassembly of junked vehicles or wrecked or non-operable automobiles, trucks or other vehicles or 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 other old household appliances and used brick, wood or other building materials. These uses are considered JUNK YARDS 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.

(88) JUNKED VEHICLE. Any wrecked or non-operable automobile, truck or other vehicle which does not bear a current license plate.

(89) KENNEL. Any establishment , other than an animal shelter, where dogs or cats are maintained for boarding, holding, training, or similar purposes for a fee or compensation. Similar purposes include, but are not limited to, activities of a grooming shop.

(a) GROOMING SHOP. Any establishment, other than an animal shelter, where a person maintains a dog or cat for bathing, dipping, clipping, trimming, brushing, or similar care of the appearance for a fee or compensation.

(90) LIMITED LODGING. An owner-occupied accessory use of all or part of a residential dwelling unit by rental for temporary occupancy of no more than fourteen (14) consecutive days, and no longer than a total of forty-five (45) days per calendar year. The arrangement of such rental by the owner may be conducted through a booking agent.

(91) LIVESTOCK. Animals, including, but not limited to, equines, cattle, swine, goats, sheep, ratites, and rabbits, managed for agricultural pursuits. Considered separate from POULTRY.

(92) LOADING SPACE. Space logically and conveniently located for pickup and delivery service, scaled to the vehicles expected to be used and accessible to such vehicles at all time.

(93) LOT. A parcel of land occupied or capable of being occupied by one or more buildings and customarily incidental accessory buildings or uses, including such open spaces as are required by this chapter. Includes the words PLOT and PARCEL.

(94) LOT, CORNER. A lot located at the intersection of two or more streets.

(95) LOT, DOUBLE FRONTAGE. A lot, other than a corner lot, which has frontage on more than one street.

(96) LOT WIDTH. The width of a lot at the required front setback line measured parallel to the street right-of-way or in the case of a curvilinear street, parallel to the chord of the arc between the intersection of the side lot lines and the street right-of-way line.

(97) MANUFACTURED HOME, CLASS A.

(a) A dwelling unit fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with the Federal Standards Act, 42 USC 5401 through 5445 (the HUD Code, which became effective on June 15, 1976) and meeting the following development standards:

(i) The home has a length not exceeding four times its width;

(ii) The pitch of the home's roof has a vertical rise of four feet for each 12 feet of horizontal run and the roof is finished with a type of shingle that is commonly used in conventional residential construction, except that any such home for which a building permit was applied prior to the adoption of this chapter may be extended, enlarged or repaired as otherwise provided by this chapter with the same roof pitch as that allowed by the aforesaid building permit;

(iii) The exterior siding consists of wood, hardboard or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance and durability to exterior siding commonly used in standard residential construction;

(iv) A curtain wall, unpierced except for required ventilation and access, and constructed of either masonry or a simulated rock or brick material manufactured for such a purpose is installed so that it encloses the area located under the home to the ground level. Such a wall must meet the standards specified in ANSI A225.1;

(v) The tongue, axles, transporting lights and towing apparatus are removed after placement on the lot and before occupancy.

(b) All manufactured homes must be installed in accordance with ANSI A225.1.

(c) Manufactured homes are not permitted to be used as storage buildings.

(98) MANUFACTURED HOME, CLASS B. A dwelling unit fabricated in an off- Site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with Federal Manufactured Home Construction and Safety Standards Act, 42 USC 5401 through 5445 (the HUD Code, which became effective on June 15, 1976), but does not satisfy the criteria necessary to qualify the house as a Class A manufactured home. All manufactured homes must be installed in accordance with ANSI A225.1. Manufactured homes are not permitted to be used as storage buildings.

(99) MANUFACTURED HOME, CLASS C. Any manufactured home that does not meet the definitional criteria of a Class A or Class B manufactured home (not constructed to the HUD Code). All manufactured homes must be installed in accordance with ANSI A225.1. Class C manufactured homes must meet the construction standards specified in ANSI A119.1. Compliance with ANSI A119.1 may be determined by any of the following procedures:

(a) For manufactured homes moved within Pike County, the Pike County Zoning Administrator must inspect the unit and determine what (if anything) is needed to bring the unit up the standards of ANSI 119.1. Upon determining that the unit meets ANSI 119.1 standards and that the provisions of all other applicable Pike County resolutions are met by the proposed placement of the manufactured home, the Zoning Administrator will issue the permit for placement of the manufactured home;

(b) For manufactured homes located outside of Pike County, the owner may pay expenses incurred by the Pike County Zoning Administrator to travel to the location of the manufactured home in order to inspect it and determine what (if anything) is needed to bring the unit up to the standards of ANSI 119.1. Upon determining that the unit meets ANSI 119.1 standards and that the provisions of all other applicable Pike County resolutions are met by the proposed placement of the manufactured home, the Zoning Administrator will issue the permit for placement of the manufactured home;

(c) For manufactured homes located outside of Pike County, the owner of the Unit may, by agreement with the Pike County Zoning Administrator, arrange for the Zoning Administrator of a competent jurisdiction in the locality in which the manufactured home is located to inspect it and determine what (if anything) is needed to bring the unit up to the standards of ANSI 119.1. Upon determining that the unit meets ANSI 119.1 standards, that Zoning Administrator must certify the same to the Pike County Zoning Administrator. After receiving such a certification and after determining that the provisions of all other applicable Pike County resolutions are met by the proposed placement of the manufactured home, the Pike County Zoning Administrator will issue the permit for placement of the manufactured home;

(d) The Pike County Zoning Administrator is not bound by the findings of the Zoning Administrator of the other locality. If upon final inspection the Pike County Zoning Administrator finds that the manufactured home does not meet the ANSI 119.1 standards, he or she will not issue a certificate of occupancy until these standards are met;

(e) Manufactured homes are not permitted to be used as storage buildings.

(100) MANUFACTURED HOME SPACE. An area of land within a planned manufactured home park designed to accommodate one manufactured home.

(101) MANUFACTURED HOUSING. A general term used to describe a type of Housing which is produced, either completely or partially, in a factory, including manufactured homes, modular homes and residential industrialized buildings. In the context of this chapter, this term has no specific meaning.

(102) MOBILE HOME. An obsolete term used to describe a manufactured home. In the context of this chapter, this term has no specific meaning. See definition of MANUFACTURED HOME.

(103) MOBILE HOME PARK. An obsolete term used to describe a planned manufactured home park. In the context of this chapter, this term has no specific meaning. See definition of PLANNED MANUFACTURED HOME PARK.

(104) MODULAR HOME. An obsolete term used to describe Class A manufactured homes. In the context of this chapter, this term has no specific meaning. See definition of RESIDENTIAL INDUSTRIALIZED BUILDING.

(105) MULTI-SECTION HOME. An obsolete term used to describe a manufactured home finished in two or more sections. In the context of this chapter, this term has no specific meaning. See definition of MANUFACTURED HOME.

(106) NATIONAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS. The national building code for all manufactured homes built since June 15, 1976, written and administered by the U.S. Department of Housing and Urban Development; also known as the "HUD CODE."

(107) NURSING HOME. A facility which admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision. It maintains the services and facilities for skilled nursing care, rehabilitative nursing care and has a satisfactory agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental supervision of the home. It otherwise complies with the rules and regulations contained in Chapter 290-5-8: Nursing Homes (Rules of the Georgia Department of Human Resources).

(108) OFFICIAL MAP. The map entitled "The Official Zoning Map of Pike County, Georgia," indicating the locations of zoning district boundaries in Pike County.

(109) OPERABLE VEHICLE. A vehicle which is capable of being started and propelled under its own power.

(110) PARKING SPACE. The storage space for one motor vehicle. (See Zoning Code Sections 156.362, 156.363 and 156.364 for dimensions and other requirements of standard parking spaces and those accessible to handicapped persons.)

(111) PERSONAL CARE HOME. A building or group of buildings, a facility or place in which is provided two or more beds and other facilities and services, including rooms, meals and personal care for non-family ambulatory adults. It otherwise complies with the rules and regulations contained in Chapter 290-5-35: Personal Care Homes (Rules of the Georgia Department of Human Resources). For the purpose of this chapter, PERSONAL CARE HOMES are classified as follows:

(a) FAMILY PERSONAL CARE HOME. A home for adults in a family type residence, non-institutional in character, which offers care to two through four persons.

(b) GROUP PERSONAL CARE HOME. A home for adult persons in a residence or other type building(s), non-institutional in character, which offers care to 5 through 15 persons. (amended 12/1/2005)

(c) CONGREGATE PERSONAL CARE HOME. A home for adults which offers care to 16 or more persons.

(112) PET. Any animal that is customarily obtained as a pet and includes, but is not limited to, the following: dog, cat, bird, equine, fish, reptile, rodent, chinchilla, rabbit, hamster, guinea pig, or miniature pig. Any animal described in O.C.G.A. Sections 27-1-2, General Provisions, and 27-5-5, Wild Animals, are not considered a pet, except where specifically mentioned herein.

(113) PET BREEDER. A pet dealer who sells, offers to sell, exchanges, or offers for adoption only pets they have produced, except equine. This includes those produced for hobby, show purposes, breed improvements or stock replacement.

(114) PET DEALER. Any person who sells, offers to sell, exchanges, or offers for adoption dogs, cats, birds, fish, reptiles, or other animals customarily obtained as pets in this state. However, a person who sells only animals that he or she has produced and raised, not to exceed 30 animals a year, shall not be considered a pet dealer under this article unless such person is licensed for a business by a local government or has a Georgia sales tax number. The Commissioner may with respect to any breed of animals decrease the 30 animal per year exception in the foregoing sentence to a lesser number of any animals for any species that is commonly bred and sold for commercial purposes in lesser quantities. Operation of a veterinary hospital or clinic by a licensed veterinarian shall not constitute the veterinarian as a pet dealer, kennel, or stable under this article.

(115) PLANNED APARTMENT HOME COMMUNITY. A lot used or intended for use as a residential area occupied by apartment homes and conforming to an approved development plan, with appropriate and adequate community services, recreation facilities, utilities, streets and sidewalks provided by the developer.

(116) PLANNED MANUFACTURED HOME COMMUNITY. A lot used or intended for use as a residential area occupied by manufactured homes, with appropriate and adequate community services, recreation facilities, utilities, streets and sidewalks provided by the developer, where the resident owns or rents the manufactured home and rents the manufactured home space. All manufactured home parks must be designed and constructed in accordance with ANSI A225.1 (NFPA 501A), Manufactured Home Installations, 1982, as amended.

(117) ~~PLANNING COMMISSION~~PLANNING AND ZONING BOARD. The Pike County ~~Planning Commission~~Planning and Zoning Board.

(118) PLAT. A map, plan or layout of a county, city, town, section or subdivision indicating the location and boundaries of properties.

(119) POULTRY. Animals, including, but not limited to, chickens, hens, and turkeys, managed for agricultural pursuits. Considered separate from LIVESTOCK.

(120) PRE-FABRICATED HOME. A general term used to describe any home

constructed in a factory setting, including manufactured homes, modular homes and residential industrialized buildings. In the context of this chapter, this term has no specific meaning.

(121) RATITES. Any members of the ratite family, including, but not limited to, ostriches, emus, and rheas, which are not indigenous to this state and which are raised for the purpose of producing meat, fiber, or animal by-products or as breeding stock.

(122) REHABILITATION CENTER. A facility providing physical therapy and training for rehabilitation from injury, illness, etc.

(123) REMODELING. The improvement or alteration of a building or room(s) within a building, which does not increase the area of the building or room.

(124) RESCUE GROUP. Any association or corporation operated as a nonprofit organization and for the purpose of providing care and shelter to animals. Except rescue groups for equine, a rescue group that takes possession of animals and provides care and shelter must be licensed as an animal shelter or under written contract with a licensed animal shelter, in which case it will be considered an agent for the animal shelter and not an animal shelter itself. An equine rescue group operating for that purpose and maintaining any facility (including, without limitation, providing temporary care at a person's private property) must meet all the requirements of a licensed stable.

(125) RIDING ACADEMY. A commercial school for instruction in equestrianism, or for hiring of horses for pleasure riding or driving.

(126) RIGHT-OF-WAY. A strip of land designed, reserved, dedicated or purchased for the purpose of pedestrian or vehicular access or utility installation.

(127) ROAD, ARTERIAL. A road which is on the Georgia state highway system and is designated by a state route number. Such a street primarily serves the purpose of moving traffic through the city. Connecting roads and access to adjacent property should be kept to a minimum on an ARTERIAL ROAD, as these interfere with traffic flow, adversely affecting the capacity and safety of the road. (See Functional Classification of Thoroughfares in the Pike County Land Use Plan.)

(128) ROAD, COLLECTOR. A road which is not on the Georgia state highway system. Such a street would usually serve to distribute traffic from individual lots of arterial roads. They may also connect neighborhoods with one another. (See Functional Classification of Thoroughfares in the Pike County Land Use Plan.)

(129) ROAD, LOCAL. Serve adjacent property by providing access to the highway network. These roads are characterized by short trips, low speeds and small traffic volumes. The design of these roads should be toward eliminating through traffic. (See Functional Classification of Thoroughfares in Pike County Land Use Plan.)

(130) ROADSIDE STAND. A location at which an individual farmer sells his/her produce directly to consumers. This is in contrast to a group or association of farmers selling their produce at a farmer's market.

(131) SECTIONAL HOME. A general term used to describe any home constructed in a factory setting, especially manufactured homes. In the context of this chapter, this term has no specific meaning.

(132) SHOOTING PRESERVE, PRIVATE. Any shooting preserve owned or leased by an individual, partnership, firm, corporation, association, or other entity, and used only by the owners, members and guests.

(133) SHOOTING PRESERVE, PUBLIC. Any shooting preserve owned or leased by an individual, partnership, firm, corporation, association, or other entity, which is open to the general public.

(134) SHOOTING RANGE. A facility for target practice and other gun training exercises.

(135) SINGLE-WIDE. An obsolete term used to describe a mobile home or manufactured home having a width of between eight and 14 feet. In the context of this chapter, this term has no specific meaning. See definition of MANUFACTURED HOME.

(136) SITE BUILT HOME. See definition of CONVENTIONAL CONSTRUCTION.

(137) STABLE. Any establishment, or other enclosure where equines are maintained for boarding, holding, training, breeding, riding, pulling vehicles, or other similar purposes and a fee is charged for maintaining such equines or for the use of such equines.

(138) STORY. That portion of a building, not including a basement, between the surface of any floor and the surface of the floor next above it, or if there is no floor above, then the space between the floor and the ceiling next above it.

(139) STRUCTURE. Anything constructed or erected that requires a fixed location on the ground or which is attached to something having a fixed location on the ground.

(140) SUBDIVISION. The division of a lot of record at the time of enactment of this chapter into two or more lots, building sites or other divisions for the purpose, whether immediate or future, of sale, legacy or building development and includes all divisions of land involving a new street or a change in existing streets, includes re-subdivision and, where appropriate to the context, relates to the process of subdividing or to the land area subdivided.

(141) TAXIDERMY. The act of mounting or reproducing dead animals for display or study purposes.

(142) TRAILER. An obsolete term used to describe both a mobile home built before June 15, 1976 and a manufactured home. In the context of this chapter, this term has no specific meaning.

(143) TRAILER COURT. An obsolete term used to describe a planned manufactured home community. See definition of PLANNED MANUFACTURED HOME COMMUNITY.

(144) TRAILER PARK. An obsolete term used to describe a planned manufactured home community. See definition of PLANNED MANUFACTURED HOME COMMUNITY.

(145) TRAVEL TRAILER. A vehicle designed as a temporary dwelling for travel or recreational uses, (amended 5/27/2003) TRAVEL TRAILER PARK. A lot on which are parked two or more travel trailers for a period of less than 30 days.

(146) USE. Any purpose for which a building or tract of land may be designed, arranged, intended, maintained or occupied or any activity, occupation, business or operation carried on, or intended to be carried on, in a building or structure or a tract of land.

(147) USE, ACCESSORY. A use or structure customarily incidental and subordinate to the principal use or structure and located on the same lot as the

principal use or structure. ACCESSORY USES are allowed only within side or rear yards.

(148) USE, CONDITIONAL. That use which is permitted in a particular zoning district, but only under certain specified conditions.

(149) USE, NONCONFORMING. Use of land and/or buildings that does not conform to the regulations and standards of the district in which it is located, which lawfully existed at the time of adoption of this chapter and is allowed to continue under the provisions for NONCONFORMING USES.(See §156.022).

(150) USE, PRINCIPAL. The main purpose for which a lot is intended and for which it is used.

(151) USED or OCCUPIED. As applied to any land or building, includes the words INTENDED, ARRANGED or DESIGNED, TO BE USED or OCCUPIED.

(152) UTILITY SUBSTATION. Any public or private utility facility which is designed for the purposes of switching, storage, transfer, re-broadcast, or other re-transmission purposes, exclusive of individual transmission line, which provides services including (but not limited to) cable television, telephone, gas, and electricity.

(153) VACATION RENTAL. The primary use of all or part of a residential dwelling unit by rental for temporary occupancy for dwelling, sleeping or lodging of no more than thirty (30) consecutive days. Vacation rentals include the arrangement of such rental by the owner through a booking agent.

(154) VARIANCE. A permit issued by the ~~Board of Appeals~~Planning and Zoning Board which allows use of a parcel of land in a way that does not meet certain requirements for the district in which the property is located. See § 156.026 for further details.

(155) WINDMILL. A wind harnessing structure used for the purposes of energy generation, etc.

(156) YARD. A required open space on a lot that is left unoccupied with structures and facilities, except as permitted in this chapter. A YARD may also be known as a setback.

(157) YARD, FRONT. The open space on a lot located between the right-of-way boundary of the abutting street(s) and the front building line projected to the side lot lines.

(158) YARD, REAR. The open space between the rear property line and the rear building line projected to the side lot lines.

(159) YARD, SIDE. The open space between the side property line and the side building line extending from the rear line of the front yard to the front line of the rear yard.

(160) ZONING DISTRICT. One or more sections of Pike County, Georgia, as delineated and designated on the Official Map, within which the zoning regulations are uniform.

§156.07 DISTRICTS ESTABLISHED

(A) For the purposes of this chapter, Pike County is divided into districts as follows:

(1) A-R Agricultural-Residential - 1,500 sq. ft.;

(2) R-20 Single-Family Residential - 2,000 sq. ft.;

(3) R-18 Single Family Residential – 1,800 sq. ft

(3) R-15 Single-Family Residential - 1,500 sq. ft.; Repealed per Am. Ord. 07-31-2018

(4) R-11 Single-Family Residential - 1,100 sq. ft.; Repealed per Am. Ord. 07-31-2018

(5) R-6 Single-Family Residential - 600 sq. ft.; Repealed per Am. Ord. 06-09-10
(6) DR-6 Duplex Residential; Repealed per Am. Ord. 05-13-09
(7) PRD Planned Residential Development-Residential
(8) P-R Planned Development - Residential; Repealed per Am. Ord. 05-13-09
(9) P-M Planned Development - Mixed Use; Repealed per Am. Ord. 12-01-05
(10) Professional-Institutional;
(11) C-1 Neighborhood - Commercial;
(12) C-2 General - Commercial;
(13) C-3 Heavy - Commercial;
(14) M-1 Manufacturing - Light;
(15) M-2 Manufacturing - General;
(16) M-2A Manufacturing - Light;
(17) M-2B Manufacturing - Heavy;
(18) M-2C Manufacturing - Industrial Park;

(B) In addition, overlay districts apply additional standards to specific areas which may lie within any of the above districts. Those districts are as follows:
(1) S-1 Sensitive Land - Flood Hazard;
(2) S-2 Sensitive Land - Watershed Protection District;
(3) S-3 Sensitive Land - Groundwater Recharge Area Protection District;
(4) S-4 Sensitive Land - Wetlands Protection District;
(5) S-5 Sensitive Land - Flint River Corridor Protection District;
(6) U.S. Highway 19 and U.S. Highway 41 Overlay Districts (see Chapter 160 of the Pike County Code of Ordinances).

§156.08 DISTRICTS EXPLAINED

(A) Districts are areas of land within Pike County to which different development requirements and standards are applied. These differences are intended to promote the separation of incompatible uses, encourage sound land use patterns and retain the character of the community. Although this chapter establishes the locations of district boundaries, as indicated on the Official Map, the boundaries may be amended in the future in order to meet changing needs if facts are presented and accepted in support of such an amendment.

(B) This may be done, however, only if the proposed change is in conformance with the current Pike County Land Use Plan. (This does not necessarily mean a one-to-one correspondence.) If conditions have changed to the point that a genuinely needed change in a district boundary is not in conformance with the current Pike County Land Use Plan, then the current Pike County Land Use Plan must first be amended to address the changing needs.

(C) In making the decision to amend the boundary of a district, the points contained in § 156.028 must be considered by the ~~Planning Commission~~Planning and Zoning Board as well as the Board of Commissioners.

General Procedures

§156.20 INITIAL INFORMATION

(A) This subchapter outlines the procedures to be followed in order to comply with the requirements of this chapter. The developer who initially may not be familiar with this

chapter first visits the office of the Pike county Zoning Administrator to get information concerning resolutions affecting his or her proposed development.

(B) The Zoning Administrator will show the developer a copy of this chapter. The developer may either review the document in the office or he or she may purchase a copy for his or her own use.

§156.21 COMPLIANCE WITH ZONING CODE REQUIRED

(A) No building is to be erected, used, occupied, moved or altered in a manner that does not conform to the requirements specified for the district in which it is located.

(B) The only exception to this requirement is that all buildings or uses which lawfully existed at a particular location at the time this chapter was adopted may be continued as nonconforming uses.

§156.22 CONTINUANCE OF NONCONFORMING USES

(A) Invariably, at the time a land use and development control resolution is adopted or amended, certain uses which lawfully existed prior to the adoption or amendment will not conform to the regulations and standards for the districts in which they are located.

(B) These are known as nonconforming uses and in order to feasibly adopt the resolution and so as not to cause undue economic hardship on owners of nonconforming uses, these uses are allowed to continue under special conditions as outlined in the following parts of this section:

(1) Where a nonconforming use of a building or lot has ceased for more than six months or has changed to a permitted or conforming use, further use of the building or lot must be in conformance with the standards and requirements for the district in which it is located;

(2) A nonconforming use must not be extended or altered unless the extension or alteration is in conformance with the requirements of this chapter;

(3) A nonconforming use which is altered or extended must meet applicable Pike County building codes and development regulations. When an applicant seeks a building permit for the extension or alteration of a nonconforming use, the Zoning Administrator will inspect the unit and determine what (if anything) is needed to bring the unit into conformance with applicable building codes and development regulations. Upon determining that the unit meets applicable building codes and development regulations, he or she will issue the building permit for the nonconforming use;

(4) If a nonconforming building suffers damage which does not exceed 50% of its assessed valuation, the building may be reconstructed and reused as before if done within six months from the time such damage occurred. If such damage is greater than 50% of its assessed valuation, such a building may only be reconstructed and used in conformity with the standards and requirements for the district in which it is located;

(5) A use which is nonconforming only with respect to screening or buffer requirements must provide required screens or buffers within a period of three years from the effective date of the Certificate of Occupancy. This time period is to allow for the growth of natural vegetative buffers.

§156.23 BUILDING PERMIT REQUIRED

(A) The developer or other person wishing to do any of the following must first apply to the Zoning Administrator for a building permit:
   (1) Excavation or filling of a lot for the construction of a building;
   (2) Erection, movement, extension or enlargement of a building or structure;
   (3) Work on an existing building which increases the assessed value $500 or more.

(B) No electric current, water or sewage hookup will be made available to the site of new construction until a building permit is secured.

(C) The building permit must be applied for either by the owner of the land upon which the proposed building or alteration is to be located or by the contractor doing the work.

(D) The applicant may obtain a building permit application from the Planning and Development office. He or she should complete the application form and submit it to the Zoning Administrator, together with any supporting documentation which the Zoning Administrator may specify.

(E) Before a building permit is issued by the Zoning Administrator, the Pike County Environmental Health Department must approve the proposed water supply and sewage disposal facilities required in connection with the proposed building or structure. In areas served by a public water and sewage system, the Environmental Health Department may elect to waive either requirement for approval. After study of the site of a proposed use, the Environmental Health Department may require for health reasons that all or any portion of the site not be used for the intended purpose. The Environmental Health Department may also set a minimum lot size larger than that required by this chapter. The Pike County Environmental Health Department will either approve or disapprove the water and sewer facilities within 30 days of receipt of the application from the Zoning Administrator, providing a written decision, including reasons for the decision.

(F) An existing use which is altered or extended must meet applicable Pike County building codes and development regulations. When an applicant seeks a building permit for the extension or alteration of an existing use, the Zoning Administrator will inspect the unit and determine what (if anything) is needed to bring the unit into conformance with applicable building codes and development regulations before a building permit may be issued.

(G) The Zoning Administrator is in charge of issuing building permits. The Zoning Administrator will contact the applicant at the address shown on the application. The building permit will be issued if, upon review of the application and inspection of the site, the Zoning Administrator is satisfied that the proposed project will meet the requirements of this chapter and all other applicable resolutions. The Zoning Administrator may require the submission of additional materials if he or she feels additional information is needed in order to determine if the proposed project meets the requirements of this chapter.

(H) If the Zoning Administrator feels that the proposed project as presented in the building permit application will not satisfy the requirements of this chapter, he or she will not issue a building permit. He or she will notify the applicant in writing within ten days of the submission of the application stating reasons for the refusal. The applicant will then need to confer with the Zoning Administrator to determine what he needs to do in order to comply with this chapter and be eligible for a building permit.

(I) Construction on an approved project must start within six months from the date of issue of the building permit or the permit will become invalid and a new one must be applied for if construction of the project is desired at a future date. If construction has begun on an approved project and then ceases before the project is completed, construction must be restarted within 12 months from the time that it was stopped or the permit will become invalid and a new one must be applied for if construction of the project is desired to resume at a future date. Records of building permit applications and supporting materials will be maintained by the Zoning Administrator.

(J) In cases where an invalid building permit for a dwelling is reapplied for, if the building permit in question has been documented to have minimally achieved the status of a satisfactory insulation inspection for the dwelling, then the reactivated permit shall be subject to a reduced permit activation fee based on percentages of completion and corresponding fee amounts approved by the Board of Commissioners and listed on the current Pike County Permit and Application Fee Schedule. The reactivated permit shall also be subject to a thorough status inspection with an associated application fee prior to qualifying for the sliding permit scale.

(K) All newly constructed buildings, as well as additions, extensions or enlargements of structures, must comply with all building codes in effect in Pike County. The Zoning Administrator will explain the procedures and timing of inspections to determine if work meets applicable codes.

§156.24 CERTIFICATE OF OCCUPANCY REQUIRED

(A) A certificate of occupancy is required before a structure for which a building permit has been issued may be occupied or used. The building permit becomes the certificate of occupancy when the Zoning Administrator signs it in the appropriate space, certifying that to the best of his or her knowledge all requirements of this chapter have been met. The owner/contractor will then receive the certificate of occupancy to be used as confirmation that he or she has complied with the provisions of this chapter.

(B) The Zoning Administrator will issue the certificate of occupancy within ten days of receiving the building permit with required certifications if he or she finds that all requirements of this chapter and all other applicable resolutions have been met. However, if he or she finds that all requirements of such resolutions have not yet been met when the owner/contractor seeks a certificate of occupancy, the Zoning Administrator will not issue the certificate of occupancy. He or she will notify the owner/contractor within ten days, stating reasons for the refusal. The owner/contractor will then need to confer with the Zoning Administrator to determine what he or she needs to do in order to comply with this chapter and be eligible for a certificate of occupancy.

§156.25 APPEALING AN ACTION OF THE ZONING ADMINISTRATOR

(A) If the Zoning Administrator executes an action which the developer or other aggrieved party believes to be contrary to the provisions of this chapter, that action may be appealed. Such an appeal must be filed within 30 days of the action which forms the subject matter of the appeal.

(B) The ~~Board of Appeals~~Planning and Zoning Board has jurisdiction for hearing appeals concerning actions of the Zoning Administrator related to this chapter. Applications for appeal may be obtained from and submitted to the Zoning Administrator, who will transmit them to the ~~Board of Appeals~~Planning and Zoning Board for its consideration.

(C) When an action of the Zoning Administrator is appealed, all construction or other activity authorized by the appealed action must be stopped immediately. In certain cases, however, the Zoning Administrator may feel that the stopping of such construction or other activity authorized by the appealed action will cause imminent peril to life or property. Then the Zoning Administrator may certify to the ~~Board of Appeals~~Planning and Zoning Board that, by reason of facts stated in the certificate, the halting of construction or other activity authorized by the appealed action would in his or her opinion cause imminent peril to life or property. In such cases, the construction or other activity authorized by the appealed action is allowed to continue unless a restraining order is granted by either the ~~Board of Appeals~~Planning and Zoning Board or a court of appropriate jurisdiction.

(D) When an application for appeal of an action of the Zoning Administrator is received, the ~~Board of Appeals~~Planning and Zoning Board will set a time and place for a public hearing on the appeal. Notice of the hearing must be published in a newspaper of general circulation in Pike County at least 15 days before the hearing. In addition, the parties to the appeal will be notified of the date of the hearing by the ~~Board of Appeals~~Planning and Zoning Board by letter at least 15 days before the hearing. Any person may appear at the hearing or have a representative attend instead.

(E) The ~~Board of Appeals~~Planning and Zoning Board will make a decision concerning the appeal and record the decision in the minutes for that meeting. Further appeal shall be to the Pike County Superior Court.

§156.26 VARIANCES

(A) A variance is a permit, issued by the ~~Board of Appeals~~Planning and Zoning Board, which allows use of a parcel of land in a way that does not meet certain requirements for the district in which the property is located. A variance may be granted only in an individual case where an extreme hardship would result if all of the requirements of this chapter were applied stringently to a particular piece of property. The hardship must be proven by showing beyond a doubt that reasonable use of the land is not possible if all of the requirements of this chapter are to be met. The hardship cannot be self-created such as:

(1) A lot purchased with knowledge of an existing restriction;

(2) A claim of hardship in terms of prospective sales;

(3) An expressed economic need requiring a variance, when such a need can be met in other ways which would not require a variance.

(B) Relief from the hardship and the variance must not cause substantial detriment to the public good or impair the purposes of this chapter.

(C) When a variance is issued, the spirit of this chapter must be observed and the public safety and welfare secured. A variance may be granted only for permitted uses in the zoning district in which the property in question is located. (For example, a two-family dwelling would not be allowed to be placed in an R-20 District under a variance).

(D) Application for a variance may be made with the Zoning Administrator. The Zoning Administrator will take the required information and transmit it to the ~~Board of~~

~~Appeals~~Planning and Zoning Board for its consideration.

(E) When an application for a variance is received:

(1) The ~~Board of Appeals~~Planning and Zoning Board will set a date, time and place for a public hearing on the variance. Notice of the hearing must be published in a newspaper of general circulation within the territorial boundaries of Pike County twice within 15 days prior to the hearing. Such notice shall state the application number, owner's name, property location, including the land lot and district, street frontage, street address, tax map and parcel identification number, the total area of the subject property and the date, time, place and subject of the hearing. At least 15 days prior to a public hearing, notice of the date, time, place and subject of the hearing will be sent to the appellant or petitioner in writing by U.S. mail to his or her last known address and to the owners of all properties located within 1/4 mile of the subject property. Copies of all such letters will be maintained in the applicant file for permanent record.

(2) The Administrative Official shall post a sign not less than 18 inches by 24 inches in size in a conspicuous location on each public street frontage of the subject property at least 15 days but not more than 45 days prior to the date of the scheduled public hearing. The sign shall set forth the fact that it is a public hearing and shall show the date, time and place of the scheduled public hearing.

(F) The ~~Board of Appeals~~Planning and Zoning Board will make a decision concerning the variance and record the decision in the minutes for that meeting. In reaching its decision concerning a variance, the ~~Board of Appeals~~Planning and Zoning Board shall also consider the criteria set forth in (A) and (C) above. In addition, the ~~Board of Appeals~~Planning and Zoning Board shall also consider whether the applicant for the variance at the time of submitting the application is in violation of the Zoning Code or any other provision of the Code of Pike County, Georgia. If the applicant is determined to be in violation of the Zoning Code or any other provision of the Code of Pike County, Georgia, then the ~~Board of Appeals~~Planning and Zoning Board shall further consider the circumstances related to such violation(s) as part of the criteria for considering the requested variance.

(G) The variance issued by the ~~Board of Appeals~~Planning and Zoning Board must specify which requirements are to be varied from. It must specify alternative requirements to be met, replacing the requirements varied from.

(H) The ~~Board of Appeals~~Planning and Zoning Board may establish performance bonds to assure compliance with any requirements it has set for granting a variance. Where a variance is granted for a construction activity requiring a building permit, the building permit must be obtained and construction begun within six months of the issuance of the variance. Otherwise, the variance expires after six months.

(I) The decision of the ~~Board of Appeals~~Planning and Zoning Board on the application for variance may be appealed on points of law to the Pike County Superior Court by writ of certiorari.

(J) An administrative variance may be granted by the Director of Planning and Development with the filing of an application at the Planning and Development Department and the meeting of certain criteria. (Note: An administrative variance provides relief from certain standards of the Pike County Zoning Code. It is not intended to provide relief from any standards related to deed restrictions or restrictive covenants that certain private properties may be subject to.)

Reasonable effort shall be made to comply with the full standards of the Zoning Code first, but if the Director of Planning and Development believes that relief is warranted, he or she

may grant administrative variance approval of certain Zoning Code requirements based on the following criteria:

1. Up to 10% deviation from minimum building setbacks.
2. Up to 10% deviation from minimum buffer widths or landscape strips specified in Chapter 156 and Chapter 164.
3. Up to 25% deviation from the minimum acreage requirement specified in Section 156.43 (E)(3).
4. Up to 10% deviation from the square foot maximum for accessory buildings, per Section 156.43 (E), Section 156.63 (E), Section 156.78 (E), Section 156.93 (E), Section 156.173 (E), Section 156.88 (D), Section 156.203 (D), and Section 156.218 (D).
5. Up to 10% deviation from the minimum separation requirement between principal buildings and accessory buildings.
6. Up to 10% deviation on maximum building heights.
7. Approval of accessory buildings / uses which straddle the front and side yards of principal buildings.
8. Up to 10% deviation on the number of required parking spaces for developments.
9. For Class "B" manufactured homes, approval of a 3:12 roof pitch versus the normally required minimum of a 4:12 roof pitch. Also, up to a 10% deviation from the maximum 4:1 length / width ratio allowed for manufactured homes.

   Instances of administrative variance approvals by the Zoning Administrator shall be included in the Planning and Development Department's reports submitted monthly to the Board of Commissioners.

§156.27 SPECIAL EXCEPTIONS

(A) Some zoning districts permit certain uses only upon approval. These are called special exceptions. Consideration is given to whether or not the objectives of this chapter will be hindered in an individual situation.
   (1) Special Exceptions are conditional uses as outlined in the corresponding zoning district and are generally considered to be a use that runs with the property.
   (2) Special Use Permits are conditional uses as outlined in the corresponding zoning district and are generally considered to be of a temporary, one-time, or limited duration period as determined by the Board of Commissioners.
   (3) Limited Lodging and Vacation Rentals as defined by this Chapter shall be considered a type of use that requires special exception approval. The conditions and restrictions for Limited Lodging and Vacation Rentals are more specifically detailed in Sections 156.160 et seq of this Chapter.

(B) The developer or owner wishing to request a special exception must have at least 51% ownership of the subject property or be the duly authorized agent of such a person, possessing notarized authorization in writing, under the owner's signature.

(C) Application for a special exception may be made with the administrative officer. The administrative officer will take required information and transmit it to the ~~Board of Appeals~~Planning and Zoning Board for its consideration.

(D) When an application for a special exception is received:
   (1) The ~~Board of Appeals~~Planning and Zoning Board will set a date, time and place for a public hearing on the special exception. Notice of the hearing must be published in a newspaper of general

circulation within the territorial boundaries of Pike County twice within 15 days prior to the hearing. Such notice shall state the application number, owner's name, property location, including the land lot and district, street frontage, street address, tax map and parcel identification number, the total area of the subject property and the date, time, place and subject of the hearing. At least 15 days prior to a public hearing, notice of the date, time, place and subject of the hearing will be sent to the applicant or petitioner in writing by U.S. mail to his or her last known address and to the owners of all properties located within 1/4 mile of the subject property. Copies of all such letters will be maintained in the applicant file for permanent record.

(2) The administrative official shall post a sign not less than 18 inches by 24 inches in size in a conspicuous location on each public street frontage on the subject property at least 15 days but not more than 45 days prior to the date of the scheduled public hearing. The sign must set forth the fact that it is a public hearing and must show the date, time, and place of the scheduled public hearing.

(E) The ~~Board of Appeals~~Planning and Zoning Board will consider the following points in arriving at a recommendation on the special exception:

(1) It must not be contrary to the purposes of these regulations;

(2) It must not be detrimental to the use or development of adjacent properties or to the general neighborhood and it must not adversely affect the health, safety or welfare of the residents or workers;

(3) It must not constitute a nuisance or hazard because of the number of persons who will attend or use such a facility, vehicular movement, noise or fumes generated or type of physical activity;

(4) It must not adversely affect existing uses and it must be proposed to be placed on a lot of sufficient size to satisfy the space requirements of the use;

(5) It must meet all other requirements of these regulations;

(6) In addition, the ~~Board of Appeals~~Planning and Zoning Board shall also consider whether the applicant for the special exception at the time of submitting the application is in violation of the Zoning Code or any other provision of Code of Pike County, Georgia. If the applicant is determined to be in violation of the Zoning Code or any other provision of the Code of Pike County, Georgia, then the ~~Board of Appeals~~Planning and Zoning Board shall further consider the circumstances related to such violation(s) as part of the criteria for considering the requested special exception.

(F) The ~~Board of Appeals~~Planning and Zoning Board shall review and make recommendation of approval, denial, deferral, withdrawal without prejudice or no recommendation on each application or the ~~Board of Appeals~~Planning and Zoning Board, by majority vote of those present and voting, may table the application for no more than one month if, in the opinion of the Board, there is insufficient information to make a recommendation.

(G) Before approving a special exception pursuant to this section, the Board of Commissioners must conduct a public hearing on the special exception application. Notice of the hearing must be published in a newspaper within the territorial boundaries Pike County twice within 15 days prior to the hearing. The same notification procedures for hearings used by the ~~Board of Appeals~~Planning and Zoning Board for special exceptions shall be used by the Board of Commissioners. The Board of Commissioners in reaching its decision shall

consider the points set forth in (E)(1)

through (E)(6) of this section. The decision of the Board of Commissioners may or may not concur with the recommendation of the ~~Board of Appeals~~Planning and Zoning Board.

(H) The ~~Board of Appeals~~Planning and Zoning Board and/or Board of Commissioners may impose additional conditions, restrictions and development standards on a special exception as may be necessary to protect the health, safety and welfare of workers and residents.

(I) If any restrictions upon which a special exception was granted are not being complied with or any conditions upon which the granting of a special exception are based are no longer applicable, the permit may be revoked after giving notice to all parties concerned and granting full opportunity for appeal.

(J) In cases of catastrophic loss (acts of God and man-made destruction by others) of a primary residence, the Zoning Administrator has vested powers to immediately issue a building permit for the purpose of rebuilding the destroyed residence. In cases where a temporary home, including a manufactured home, is necessary for living space where property owners' are restoring a residence, pursuant to this section, the special exception process for approval of the temporary home shall be postponed for 1 year. Within 30 days of the issuance of a Certificate of Occupancy for the rebuilt primary residence, the temporary home shall be removed.

§156.28 AMENDMENTS

(A) If a developer or landowner finds that a proposed new use of his or her land does not meet the requirements of this chapter, he or she may request that this chapter be amended to permit his or her proposed use. The developer or owner wishing to request an amendment of the Official Map must have at least 51 % ownership of the subject property or be the duly authorized agent of such person, possessing notarized authorization in writing over the owner's signature. The ~~Planning Commission~~Planning and Zoning Board or the Board of Commissioners may also propose an amendment. However, the power to approve and enact an amendment rests with the Board of Commissioners.

(B) Application for an amendment to the Zoning Map of Pike County may be made with the Zoning Administrator. The Zoning Administrator will take the required information and transmit it to the ~~Planning Commission~~Planning and Zoning Board and the Board of Commissioners for their consideration.

(C) When an amendment is initiated which involves changing the zoning district of a parcel of land, the Zoning Administrator must post a sign 18 inches by 24 inches in size in a conspicuous location on each public street frontage on the subject property at least 15 days but not more than 45 days prior to the date of the scheduled public hearing. The sign must set forth the fact that it is a "zoning notice." It must show the present zoning classification, the proposed zoning classification and the purpose, date, time and place of the scheduled public hearing, and it must inform the public that additional information may be obtained at the Zoning Administrator's office. For a County initiated amendment, proposed by the ~~Planning Commission~~Planning and Zoning Board and/or the Board of Commissioners, this requirement is not applicable per Official Code of Georgia Annotated (O.C.G.A.) 36-66-4. When a proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency, the posted zoning notice sign shall include a prominent statement that the proposed zoning decision relates to

or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency.

(D) All applications for amendment must first be reviewed by the ~~Planning Commission~~Planning and Zoning Board. Before taking action on the application, the ~~Planning Commission~~Planning and Zoning Board will hold a public hearing. Notice of the date, time and place of the hearing must be published in a newspaper of general circulation within the territorial boundaries of Pike County twice within 15 days prior to the hearing. Such notice will state the application number, owner's name, property location, including the land lot and district, street frontage, street address, tax map and parcel identification number, the total area of the subject property and the present zoning classification and proposed change. Any such hearing will be open to the public and those parties at interest in the application will be given reasonable opportunity to be heard upon the application being heard. When a proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency, the published newspaper notice shall include a prominent statement that the proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency. The published notice shall be at least six column inches in size and shall not be located in the classified advertising section of the newspaper.

(E) At least 15 days prior to a public hearing, notice of date, time, place and the subject of the hearing will be sent to the appellant or petitioner in writing by U.S. mail to his or her last known address and to the owners of all properties located within 1/4 mile of the subject property, if residential; and 1/2 mile if commercial or manufacturing districts. Copies of all such letters will be maintained in the applicant file for permanent record. For a county initiated amendment, proposed by the ~~Planning Commission~~Planning and Zoning Board and/or the Board of Commissioners, this requirement is not applicable per Official Code of Georgia Annotated (O.C.G.A.) 36-66-4. When a proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency, the mailed notice shall include a prominent statement that the proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency.

(F) The ~~Planning Commission~~Planning and Zoning Board will consider the following points in arriving at a decision on a zoning amendment:

(1) It must not be contrary to the purpose of this chapter;

(2) It must not be detrimental to the use or development of adjacent properties or to the general neighborhood and it must not adversely affect the health or safety of residents or workers;

(3) It must not constitute a nuisance or a hazard because of the number of persons who will attend or use such a facility, vehicular movement, noise or fumes generated or type of physical activity;

(4) It must not adversely affect existing uses;

(5) In addition, the ~~Planning Commission~~Planning and Zoning Board shall also consider whether the applicant for the amendment at the time of submitting the application is in violation of the Zoning Code or any other provision of the Code of Pike County,

Georgia. If the applicant is determined to be in violation of the Zoning Code or any other provisions of the Code of Pike County, Georgia, then the ~~Planning Commission~~Planning and Zoning Board shall further consider the

circumstances related to such violation(s) as part of the criteria for considering the requested amendment.

(G) After conclusion of the hearing on an application for amendment to the Zoning Map, the ~~Planning Commission~~Planning and Zoning Board, by a majority vote of those members present and voting, will make a recommendation on the disposition of the application. The recommendation will be forwarded to the Board of Commissioners for final action. If the ~~Planning Commission~~Planning and Zoning Board fails to send its recommendations to the Board of Commissioners within 30 days, the Board of Commissioners will assume that the ~~Planning Commission~~Planning and Zoning Board approves.

(H) Before enacting an amendment to this chapter, the Board of Commissioners must conduct a public hearing on the amendment. Notice of the hearing must be published in a newspaper of general circulation in Pike County at least 15 days but not more than 45 days before the hearing. The same notification procedures for hearings used by the ~~Planning Commission~~Planning and Zoning Board will also be used by the Board of Commissioners. When a proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency, the published newspaper notice shall include a prominent statement that the proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency, The published notice shall be at least six column inches in size and shall not be located in the classified advertising section of the newspaper.

The following policies and procedures will be observed in conducting the required public hearing:

(1) The hearing will be held in the Commissioner's meeting room of the Pike County-Courthouse Annex at 79 Jackson Street, Zebulon, GA 30295.
(2) Written comments on the subject of the hearing may be submitted by any citizen or property owner at any time prior to the adjournment of the hearing.
(3) Persons desiring to be heard orally may present their views at the hearing. The length of time of oral presentations permitted to each speaker will be governed by the Board of Commissioners, depending upon the number of persons present and desiring to speak. Personal remarks will not be tolerated.
(4) Any person desiring a transcript of the hearing must arrange for a court reporter at their own expense.
(5) Cross-examination of persons making oral presentations will not be permitted.
(6) All questions will be addressed to the Chairperson of the Board of Commissioners or the Commission member then presiding.
(7) Standing to challenge a zoning decision is not conferred by being permitted to speak orally at a hearing, nor by being permitted to file statements or pleadings.

(I) The Board of Commissioners will, when considering a proposed amendment to the Zoning Code, first determine whether the limitation imposed by such an amendment, if any, on the right to unrestricted use of property which might result from the proposed amendment is necessary to promote the public health, safety or general welfare. In considering whether to change the zoning classification of any particular property, the Board of Commissioners will balance the benefit to the public of the present zoning classification of the property against the detriment to the property owner and scrutinize the application in light of the

character of the land in question and the zoning decision upon the property owner's rights. In making these determinations, the Board of Commissioners must consider the following:

(1) The existing uses and zoning of the nearby property;
(2) The suitability of the property for the zoned purpose;
(3) The length of time the property has been vacant;
(4) The threat to the public health, safety and welfare, if rezoned;
(5) The extent to which the value of the property is diminished by the present zoning;
(6) The balance between the hardship on the property owner and the benefit to the public in not rezoning; and
(7) Whether the applicant for the amendment at the time of submitting the application is in violation of the Zoning Code or any other provision of the Code of Pike County, Georgia. If the applicant is determined to be in violation of the Zoning Code or any other provision of the Code of Pike County, Georgia, then the Board of Commissioners shall further consider the circumstances related to such violation(s) as part of the criteria for considering the requested amendment.

(J) The Board of Commissioners may also consider whether development of the property in the zoning classification sought would do any of the following:
(1) Would have an adverse effect on the insurance rating of the county or any substantial portion of the county issued by the Insurance Service Office or similar rating agency;
(2) Overtax the public utilities and streets presently existing to serve the site;
(3) Have a substantial adverse impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality and quantity.

(K) After conducting the public hearing and considering recommendations from the Planning Commission, the Board of Commissioners will then make an official decision on the proposed amendment. The decision may or may not concur with the recommendations of the ~~Planning Commission~~Planning and Zoning Board. When a proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency, a public hearing shall be held on the proposed action. Such public hearing shall be held at least six months and not more than nine months prior to the date of final action on the zoning decision. This hearing shall be in addition to any other hearing required under this Code Section.

(L) If the proposed amendment is for a change in zoning to a given piece of property, and the Board of Commissioners denies a proposed amendment, a minimum period of 12 months must pass before the same property may again be considered for a change in zoning.

(M) If the proposed amendment is a textual change to the resolution, and the Board of Commissioners denies the proposed amendment, the proposed amendment may again be considered at the next regularly scheduled meeting of the Board of Commissioners.

§156.29 APPEALING AN ACTION OF THE BOARD OF COMMISSIONERS

If the Board of Commissioners executes an action which the developer or other aggrieved party believes to be contrary to law, that action may be appealed to the Pike County Superior Court. Findings of fact, however, may not be appealed. Such an appeal must be filed within 30 days of the date on which the action of the Board of Commissioners was taken.

§156.30 REVERSION

If no substantial construction or alteration of the property or other affirmative action to develop the property in accordance with the approved site plan and letter of intent occurs within 12 months of the effective date hereof or of the granting of an application for rezoning to Planned Development - Mixed Use (P-M), Planned Development - Residential (P-R), Commercial (C-1, C-2, C-3), Manufacturing (M-1, M-2) or Professional - Institutional (P-I), said rezoning may at the discretion of Pike County Commissioners, be rezoned to its previous classification. The procedures for this reversionary rezoning will follow the provisions as set forth in section § 156.028 of this chapter. The Zoning Administrator shall notify the owner of the property of the intention of Pike County. The owner of the property will have the right to appeal such determination to the ~~Board of Appeals~~Planning and Zoning Board as hereinafter provided for the appeal of other decisions of said Zoning Administrator. If such prior classification has been repealed, the property will be deemed to have such zoning classification as in the opinion of the Zoning Administrator most closely approximates such prior zoning classification; provided, however, that in all cases requiring a determination of the Zoning Administrator as herein provided, said Zoning Administrator will in writing notify the owner of the property whose zoning classification is so

changed of his or her determination, and such property owner will have the right to appeal such determination to the ~~Board of Appeals~~Planning and Zoning Board as hereinafter provided for the appeal of other decisions of said Zoning Administrator.

A-R Agricultural-Residential

§156.40 PURPOSE

A-R Zoning Districts are intended to establish and preserve quiet areas where the primary activities are those of farming, agriculture, livestock, animal husbandry, timber cultivation and related uses consistent with responsibly maintaining the land resources of the county reserved for these purposes through best management practices, etc. Residences of a low-density nature which are compatible with these activities are also permitted. These districts are free from other uses which are incompatible with a low-density, agricultural-residential neighborhood.

§156.41 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN AN A-R DISTRICT

The factors contained in § 156.28 must be thoroughly considered by the ~~Planning Commission~~Planning and Zoning Board, as well as the Board of Commissioners, when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Pike County.

§156.42 BOUNDARIES OF A-R DISTRICTS

The Pike County, Ga. Official Zoning Map shows the boundaries of all A-R Districts within Pike County.

§156.43 PERMITTED USES

(A) The following principal uses are permitted in A-R Districts:

(1) Agricultural, except that the keeping of livestock, equine, bovine, poultry, or swine in connection with a primary residential use (permitted residential homes or subdivisions in A-R district(s)) shall be considered an accessory use and will require special exception approval as provided in Section 156.43 (D) (3) of this Section.
(2) Agribusiness on tracts of land not less than three acres and not within platted residential subdivisions (named neighborhoods);
(3) Non-commercial garden, crop growing;
(4) Site-built, single-family, detached dwelling with a heated floor area of at least 1,500 square feet;
(5) Industrialized home with a heated floor area of at least 1,500 square feet;
(6) Class A manufactured home with a heated floor area of at least 1,500 square feet;
(7) Class B manufactured home with an approved administrative variance, and with a heated floor area of at least 1,500 square feet;
(8) Local, state or federal government building, necessary for the provision of emergency services, etc.
(9) Publicly owned and operated park or recreation area;
(10) Subdivision recreation area owned, operated and maintained by a homeowner's association exclusively for use of residents and their guests;
(11) Utility substations meeting the following development standards: a buffer must be provided along the entire substation perimeter per Chapter 164;
(12) Equine riding academy or stable on tracts of land not less than three acres;
(13) Family Personal Care Home, meeting applicable State requirements;
(14) Private shooting preserve, meeting the County definition and the requirements of Title 27 of the Georgia Code.
(15) Seasonal, light intensity, agritourism uses, offering agricultural products for sale to the public:
(a) Christmas Tree Farms;
(b) Pick-your-own Farms;
(c) Firewood Sales;
(16) Foster Home (for animals), meeting State requirements;
(17) Pet Breeder, not to exceed 10 adult breeding animals;

(B) The following principal uses are permitted as special exceptions in A-R Districts:
(1) Church, synagogue, chapel or other place of religious worship or educational instruction meeting the following development standards:
(a) It must be located on either an arterial or collector road;
(b) The lot must have a minimum road frontage of 200 feet;
(c) The lot must have an area of at least four acres;
(d) All buildings must be located at least 50 feet from any property line;
(e) A buffer must be provided along all side and rear property lines, per Chapter 164.
(2) Nursery school or kindergarten meeting the following development standards:
(a) At least 200 square feet of outdoor play area must be provided;
(b) At least 35 square feet of indoor space per child must be provided;
(c) Outdoor play areas must be enclosed by a fence at least four feet in height;
(3) School, elementary, middle or high, public or private;
(4) Golf course, public or private, meeting the following development standards:

(a) It must be daytime use only;
(b) All buildings, greens and fairways must be set back at least 100 feet from any property line;

(5) Radio, television, or telecommunications tower meeting the following development standards:
(a) All such structures and support facilities for radio and television towers must be set back at least 200 feet from adjacent property lines;
(b) All Federal Aviation Administration requirements must be met;
(c) All telecommunications structures must meet the requirements of Chapter 113 of the Pike County Code.

(6) Airport, private, paved or unpaved with the following development standards:
(a) All Federal Aviation Administration requirements must be satisfied;
(b) A plat must be submitted showing the proposed location of the runway and any existing proposed buildings;

(7) Kennel meeting the following development standards: all permanent kennel structures must be set back a minimum of 200 feet from all property lines;

(8) Private club or lodge;

(9) Deer cooler meeting the following development standards:
(a) All new structures must be at least 50 feet from all property lines;
(b) Animal waste cannot be buried or burned on property, unless permitted by state and/or federal regulations;
(c) Individuals maintaining deer coolers must obtain a permit from the Georgia Department of Natural Resources; and
(d) Individuals maintaining deer coolers must purchase a business license annually.

(10) Taxidermy business meeting the following development standards:
(a) All new structures must be at least 50 feet from all property lines;
(b) Animal waste cannot be buried or burned on the property, unless permitted by state and/or federal regulations;
(c) Individuals maintaining taxidermy businesses must obtain a license from the Georgia Department of Natural Resources, and must follow the requirements of Georgia Code Section 27-2-9.

(11) Commercial grade chicken houses, commercial poultry and ratite farms;

(12) Campground, religious;

(13) Bed and Breakfast;

(14) Hog parlor. A minimum lot size of 10 acres is required for a hog parlor.

(15) Public shooting preserve, meeting the following development standards:
(a) Public shooting preserves shall be located on a minimum 25 acre parcel;
(b) All shooting areas shall be setback at least 200 feet from all property lines, including right-of-way lines;
(c) The public shooting preserve shall be posted "No Trespassing-Danger-Shooting Preserve" at 200 foot intervals around the perimeter of the preserve property.
(d) A site plan shall be submitted to the County, which shows the location of shooting areas, parking, etc.

(16) Shooting range, outdoor, meeting the following development standards:

(a) Outdoor shooting ranges shall be located on a minimum 25 acre parcel;
(b) All shooting areas shall be setback at least 200 feet from all property lines, including right-of-way lines;
(c) The outdoor shooting range shall be posted "No Trespassing-Danger-Shooting Preserve" at 200 foot intervals around the perimeter of the preserve property.
(d) A site plan shall be submitted to the County, which shows the location of shooting areas, parking, targets, backstops, etc.
(e) At least one qualified individual in the sponsoring club or organization shall be properly certified for shooting range supervision. Each facility shall adopt safety rules and regulations subject to review by the County.
(f) Shooting range design and operation shall conform to the most current standards of the National Rifle Association (NRA) Range Sourcebook, including minimum height standards for earthen embankments behind shooting range targets.
(g) Outdoor shooting ranges shall be subject to pre-range lead testing and subsequent lead testing thereafter, and the range shall have necessary lead management and lead removal procedures in place.
(h) An accessory retail store is allowed in conjunction with the shooting range, but no service or sales of alcoholic beverages shall be allowed on the shooting range property.
(i) The outdoor shooting range shall be covered by accident and liability insurance, amount to be determined by Pike County.

(17) Pet Breeder, exceeding 10 adult breeding animals;
(18) Animal Shelter, meeting State requirements;
(19) Rescue Group (for animals), meeting State requirements;
(20) Medium to high intensity agritourism uses, including, but not limited to:
(a) Petting Zoos
(b) Rodeos / Horse Shows
(c) Domestic Winery
(d) Farmer's Market
(e) Agricultural Museum or other related public exhibit;
(21) Class C manufactured home with a heated floor area of at least 1500 square feet;

(C) The following accessory uses are permitted in A-R Districts:
(1) Private garage or carport for the storage of vehicles compatible with the principle use;
(2) Structure for the storage of items associated with the principal building and its grounds;
(3) Non-commercial workshop for personal hobbies, such as woodworking, etc.
(4) Private swimming pool and bath house or cabana meeting the following development standards: all such swimming pools which are over 24 inches (two feet) deep must be completely enclosed by a fence meeting current building codes;
(5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they are night sky friendly and do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;
(6) Non-commercial garden, including a greenhouse and other customary garden structures;

(7) Deck, patio, barbeque grill or other such facility;
(8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;
(9) Temporary building or storage of materials meeting the following development standards:
(a) Permitted only in conjunction with construction of a building;
(b) Allowed either on the same lot where construction is taking place or on adjacent lots;
(c) Such a use must be terminated upon completion of construction;
(10) Sign as permitted by the Pike County Sign Ordinance;
(11) Roadside stands for sale of a roadside stand for selling of agricultural products, but not to exceed 500 square feet in floor area;
(12) Satellite dish antennas and television antennas;
(13) Detached guest quarters meeting the following development standards:
(a) No more than one is permitted on a lot with another dwelling;
(b) It is permitted only within a rear yard of a principal dwelling;
(c) Such a use must not be used as rental property;
(d) The maximum heated square footage of the guest quarters shall be 750 square feet;
(e) Shall not have an attached, enclosed garage / carport or basement;
(f) Environmental Health Department approval must be obtained for each application, in regards to water and sewer capability.
(14) Home occupation, Minor.
(15) Nursery, for the sale of products grown on premises; to include ornamental plants, trees and shrubs, on tracts of land not less than 3 acres.
(16) Structure for a children's playhouse and the storage of children's play equipment;
(17) Co-location of a telecommunications antenna on an existing tower or other structure;
(18) Windmill, 35 feet and below in height;
(19) Small, non-commercial, chicken house, containing no more than10 chickens or equivalent size poultry;
(20) The parking of personal, unoccupied travel trailers, motor coaches, and /or pleasure boats;
(21) Manufactured home or trailer, camper, etc. for temporary housing at a construction site meeting the following development standards:
(a)It is allowed only in conjunction with a valid building permit which has been issued for the principal building to be placed on the lot;
(b) Prior to locating the temporary unit on the lot, an approval letter from the Environmental Health Department for the unit must be obtained, stating that the water and septic methods used on the lot for the unit are lawful and adequate;
(c) Only one such unit is allowed per lot;
(d) The temporary unit shall not be used as a rental property;
(e) The approval is not transferrable from one owner to another;
(f) The temporary unit is allowed to be located in the front yard of the proposed principal building, but must conform to all applicable building setbacks for the lot;

(g) The approval of occupancy of the temporary unit is for 12 months after the date of the issuance of the building permit. In the event that construction of the principal building on the lot has been well underway, but the building is not yet complete after 12 months, the permittee may apply to the Zoning Administrator for an extension of occupancy in the temporary unit. The Zoning Administrator will assess the situation and, at his or her discretion, may extend the occupancy time for an additional 12 months. In no case will a temporary manufactured home or motorized camper / trailer be allowed to remain and occupied for a period in excess of 24 months;

(h) The temporary unit shall be completely removed from the property (and cease to be a living quarters) within 30 days of the issuance of a Certificate of Occupancy for the permitted principal building. Campers and trailers that are personal property of the building permit holder may be parked unoccupied on the property, but cannot be further used as living quarters;

(22) Well house;

(23) Garage apartment meeting the following development standards:

(a) No more than one is permitted on a lot with another dwelling;

(b) It is permitted only within a side or rear yard of a principal dwelling;

(c)The maximum heated square footage of the garage apartment shall be 750 square feet;

(d) Shall not contain a basement;

(e)Environmental Health Department approval must be obtained for each application, in regards to water and sewer capability.

(D) The following accessory uses are permitted as special exceptions in A-R Districts:

(1) Home occupation, General, excluding public garage, repair garage and shooting ranges;

(2)Windmill, above 35 feet in height, meeting the following development standards:

(a)All such structures must be set back from all property lines the same distance as their proposed height.

(b) Any applicable Federal Aviation Administration requirements must be met.

(3) The keeping of livestock, including but not limited to cattle, which will require dedicated pastureland of no less than 5 acres; the keeping of equine and bovine, which will require dedicated pastureland of no less than 1 acre and at a rate of one animal per acre; and the keeping of swine and poultry, which require a minimum of 5 acres. (4) The keeping of exotic animals, which must meet the requirements of Georgia Code Section 27-5.

(5) Outdoor recreational fields (baseball, softball, etc.), for public use, with associated appurtenances.

(6) Cemetery, private, church, and other not-for-profit, public cemetery; (Am. Ord. 03-09-11)

(7) Manufactured home for temporary use for fulltime employee quarters meeting the following development standards:

(a) No more than one unit is permitted per lot;

(b) The unit must be located entirely within the rear yard of the principal building;

(c) The unit must meet standards established by the Pike County Environmental Health Department;

(d) Must be removed within 30 days of ceasing to be occupied by full time employee;

(e) Permits must be renewed every 12 months. They are non-transferable from one owner to another.

(8) Manufactured home for temporary use in case of certified hardships meeting the following development standards:

(a) A person having a certified hardship shown according to the procedure contained in this section and meeting any one of the following conditions may apply to the ~~Board of Appeals~~Planning and Zoning Board for the special exception permit:

(i) The applicant for the special exception is to be the owner and occupant of the temporary unit and is physically or mentally disabled and requires frequent attendance by others for medical or physical care;

(ii) The applicant for the special exception is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically or mentally disabled and requires frequent attendance by others for medical or physical care;

(iii) The applicant for the special exception is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant/owner's family and is physically or mentally disabled and requires frequent attendance by others for medical or physical care.

(b) In order to determine if the need for the special exception permit presented by the applicant is a certified hardship, the ~~Board of Appeals~~Planning and Zoning Board will require a doctor's letter currently dated, generally confirming the hardship and also attesting to the need for frequent attendance upon such a person by other people. The certificate will be requested by the ~~Board of Appeals~~Planning and Zoning Board directly from the doctor in attendance upon the person who is asserted to be disabled. All HIPAA regulations shall be followed;

(c) The procedure for applying for a special exception permit for a temporary manufactured home for certified hardship is as follows:

(i) Application should be made to the ~~Board of Appeals~~Planning and Zoning Board for the special exception permit for a temporary manufactured home for certified hardship;

(ii) The ~~Board of Appeals~~Planning and Zoning Board will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the special exception permit;

(iii) The ~~Board of Appeals~~Planning and Zoning Board will consider such applications, and upon determining that all requirements have been met for such a permit, will issue the special exception permit;

(d) Upon being granted a special exception permit to allow a temporary manufactured home for certified hardship, the applicant must then apply to the Zoning Administrator for a building permit for the installation of the temporary manufactured home. The procedure is as follows:

(i) Plans for a water/well and sewage/septic system suitable for the temporary manufactured home proposed to be installed on the site must be submitted to the Pike County Environmental Health Department for its review and approval;

(ii) Upon securing concurrence of the Pike County Environmental Health Department

of the proposed water and sewage systems to serve the proposed temporary manufactured home, the owner should present evidence of such approval to the

Zoning Administrator and apply for a building permit for installation of the proposed temporary manufactured home, including the water and sewage systems;

(iii) Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with installation of the proposed temporary manufactured home, including water and sewage systems. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;

(e) The following conditions apply to special exception permits issued for temporary use of a manufactured home for hardship:

(i) It is temporary and valid only for a specific period of time. Must be renewed every 12 months;

(ii) A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the ~~Board of Appeals~~Planning and Zoning Board before issuing the temporary special exception permit;

(iii) During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems.

(iv) The temporary manufactured home must be removed within 30 days of either the expiration of the special exception permit for the temporary manufactured home or upon finding of the ~~Board of Appeals~~Planning and Zoning Board, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the special exception was granted no longer exist, whichever is earlier;

(v) No more than one such unit is permitted per lot.

(9) (a) Manufactured home for temporary use for personal recreation (hunting, fishing, weekend retreat, etc.) meeting the following development standards:

(i) Must have a minimum lot area of 25 acres;

(ii) No more than one unit per lot is permitted with or without a principal building;

(iii) Unit must meet standards established by the Pike County Environmental Health Department;

(iv) Unit must not be used as a permanent residence or rental property. Permit must be renewed every 12 months;

(v) Permit is non-transferable from one owner to another;

(b) The procedure for applying for a special exception permit for a temporary manufactured home for personal recreational use is as follows:

(i) Application should be made to the ~~Board of Appeals~~Planning and Zoning Board for the special exception permit for a temporary manufactured home for personal recreational use;

(ii) The ~~Board of Appeals~~Planning and Zoning Board will explain to the applicant all conditions and limitations attached to such a permit and will secure the notarized certification of the applicant that he or she understands and will abide by those conditions if issued the special exception permit;

(iii) The ~~Board of Appeals~~Planning and Zoning Board will consider such applications and upon determining that all requirements have been met for such a permit will issue the special exception permit.

(10) Outdoor Events-Activities (which do not violate the spirit of the purpose of A-R zoning established in Section 156.40 and the criteria for suitability established in Section 156.41), including but not limited to:
  (a) Organized team and individual sport events, leagues, activities, and recreational activities;
  (b) Outdoor performing arts concerts;
  (c) Outdoor amusement enterprise, including pony riding, miniature golf, carnival or bazaar;
  (d) Temporary locations for religious and non-religious place of assembly. This would include but not be limited to: revivals, political rallies, commercial sales events.

(E) Any use not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special exception and follow the procedures for a special exception.

§156.44 DEVELOPMENT STANDARDS FOR A-R DISTRICTS

In addition to the development standards contained in §§ 156.20 et seq., the following standards are required within A-R Zoning Districts.

(A) Minimum heated floor area per dwelling unit - 1,500 square feet;

(B) Minimum lot area - 130,680 square feet (three acres); however, a lot of record lawfully existing at the time of passage of this chapter and having insufficient area to conform with minimum lot area standard may nevertheless be developed with a use which is permitted within an A-R District;

(C) Minimum lot width at the front building line: 200 feet;

(D) Minimum front yard setbacks (principal buildings):
  (1) Arterial roads (principal and minor) - 100 feet (from road centerline) or the front of all buildings must be at least 35 feet from the front property line, whichever is greater.
  (2) Collector roads (major and minor) - 100 feet (from road centerline) or the front of all buildings must be at least 35 feet from the front property line, whichever is greater.
  (3) Other roads (local and private) - 80 feet (from road centerline) or the front of all buildings must be at least 35 feet from the front property line, whichever is greater.
  (Note: Refer to GDOT Functional Classification Map for determination of road types.)

(E) Minimum side yard setbacks (principal buildings) - 30 feet from side property lines.

(F) Minimum rear yard setbacks (principal buildings) - 30 feet from rear property lines.

(G) Maximum building height - 35 feet. For buildings with projections over thirty-five (35) feet, such as antennas, HVAC units, steeples, etc., the minimum required yards must be increased one foot for every two feet (part of two feet) of building height greater than 35 feet.

(H) Accessory building standards:
  (1) They must be located in either side or rear yards, except as follows: a temporary manufactured home at a construction site, satellite dishes, television antennas, well houses, landscaping islands, roadside stands, cemeteries as per Chapter 165, and fences as per Chapter 164 are permitted in the front yard as well as rear and side yards;
  (2) An accessory building may be located in the front yard of a principal building, if it is located at least 300 feet from the road centerline <u>and</u> is not readily visible from a road. If readily visible from the road, the accessory building must match the exterior building

materials of the principal building. This provision shall not apply to lots within platted, residential subdivisions (named neighborhoods)

(3) They may not be located closer than ten feet from any property line;

(4) An accessory building, except for dwellings such as guest quarters and garage apartments, erected on a lot prior to the time of construction of the principal building must be located on lots 10 acres or more and can be located towards the front of the principal building;

(5) An accessory building (non-dwellings and excluding swimming pools) must not exceed 800 total square feet in size when located on a lot less than two acres in area. The size of an accessory building (non-dwellings) is not limited on lots two acres or more in area, except within platted, residential subdivisions (named neighborhoods), where they shall not exceed 1200 total square feet.

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(I) Minimum off-street parking space requirements:

(1) Single-family, detached dwelling - Two spaces for each dwelling unit; the parking spaces may be in a driveway.

(2) Home occupation - Sufficient space so that traffic can be handled without hazard or excessive congestion in the neighborhood; a noise resistant fence or vegetative buffer may be required where excessive noise is generated, as per the ~~Board of Appeals~~Planning and Zoning Board and Board of Commissioners.

(3) Other use - None.

(J) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(K) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this chapter.

(L) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(M) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this chapter. Trees, shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments or yards. Open space areas as required by this chapter must be permanently maintained as open space in accordance with the requirements or this chapter.

(N) Reduction of yards or lot area. Except as otherwise provided in this chapter, no lot existing at the time of passage of this chapter may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this chapter for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(O) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(P) Landlocked lots. In case of a landlocked lot lawfully existing as of the effective date of this chapter, the property owner is entitled to one building permit, as long as all of the following requirements are met:

(1) No other principal building exists or is being constructed on the property;

(2) No other valid building permit has been issued prior to the effective date of this chapter and is currently valid;

(3) The property was and continues to be under single ownership since the effective date of this chapter;

(4) The property owner has acquired a 40-foot easement to a county (public or private) or state maintained street, and the easement has been duly recorded and made a part of the property deed.

(Q) Street frontage. No principal building may be erected on any lot which has less than 40 feet of immediate frontage on at least one public or private street.

(R) Flag (Panhandle) lots, whether part of a minor subdivision or a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. These spacing restrictions shall also apply to proposed flag lots to be located in the proximity of existing flag lots. Georgia Department of Transportation requirements may require two flag lot access strips to abut one another when the access is upon a State highway thoroughfare and these and other, similar County road situations may be approved on a case by case basis through a variance application with the ~~Board of Appeals~~Planning and Zoning Board. For A-R zoned tracts less than 25 acres, flag lot access strips shall be a maximum of 655 feet in total length and a minimum 40 feet of total width, without an approved variance. For A-R zoned tracts 25 acres or more, flag lot access strips shall be a maximum of 655 feet in total length and a minimum 80 feet of total width, without an approved variance.

(S) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(T) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this chapter.

(U) Substandard lots. Any lot existing at the time of the adoption of this chapter which has an area or a width which is less than required by this chapter is subject to the following exceptions and modifications:

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district;

(2) Single lots. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but was a lot at the effective date of this chapter, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this chapter are met.

(V) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facilities are permitted to encroach on public rights-of-

way.

(W) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the subdivision regulations. Consult that document for specific requirements.
(X) Signs. Minimum design and location standards are contained in the Pike County Sign Ordinance (Chapter 158). Consult that document for specific requirements.
(Y) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

§156.45 SUBDIVISIONS IN A-R DISTRICTS

Any Subdivision as meeting definitions as set forth in this chapter that includes three or more parcels must meet the following Development Standards:

(A) Any subdivision of properties containing less than 130,680 square feet {three acres} per parcel will have to be re-zoned to a residential classification {R20, and R18}: Said parcels would then meet development standards of the new classification. However, a parcel of a subdivision lawfully existing at the time of passage of this chapter revision with minimum lot area standards may nevertheless be developed with a use which is permitted within an A-R District.

(B) Any subdivision of properties meeting the requirements of reclassification would be subject to any and all application processes as set forth in Section 156.28-Amendments. This application process would be in addition to and not included in the process of application for the subdivision.

R-20 Single-Family Residential - 2,000 Sq. Ft.

§156.60 PURPOSE

R-20 Zoning Districts are intended to establish and preserve quiet, relatively low to medium density neighborhoods of single-family residences as desired by large numbers of people with a required minimum dwelling area of 2,000 square feet. These districts are free from other uses which are incompatible with single-family homes. (Res. Passed 5-88) (Am. Ord. passed 07-31-18)

§156.61 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN AN R-20 DISTRICT

The factors contained in § 156.28 must be thoroughly considered by the ~~Planning Commission~~Planning and Zoning Board as well as the Board of Commissioners when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Pike County.

§156.62 BOUNDARIES OF R-20 DISTRICTS

The Pike County, Ga. Official Zoning Map shows the boundaries of all R-20 Districts within Pike County.

§156.63 PERMITTED USES

(A) The following principal uses are permitted in R-20 Districts:

(1) Site-built single-family detached dwelling with a heated floor area of at least 2,000 square feet;

(2) Industrialized home with a heated floor area of at least 2,000 square feet;

(3) Class A manufactured home with a heated floor area of at least 2,000 square feet;

(4) Class B manufactured home with an approved administrative variance, and with a heated floor area of at least 2,000 square feet

(5) Local, state or federal government building, necessary for the provision of emergency services, etc;

(6) Non-commercial garden, crop growing;

(7) Publicly owned and operated park or recreation area;

(8) Subdivision recreation area owned, operated and maintained by a homeowners' association exclusively for the use of residents and their guests;

(9) Utility substations meeting the following development standards: a buffer must be provided along the entire substation perimeter;

(B) The following principal uses are permitted as special exceptions in R-20 Districts:

(1) Church, synagogue, chapel or other place of religious worship or educational instruction meeting the following development standards:

(a) It must be located on either an arterial or collector road;

(b) The lot must have a minimum road frontage of 200 feet;

(c) The lot must have an area of at least four acres;

(d) All buildings must be located at least 50 feet from any property line;

(e) A buffer must be provided along all side and rear property lines.

(2) Nursery school or kindergarten meeting the following development standards:

(a) At least 200 square feet of outdoor play area must be provided;

(b) At least 35 square feet of indoor space per child must be provided;

(c) Outdoor play areas must be enclosed by a fence at least four feet in height;

(d) Shall be a non-profit facility.

(3) School, elementary, middle or high, public or private;

(C) The following accessory uses are permitted in R-20 Districts:

(1) Private garage or carport for the storage of vehicles compatible with the principle use;

(2) Structure for the storage of items associated with the principal building and its grounds;

(3) Non-commercial workshop for personal hobbies, such as woodworking, etc.

(4) Private swimming pool and bath house or cabana meeting the following development standards: all such swimming pools which are over 24 inches (two feet) deep must be completely enclosed by a fence meeting current building codes;

(5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they are night sky friendly and do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;

(6) Noncommercial garden, including a greenhouse and other customary garden structures;

(7) Deck, patio, barbecue grill or other such facility;

(8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;

(9) Detached guest quarters meeting the following development standards:

(a) No more than one is permitted on a lot with another dwelling;

(b) It is permitted only within a rear yard of a principal dwelling;
(c) Such a dwelling must not be used as rental property;
(d) The maximum heated square footage of the guest quarters shall be 750 square feet;
(e) Shall not have an attached, enclosed garage/carport or basement;
(f) Environmental Health Department approval must be obtained for each application, in regards to water and sewer capability.

(10) Temporary building or storage of materials meeting the following development standards:
(a) Permitted only in conjunction with construction of a building;
(b) Allowed either on the same lot where construction is taking place or on adjacent lots;
(c) Such a use must be terminated upon completion of construction;

(11) The parking of personal, unoccupied travel trailers, motor coaches, and /or pleasure boats;

(12) Sign as permitted by the Pike County Sign Ordinance;

(13) Satellite dish antennas and television antennas;

(14) Home occupation, minor.

(15) Manufactured home or motorized trailer / camper for temporary housing at a construction site meeting the following development standards:
(a) It is allowed only in conjunction with a valid building permit which has been issued for the principal building to be placed on the lot;
(b) Prior to locating the temporary unit on the lot, an approval letter from the Environmental Health Department for the unit must be obtained, stating that the water and septic methods used on the lot for the unit are lawful and adequate;
(c) Only one such unit is allowed per lot;
(d) The temporary unit shall not be used as a rental property;
(e) The approval is not transferrable from one owner to another;
(f) The temporary unit is allowed to be located in the front yard of the proposed principal building, but must conform to all applicable building setbacks for the lot;
(g) The approval of occupancy of the temporary unit is for 12 months after the date of the issuance of the building permit. In the event that construction of the principal building on the lot has been well underway, but the building is not yet complete after 12 months, the permittee may apply to the Zoning Administrator for an extension of occupancy in the temporary unit. The Zoning Administrator will assess the situation and, at his or her discretion, may extend the occupancy time for an additional 12 months. In no case will a temporary manufactured home or motorized camper / trailer be allowed to remain and occupied for a period in excess of 24 months;
(h) The temporary unit shall be completely removed from the property (and cease to be a living quarters) within 30 days of the issuance of a Certificate of Occupancy for the permitted principal building. Campers and trailers that were personal property of the building permit holder prior to construction may be parked unoccupied on the property, but cannot be further used as living quarters;

(16) Well house;

(17) Garage apartment meeting the following development standards:
(a) No more than one is permitted on a lot with another dwelling;
(b) It is permitted only within a side or rear yard of a principal dwelling;

(c) The maximum heated square footage of the garage apartment shall be 750 square feet;
(d) Shall not contain a basement;
(e) Environmental Health Department approval must be obtained for each application, in regards to water and sewer capability.

(D) The following accessory uses are permitted as special exceptions in R-20 Districts:

(1) Home occupation, general, excluding public garage, repair garage and shooting range and commercial kennel;

(2) Manufactured home for temporary use in case of certified hardships meeting the following development standards:

(a) A person having a certified hardship shown according to the procedure contained in this section and meeting any one of the following conditions may apply to the ~~Board of Appeals~~Planning and Zoning Board for the special exception permit:

(i) The applicant for the special exception is to be the owner and occupant of the temporary unit and is physically or mentally disabled and requires frequent attendance by others for medical or physical care;

(ii) The applicant for the special exception is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically or mentally disabled and requires frequent attendance by others for medical or physical care;

(iii) The applicant for the special exception is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant/owner's family and is physically or mentally disabled and requires frequent attendance by others for medical or physical care.

(b) In order to determine if the need for the special exception permit presented by the applicant is a certified hardship, the ~~Board of Appeals~~Planning and Zoning Board will require a doctor's letter currently dated, generally confirming the hardship and also attesting to the need for frequent attendance upon such a person by other people. The certificate will be requested by the ~~Board of Appeals~~Planning and Zoning Board directly from the doctor in attendance upon the person who is asserted to be disabled. All HIPAA regulations shall be followed;

(c) The procedure for applying for a special exception permit for a temporary manufactured home for certified hardship is as follows:

(i) Application should be made to the ~~Board of Appeals~~Planning and Zoning Board for the special exception permit for a temporary manufactured home for certified hardship;

(ii) The ~~Board of Appeals~~Planning and Zoning Board will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the special exception permit;

(iii) The ~~Board of Appeals~~Planning and Zoning Board will consider such applications, and upon determining that all requirements have been met for such a permit, will issue the special exception permit;

(d) Upon being granted a special exception permit to allow a temporary manufactured home for certified hardship, the applicant must then apply to the Zoning Administrator for a building permit for the installation of the temporary manufactured

home. The procedure is as follows:

(i) Plans for a water/well and sewage/septic system suitable for the temporary manufactured home proposed to be installed on the site must be submitted to the Pike County Environmental Health Department for its review and approval;

(ii) Upon securing concurrence of the Pike County Environmental Health Department of the proposed water and sewage systems to serve the proposed temporary manufactured home, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for installation of the proposed temporary manufactured home, including the water and sewage systems;

(iii) Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with installation of the proposed temporary manufactured home, including water and sewage systems. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;

(e) The following conditions apply to special exception permits issued for temporary use of a manufactured home for hardship:

(i) It is temporary and valid only for a specific period of time. Must be renewed every 12 months;

(ii) A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the ~~Board of Appeals~~Planning and Zoning Board before issuing the temporary special exception permit;

(iii) During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems.

(iv) The temporary manufactured home must be removed within 30 days of either the expiration of the special exception permit for the temporary manufactured home or upon finding of the ~~Board of Appeals~~Planning and Zoning Board, upon its own application or that a of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the special exception was granted no longer exist, whichever is earlier;

(v) No more than one such unit is permitted per lot.

(E) Any use not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special exception and follow the procedures for a special exception.

§156.64 DEVELOPMENT STANDARDS FOR R-20 DISTRICTS

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within R-20 Districts:

(A) Minimum floor area per dwelling unit - 2,000 square feet;

(B) Minimum lot area - 87,120 square feet (two acres); however, a lot of record lawfully existing at the time of passage of this chapter and having insufficient area to conform with minimum lot area standard may nevertheless be developed with a use which is permitted within an R-20 District.

(C) Minimum Lot Width at the Front Building Line - 200 feet;
(D) Minimum front yard.

(1) Arterial roads - 100 feet (from road centerline). The front of all buildings must be at least 35 feet from the front property line.
(2) Collector streets - 100 feet (from road centerline). The front of all buildings must be at least 35 feet from the front property line.
(3) Other roads - 80 feet (from road centerline). The front of all buildings must be at least 35 feet from the front property line.

(E) Minimum side yard - 30 feet.

(F) Minimum rear yard - 30 feet.

(G) Maximum building height- 35 feet. For buildings with projections over thirty-five (35), such as antennas, HVAC units, steeples, etc., the minimum required yards must be increased one foot for every two feet (part of two feet) of building height greater than 35 feet and shall require special exception approval prior to the issuance of a building permit.

(H) Minimum off-street parking space.
(1) Single-family dwelling - Two spaces for each dwelling unit; the parking spaces may be in a driveway.
(2) Home occupation - Sufficient space so that traffic can be handled without hazard or excessive congestion in the neighborhood; a noise resistant fence or vegetative buffer musts be provided where noise is generated.
(3) Other uses - None.

(I) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(J) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this chapter.

(K) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(L) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this chapter. Trees, shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments or yards. Open space areas as required by this chapter must be permanently maintained as open space in accordance with the requirements or this chapter.

(M) Reduction of yards or lot area. Except as otherwise provided in this chapter, no lot existing at the time of passage of this chapter may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this chapter for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(N) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(O) Landlocked lots. In case of a landlocked lot lawfully existing as of the effective date of this chapter, the property owner is entitled to one building permit, as long as all of the following requirements are met:
(1) No other principal building exists or is being constructed on the property;
(2) No other valid building permit has been issued prior to the effective date of this chapter and is currently valid;

(3) The property was and continues to be under single ownership since the effective date of this chapter;
(4) The property owner has acquired a 30-foot easement to a county or state maintained street, and the easement has been duly recorded and made a part of the property deed.

(P) Street frontage. No principal building may be erected on any lot which has less than 40 feet of immediate frontage on at least one public or private street.

(Q) Flag (Panhandle) lots, whether part of a minor subdivision or a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. These spacing restrictions shall also apply to proposed flag lots to be located in the proximity of existing flag lots. Georgia Department of Transportation requirements may require two flag lot access strips to abut one another when the access is upon a State highway thoroughfare and may be approved on a case by case basis through a variance application with the ~~Board of Appeals~~Planning and Zoning Board. Flag lot access strips shall be at least 40 feet wide at all points, including, but not limited to, road frontage.

(R) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(S) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this chapter.

(T) Substandard lots. Any lot existing at the time of the adoption of this chapter which has an area or a width which is less than required by this chapter is subject to the following exceptions and modifications:
(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparceled so as to create one or more lots which conform to the minimum frontage and area requirements of the district;
(2) Single lots. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but was a lot at the effective date of this chapter, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this chapter are met.

(U) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facilities are permitted to encroach on public rights-of-way.

(V) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the subdivision regulations. Consult that document for specific requirements.

(W) Signs. Minimum design and location standards are contained in the Pike County Sign Ordinance. Consult that document for specific requirements.

(X) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

R-18 Single-Family Residential - 1,800 Sq. Ft.

§156.70 PURPOSE

R-18 Zoning Districts are intended to establish and preserve quiet, relatively low to medium density neighborhoods of single-family residences as desired by large numbers of people with a required minimum dwelling area of 1,800 square feet. These districts are free from other uses which are incompatible with single-family homes.

§156.71 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN AN R-18 DISTRICT

The factors contained in § 156.28 must be thoroughly considered by the ~~Planning Commission~~Planning and Zoning Board as well as the Board of Commissioners when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Pike County.

§156.72 BOUNDARIES OF R-18 DISTRICTS

The Pike County, Ga. Official Zoning Map shows the boundaries of all R-18 Districts within Pike County.

§156.73 PERMITTED USES

(A) The following principal uses are permitted in R-18 Districts:

(1) Site-built single-family detached dwelling with a heated floor area of at least 1,800 square feet;

(2) Industrialized home with a heated floor area of at least 1,800 square feet;

(3) Class A manufactured home with a heated floor area of at least 1,800 square feet;

(4) Class B manufactured home with an approved administrative variance, and with a heated floor area of at least 1,800 square feet

(5) Local, state or federal government building, necessary for the provision of emergency services, etc;

(6) Non-commercial garden, crop growing;

(7) Publicly owned and operated park or recreation area;

(8) Subdivision recreation area owned, operated and maintained by a homeowners' association exclusively for the use of residents and their guests;

(9) Utility substations meeting the following development standards: a buffer must be provided along the entire substation perimeter;

(B) The following principal uses are permitted as special exceptions in R-18 Districts:

(1) Church, synagogue, chapel or other place of religious worship or educational instruction meeting the following development standards:

(a) It must be located on either an arterial or collector road;

(b) The lot must have a minimum road frontage of 200 feet;

(c) The lot must have an area of at least four acres;

(d) All buildings must be located at least 50 feet from any property line;
(e) A buffer must be provided along all side and rear property lines.

(2) Nursery school or kindergarten meeting the following development standards:
(a) At least 200 square feet of outdoor play area must be provided;
(b) At least 35 square feet of indoor space per child must be provided;
(c) Outdoor play areas must be enclosed by a fence at least four feet in height;
(d) Shall be a non-profit facility.

(3) School, elementary, middle or high, public or private;

(C) The following accessory uses are permitted in R-18 Districts:

(1) Private garage or carport for the storage of vehicles compatible with the principle use;
(2) Structure for the storage of items associated with the principal building and its grounds;
(3) Non-commercial workshop for personal hobbies, such as woodworking, etc.
(4) Private swimming pool and bath house or cabana meeting the following development standards: all such swimming pools which are over 24 inches (two feet) deep must be completely enclosed by a fence meeting current building codes;
(5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they are night sky friendly and do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;
(6) Noncommercial garden, including a greenhouse and other customary garden structures;
(7) Deck, patio, barbecue grill or other such facility;
(8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;
(9) Detached guest quarters meeting the following development standards:
(a) No more than one is permitted on a lot with another dwelling;
(b) It is permitted only within a rear yard of a principal dwelling;
(c) Such a dwelling must not be used as rental property;
(d) The maximum heated square footage of the guest quarters shall be 750 square feet;
(e) Shall not have an attached, enclosed garage / carport or basement;
(f) Environmental Health Department approval must be obtained for each application, in regards to water and sewer capability.
(10) Temporary building or storage of materials meeting the following development standards:
(a) Permitted only in conjunction with construction of a building;
(b) Allowed either on the same lot where construction is taking place or on adjacent lots;
(c) Such a use must be terminated upon completion of construction;
(11) The parking of personal, unoccupied travel trailers, motor coaches, and /or pleasure boats;
(12) Sign as permitted by the Pike County Sign Ordinance;
(13) Satellite dish antennas and television antennas;
(14) Home occupation, minor.
(15) Manufactured home or motorized trailer / camper for temporary housing at a construction site meeting the following development standards:
(a) It is allowed only in conjunction with a valid building permit which has been issued for the principal building to be placed on the lot;

(b) Prior to locating the temporary unit on the lot, an approval letter from the Environmental Health Department for the unit must be obtained, stating that the water and septic methods used on the lot for the unit are lawful and adequate;
(c) Only one such unit is allowed per lot;
(d) The temporary unit shall not be used as a rental property;
(e) The approval is not transferrable from one owner to another;
(f) The temporary unit is allowed to be located in the front yard of the proposed principal building, but must conform to all applicable building setbacks for the lot;
(g) The approval of occupancy of the temporary unit is for 12 months after the date of the issuance of the building permit. In the event that construction of the principal building on the lot has been well underway, but the building is not yet complete after 12 months, the permittee may apply to the Zoning Administrator for an extension of occupancy in the temporary unit. The Zoning Administrator will assess the situation and, at his or her discretion, may extend the occupancy time for an additional 12 months. In no case will a temporary manufactured home or motorized camper / trailer be allowed to remain and occupied for a period in excess of 24 months;
(h) The temporary unit shall be completely removed from the property (and cease to be a living quarters) within 30 days of the issuance of a Certificate of Occupancy for the permitted principal building. Campers and trailers that were personal property of the building permit holder prior to construction may be parked unoccupied on the property, but cannot be further used as living quarters;

(16) Well house;

(17) Garage apartment meeting the following development standards:
(a) No more than one is permitted on a lot with another dwelling;
(b) It is permitted only within a side or rear yard of a principal dwelling;
(c) The maximum heated square footage of the garage apartment shall be 750 square feet;
(d) Shall not contain a basement;
(e) Environmental Health Department approval must be obtained for each application, in regards to water and sewer capability.

(D) The following accessory uses are permitted as special exceptions in R-18 Districts:

(1) Home occupation, general, excluding public garage, repair garage and shooting range and commercial kennel;

(2) Manufactured home for temporary use in case of certified hardships meeting the following development standards:
(a) A person having a certified hardship shown according to the procedure contained in this section and meeting any one of the following conditions may apply to the ~~Board of Appeals~~Planning and Zoning Board for the special exception permit:
(i) The applicant for the special exception is to be the owner and occupant of the temporary unit and is physically or mentally disabled and requires frequent attendance by others for medical or physical care;
(ii) The applicant for the special exception is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically or mentally disabled and requires frequent attendance by others for medical or physical care;

(iii) The applicant for the special exception is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant/owner's family and is physically or mentally disabled and requires frequent attendance by others for medical or physical care.

(b) In order to determine if the need for the special exception permit presented by the applicant is a certified hardship, the ~~Board of Appeals~~Planning and Zoning Board will require a doctor's letter currently dated, generally confirming the hardship and also attesting to the need for frequent attendance upon such a person by other people. The certificate will be requested by the ~~Board of Appeals~~Planning and Zoning Board directly from the doctor in attendance upon the person who is asserted to be disabled. All HIPAA regulations shall be followed;

(c) The procedure for applying for a special exception permit for a temporary manufactured home for certified hardship is as follows:

(i) Application should be made to the ~~Board of Appeals~~Planning and Zoning Board for the special exception permit for a temporary manufactured home for certified hardship;

(ii) The ~~Board of Appeals~~Planning and Zoning Board will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the special exception permit;

(iii) The ~~Board of Appeals~~Planning and Zoning Board will consider such applications, and upon determining that all requirements have been met for such a permit, will issue the special exception permit;

(d) Upon being granted a special exception permit to allow a temporary manufactured home for certified hardship, the applicant must then apply to the Zoning Administrator for a building permit for the installation of the temporary manufactured home. The procedure is as follows:

(i) Plans for a water/well and sewage/septic system suitable for the temporary manufactured home proposed to be installed on the site must be submitted to the Pike County Environmental Health Department for its review and approval;

(ii) Upon securing concurrence of the Pike County Environmental Health Department of the proposed water and sewage systems to serve the proposed temporary manufactured home, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for installation of the proposed temporary manufactured home, including the water and sewage systems;

(iii) Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with installation of the proposed temporary manufactured home, including water and sewage systems. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;

(e) The following conditions apply to special exception permits issued for temporary use of a manufactured home for hardship:

(i) It is temporary and valid only for a specific period of time. Must be renewed every 12 months;

(ii) A development plan must be submitted showing the proposed locations of the

principal building, the water and sewage systems and the temporary manufactured

home. That development plan must be approved by the ~~Board of Appeals~~Planning and Zoning Board before issuing the temporary special exception permit;

(iii) During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems.

(iv) The temporary manufactured home must be removed within 30 days of either the expiration of the special exception permit for the temporary manufactured home or upon finding of the ~~Board of Appeals~~Planning and Zoning Board, upon its own application or that a of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the special exception was granted no longer exist, whichever is earlier;

(v) No more than one such unit is permitted per lot.

(E) Any use not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special exception and follow the procedures for a special exception.

§156.74 DEVELOPMENT STANDARDS FOR R-18 DISTRICTS

In addition to the development standards contained in §§ 156.20 et seq., the following standards are required within R-18 Zoning Districts:

(A) Minimum heated floor area per dwelling unit - 1,800 square feet;

(B) Minimum lot area - 87,120 square feet (two acres); however, a lot of record lawfully existing at the time of passage of this chapter and having insufficient area to conform with minimum lot area standard may nevertheless be developed with a use which is permitted within an R-18 District.

(C) Minimum Lot Width at the Front Building Line - 200 feet;

(D) Minimum front yard setbacks (principal buildings):

(1) Arterial roads (principal and minor) - 100 feet (from road centerline) or the front of all buildings must be at least 35 feet from the front property line, whichever is greater.

(2) Collector roads (major and minor) - 100 feet (from road centerline) or the front of all buildings must be at least 35 feet from the front property line, whichever is greater.

(3) Other roads (local and private) - 80 feet (from road centerline) or the front of all buildings must be at least 35 feet from the front property line, whichever is greater.

(Note: Refer to GDOT Functional Classification Map for determination of road types.)

(E) Minimum side yard setbacks (principal buildings) - 30 feet from side property lines.

(F) Minimum rear yard setbacks (principal buildings) - 30 feet from rear property lines.

(G) Maximum building height - 35 feet. For buildings with projections over thirty-five (35) feet, such as antennas, HVAC units, steeples, etc., the minimum required yards must be increased one foot for every two feet (part of two feet) of building height greater than 35 feet.

(H) Accessory building standards:

(1) They must be located in either side or rear yards, except as follows: a temporary manufactured home at a construction site, satellite dishes, television antennas, well houses, landscaping islands, roadside stands, cemeteries as per Chapter 165, and fences as per Chapter 164 are permitted in the front yard as well as rear and side yards;

(2) An accessory building may be located in the front yard of a principal building, if it is located at least 300 feet from the road centerline and is not readily visible from a road. If readily visible from the road, the accessory building must match the exterior building

materials of the principal building. This provision shall not apply to lots within platted, residential subdivisions (named neighborhoods)

(3) They may not be located closer than ten feet from any property line;

(4) An accessory building, except for dwellings such as guest quarters and garage apartments, erected on a lot prior to the time of construction of the principal building must be located on lots 10 acres or more and can be located towards the front of the principal building;

(5) An accessory building (non-dwellings and excluding swimming pools) must not exceed 800 total square feet in size when located on a lot less than two acres in area. The size of an accessory building (non-dwellings) is not limited on lots two acres or more in area, except within platted, residential subdivisions (named neighborhoods), where they shall not exceed 1200 total square feet.

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(I) Minimum off-street parking space requirements:

(1) Single-family, detached dwelling - Two spaces for each dwelling unit; the parking spaces may be in a driveway.

(2) Home occupation - Sufficient space so that traffic can be handled without hazard or excessive congestion in the neighborhood; a noise resistant fence or vegetative buffer may be required where excessive noise is generated, as per the ~~Board of Appeals~~Planning and Zoning Board and Board of Commissioners.

(3) Other use - None.

(J) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(K) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this chapter.

(L) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(M) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this chapter. Trees, shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments or yards. Open space areas as required by this chapter must be permanently maintained as open space in accordance with the requirements or this chapter.

(N) Reduction of yards or lot area. Except as otherwise provided in this chapter, no lot existing at the time of passage of this chapter may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this chapter for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(O) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(P) Landlocked lots. In case of a landlocked lot lawfully existing as of the effective date of this chapter, the property owner is entitled to one building permit, as long as all of the following requirements are met:
  (1) No other principal building exists or is being constructed on the property;
  (2) No other valid building permit has been issued prior to the effective date of this chapter and is currently valid;
  (3) The property was and continues to be under single ownership since the effective date of this chapter;
  (4) The property owner has acquired a 40-foot easement to a county (public or private) or state maintained street, and the easement has been duly recorded and made a part of the property deed.

(Q) Street frontage. No principal building may be erected on any lot which has less than 40 feet of immediate frontage on at least one public or private street.

(R) Flag (Panhandle) lots, whether part of a minor subdivision or a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. These spacing restrictions shall also apply to proposed flag lots to be located in the proximity of existing flag lots. Georgia Department of Transportation requirements may require two flag lot access strips to abut one another when the access is upon a State highway thoroughfare and these and other, similar County road situations may be approved on a case by case basis through a variance application with the ~~Board of Appeals~~Planning and Zoning Board. Flag lot access strips shall be a maximum of 500 feet in total length and minimum 40 feet of total width, without an approved variance.

(S) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(T) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this chapter.

(U) Substandard lots. Any lot existing at the time of the adoption of this chapter which has an area or a width which is less than required by this chapter is subject to the following exceptions and modifications:
  (1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district;
  (2) Single lots. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but was a lot at the effective date of this chapter, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this chapter are met.

(V) Encroachment on public rights-of-way. No building, structure, service area, required offstreet parking or loading/unloading facilities are permitted to encroach on public rights-of- way.

(W) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the subdivision regulations. Consult that document for specific requirements.
(X) Signs. Minimum design and location standards are contained in the Pike County Sign Ordinance. Consult that document for specific requirements.
(Y) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

R-15 Single-Family Residential - 1,500 Sq. Ft.

§156.75 - 156.79-Repealed per Am. Ord. Passed 07-31-2018.

R-11 Single-Family Residential - 1,100 Sq. Ft.

§156.90 - 156.94-Repealed per Am. Ord. Passed 07-31-2018.

R-6 Single-Family Residential - 600 Sq. Ft.

§156.105 - 156.109-Repealed per Am. Ord. Passed 06-09-10.

DR-6 Duplex Residential - 600 Sq. Ft.

§156.120 - 156.124-Repealed per Am. Ord. Passed 05-13-09.

PRD Planned Residential Development

§156.135 PURPOSE

Planned development mixed use districts are intended to encourage the development of large tracts of land as planned residential and neighborhood developments, encourage flexible and creative concepts in site planning; conserve natural topographical and geological features of the land by encouraging scenic and functional open spaces within the residential areas; accomplish a more desirable environment than would be possible through the strict application of minimum requirements of this sub-section; provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lower development and housing costs; promote a less sprawling form of development; and provide an environment of stable character compatible with surrounding areas.

§156.136 BOUNDARIES OF PRD DISTRICTS

The Official Map of Pike County shows the boundaries of all PRD districts within Pike County.

§156.137 PERMITTED USES

(A) The following Principal Uses are permitted in PRD Districts:
Planned residential development meeting the criteria of this sub-section, which development may include any and all Principal Uses contained in 156.060, et. seq. (R- 20 Single Family

Residential 2,000 Square Feet Residential), 156.075 et. seq. (R-15 Single-Family Residential – 1,500 Square Feet District) of the Zoning Ordinance of Pike County.

(B) The following Principal Uses are permitted as Special Exceptions in PRD Districts:
For planned residential developments, any Principal Use permitted as a Special Exception in 156.060 et. seq. (R-20 Single Family Residential 2,000 Square Feet District), 156.075 et. seq. (R-15 Single Family Residential 1,500 District) of the Zoning Ordinance of Pike County.

(C) The following Accessory Uses are permitted in PRD Districts:

(1) For planned single family residential developments, any Accessory Use permitted in 156.060 et. seq. (R-20 Single Family Residential 2,000 Square Feet District), 156.075 et. seq. (R-15 Single-Family Residential 1,500 District).

(2) All accessory uses must meet the following standards:

(a) They must be located in the rear yard, except as follows: a temporary manufactured home on a construction site, satellite dish, television antennas, and well houses are permitted in the front yard as well as rear and side yards;

(b) They may not be located closer than five (5) feet from any property line.

(c) Accessory buildings and structures not attached to the principal building must be located at least twelve (12) feet from the principal building on the lot.

(D) All uses not permitted within PRD districts by this Section are specifically prohibited.

§ 156.138 REVIEW PROCESS

(A) Pre-Application Concept Conference/Review.

(1) Prior to filing an application for a PRD development, the applicant shall confer with the Zoning Administrator in order to review the general character of the planned development (on the basis of tentative land use sketch) and to obtain information on development standards and ordinances affecting the proposed planned development.

(2) Before an application is authorized, the applicant shall submit a preliminary concept plan for review by the planning and zoning department. The department shall coordinate review of the plan and provide a report to the ~~Planning Commission~~Planning and Zoning Board. The plan shall be submitted to the ~~Planning Commission~~Planning and Zoning Board for review at a public meeting. The ~~Planning Commission~~Planning and Zoning Board shall review the plan and provide comments and recommendations within thirty (30) days.

(3) Before an application is authorized, the applicant shall contact the adjacent property owners by mail in the surrounding area notifying them of the development intent. Notification should be structured as to provide a response from the owner. A list of all property owners, responses, and copies of the notification should be presented along with the preliminary concept plan.

(B) Preliminary Concept Plan Requirements.
The following is required to be included with the preliminary concept plan:

(1) Planned development name;

(2) The owner and developer of the property;

(3) Architect, engineer or planner who designed the plan;

(4) Location or orientation map of the property;

(5) Legal description of the parcel;

(6) Date, scale, north arrow;

(7) Total acreage of tract;
(8) Topography at five (5) foot contour intervals;
(9) Proposed land use and net acreage in each type;
(10) Proposed street layout;
(11) Proposed lot layout;
(12) Proposed buffers, open space and natural environmental features such as surface drainage and open water;
(13) Proposed buildings to be used for recreation, or public facility uses;
(14) Following preliminary concept plan review and approval by the ~~Planning Commission~~Planning and Zoning Board, the developer of the planned development project may apply for rezoning pursuant to the requirements of the Pike County Zoning Ordinance, and master development plan approval.

(C) Master Plan Requirements.
(1) A master development plan which incorporates and/or addresses the recommendations made by the ~~planning commission~~Planning and Zoning Board in its review of the preliminary concept plan shall be submitted with the application for planned development approval.
(2) The master development plan shall include the following information:
(a) The plan shall include information contained on the preliminary concept plan and address all recommendations previously made by the ~~planning commission~~Planning and Zoning Board.
(b) Graphic scale shall be not less than one (1) inch equals 100 feet.
(c) Sheet size must be not larger than forty-two (42) inches long and thirty (30) inches wide. If the complete plan cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size.
(d) The developer shall submit a plan of his entire tract, even though his present plans may call for the actual development of only a small portion of the property. Any unit divisions of phasings intended in the preparations of the Final plat must be represented on the Master Plan.
(e) Property Information:
(i) Planned development project name;
(ii) Owner and developer of the property;
(i) Architect, engineer, or planner who designed the plan;
(iv) Date, scale and north arrow;
(v) An area map showing property owners, zoning classifications of parcels, and existing land use within 1.5 miles of the proposed property for the planned development project;
(vi) A legal description of the parcel.
(f) Existing conditions:
(i) Topographical features of the site, with a minimum contour interval of ten (10) feet. The outline of wooded areas and surface drainage such as streams, lakes and wetlands shall be shown;
(ii) Current soil classifications according to NRCS and USDA.
(iii) The location of any flood hazard areas subject to the 100-year flood plain

within and adjacent to the proposed property

(iv) The location and extent of any aircraft approach zones over the proposed property;

(v) The location of any existing property lines within the parcel; the location, width, right-of-way, and names of any existing roads; railroads, utility rights-of-way or easements; and existing buildings and structures;

(vi) Existing public facilities such as sanitary sewers, water mains, storm drainage facilities, culverts, bridges, and other underground or aboveground facilities within the parcel to be developed, or within the rights-of-way of roads bordering the parcel with sizes, grades, and invert elevations from filed surveys or other sources.

(g) Proposed Development Conditions:

(i) Phases of the proposed developments;

(ii) Location and extent of the proposed transportation system, including all streets and other access ways (sidewalks, driveways, walking paths, etc.) with right-of-way and pavements widths, as well as proposed street names within the proposed development.

(iii) Delineation of the proposed residential land use areas, including the location of residential land uses, dwelling unit types, total number of dwelling units, total number of lots, number and percentage allocation by dwelling unit type, outlines of all dwellings, maximum proposed heights, and yard setbacks;

(iv) Proposed layout and dimensions of all lots within each proposed residential zoning district including all setbacks;

(v) Calculation of residential density in dwelling units per net acre, by zoning district and dwelling unit type proposed;

(vi) The delineation of proposed non-residential land use areas, including lot layout and dimensions with setbacks, and general location of proposed buildings and structures shown by outlines, maximum proposed building heights;

(vii) The interior common and/or open space system;

(viii) The location and use of existing and proposed public, semi-public and community facilities such as schools, parks, open areas, and other public buildings on the site, including areas proposed to be dedicated or reserved for community or public use;

(ix) Proposed improvements to existing community facilities including roads, sewers, drainage and water facilities adjoining or near the site;

(x) An off street parking and loading plan;

(xi) The location and extent of all required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation, if required.

(h) Development Incentives: Identification of each development incentive, proposed to be met, as identified in Section 150.140 shall be included in the master plan. Appropriate narrative detailing each incentive that is met shall be attached to the plan.

(3) A written report shall be submitted by the applicant which contains the following information concerning the master development plan:

(a) General description of the proposal.

(b) Detailed legal description.

(c) A statement of present ownership of all land within the proposed development and a financial plan from the developer that indicates the ability to develop and complete the proposed development in accordance with the plan submitted.
(d) A development and construction time schedule showing major activities of proposed development. If the planned development will be in phases, a general statement of the proposed development schedule by phase.
(e) Agreements, provisions and covenants which govern the use, maintenance and protection of the development, any common or open areas, density standards, and yard requirements.
(f) Proposed standards for development, including restrictions on the use of the property, density standards, yard requirements and restrictive covenants.
(g) Proposed dedication or reservation of land for public use, including streets, easements, parks and school sites.
(h) Exceptions or variations from the requirements of the zoning ordinance and any applicable subdivision or development ordinance.
(i) Plans for the provision of utilities, including water, sanitary sewer and drainage facilities and appropriate calculations regarding the sizing of drainage areas and pipes.
(j) A report from the source of public water, as appropriate, indicating the adequacy of water and sanitary sewer services.
(k) Plans for the protection of abutting properties.
(l) Plans for the maintenance of common and/or open space areas.
(m) Tables showing the total number of acres in the proposed development and the percentage designation for each type of proposed land use, including public facilities. Information shall be provided in net acres.
(n) Tabulations of the overall net density for residential uses.
(o) An explanation of phasing or stages of the planned development project.
(p) Adequacy and arrangement of pedestrian traffic access and circulation including separation of pedestrian from vehicular traffic, and pedestrian convenience.
(q) Adequacy and arrangement of pedestrian traffic access and circulation including separation of pedestrian from vehicular traffic, and pedestrian convenience.
(r) Location, arrangement, appearance and sufficiency of off-street parking and loading.
(s) Location, arrangement, size and placement of buildings, lighting, and signs.
(t) Identification of all participants involved in the planning process for the project, including preparation of the application.
(u) Planned development project for which one thousand (1,000) or more average daily vehicle trips will be generated and/or which will use at least twenty-thousand (20,000) gallons per day of public water usage or sewage treatment plant capacity and/or is located within 1.5 miles of a public school must submit with the application a developmental impact report. The report shall objectively discuss positive and negative impacts of the proposed development on land uses; public water and sewerage facilities; traffic patterns, volumes and road improvements; storm drainage facilities, school enrollment; tax base and economic base; natural vegetation; wildlife habitat; and, area appearance and aesthetics.

(v) Standard Report Format-All reports, tabular data, and supporting documentation shall be submitted on 8 (eight) 2" x 11" or larger format when required. Any report prepared with computer is required to be submitted on a 3.5" floppy diskette or CD in a general format that can be read by Microsoft Word, Excel, Access, AutoCad, or in a format readable by ArcInfo/ArcView. Reports shall be typed with a font size of not less than 12 point. Data that is appropriate may be shown on the submitted plans.

(D) Application Review.

(1) In reviewing the application for the planned residential development, the ~~Planning Commission~~Planning and Zoning Board and the Board of Commissioners shall review each application according to procedures set forth in Section 156.028 of the Pike County Zoning Ordinance.

(2) The consideration of a PRD district approval or disapproval and master development plan shall also include, but not be limited to the following:

(a) Relation to the comprehensive plan.

(b) Adequacy and arrangement of vehicular traffic access and circulation including intersections, road widths, channelization structures and traffic controls.

(c) Adequacy and arrangement of pedestrian traffic access and circulation including separation of pedestrian from vehicular traffic, and pedestrian convenience.

(d) Location, arrangement, appearance and sufficiency of off-street parking and loading;

(e) Location, arrangement, size, and placement of buildings, lighting, and signs.

(f) Arrangement of landscape features and buffer areas.

(g) Adequacy of public water supply.

(h) Adequacy of storm water and sanitary waste disposal facilities.

(i) Adequacy of public school facilities.

(j) Adequacy of structures, roadways, in areas with moderate to high susceptibility flooding and ponding and/or erosion.

(E) Application Approval.

(1) Approval Conditioned on Site Plan and Use Requested. For all applications for a Principal Use identified in Section 156.137(A), approval shall be conditioned upon the site plan and use requested submitted with the application. If approval of the application requires modifications to the site plan, the applicant must file the following with the Zoning Administrator:

(a) Written notice of consent to the modifications.

(b) A site plan properly revised to include the modifications.

The Official Zoning Map of Pike County shall not be changed until such time as the requirements of this Section have been fulfilled.

(2) Approval for Principal Use. Special Exception Conditioned on Site Plan. All applications for a Principal Use, Special Exception identified in Section 156.137(B) shall be conditioned upon the site plan submitted with the application. If approval of the application to a Principal Use, Special Exception requires modification to the site plan, the applicant must file the following with the Zoning Administrator.

(a) Written notice of consent to the modifications.

(b) A site plan properly revised to include the modifications.

The Official Zoning Map of Pike County shall not be changed until such time as the requirements of this Section have been fulfilled.

(3) Revision of Development Plan.

(a) Minor extensions, alterations or modifications of existing buildings or structures may be permitted after review and approval by the ~~Planning Commission~~Planning and Zoning Board, provided that such changes must be consistent with the purposes and intent of the master development plan. For purposes of this section, a minor extension, alteration or modification of the development plan shall be any change which does not change the uses proposed for the development, the density of the land use pattern, the location or dimension of streets, the change in shape of the size or architecture of any structure located or to be located within the development.

(b) Any major or substantial change in the approved development plan must be reviewed and approved by the Board of Commissioners after receipt of recommendations from the ~~Planning Commission~~Planning and Zoning Board in accordance with the procedures of Section 156.028. A written statement indicating the nature of the revision and the reason it is considered necessary or desirable to revise the development must support a request for revision to the development plan. For purposes of this section, a major or substantial change shall be any change in the development plan which is not listed in Section 156.138(D)(3)(a).

(4) Reversion of Zoning Approval.

Approval of the Board of Commissioners shall be effective for a two (2) year period. However, if no construction has begun within that period or if the applicant fails to maintain the approved development schedule, the Board of Commissioners, at its discretion and for good cause, may extend for one (1) additional year the period for beginning construction and maintaining the approved development schedule. Ninety (90) days prior to the end of the two (2) year period of approval or the additional extension, the Zoning Administrator shall notify the Board of Commissioners and property owner in writing of the approaching deadline and schedule a public hearing before the ~~Planning Commission~~Planning and Zoning Board and Board of Commissioners. Such hearing shall be conducted in accordance with the Georgia Zoning Procedures Act, O.C.G.A. 36-66-1, et. seq., and the Pike County Zoning Ordinance.

(5) Subdivision Approval.

(a) At the option of the applicant, a preliminary subdivision plat may be filed along with the Development Plan in order that tentative approval of the subdivision by the ~~Planning Commission~~Planning and Zoning Board may be granted, pending the approval by the Board of Commissioners of the Development Plan.

(b) In no case shall final subdivision approval precede the approval of the Development Plan.

(c) Site development regulations, specifications, and procedures governing the platting of a PRD Development and plat approval shall be in accordance with the Pike County Subdivision Regulations.

(6) Building Permits and Certificates of Occupancy.

The Zoning Administrator/Building Official shall issue building permits for buildings and structures in the PRD Development if they are in substantial conformity with the approved Development Plan, the development schedule, and with all other applicable

regulations. A Certificate of Occupancy shall be issued for any completed building or structure if it conforms to the requirements of the approved Development Plan and all other applicable regulations.

§ 156.139 DEVELOPMENT STANDARDS FOR PRD DISTRICTS

The following standards shall govern planned development in and shall apply to any planned development in the PRD District:

(A) Designated Areas for PRD Developments. Any PRD development must be located in one of the following areas of Pike County: (i) within V2 mile of the city limits of any incorporated municipality in Pike County as the city limits are as of 10-12-06; or (ii) within a one mile arc of the intersection of U.S. Hwy 19 and the Spalding County line. For purposes of this requirement, a PRD shall be deemed to be located within the area specified above if at least fifty (50) percent of the property lies within such area.

(B) Landscaped Area Buffer. Rear and Side. A twenty-five (25) foot landscaped buffer, in addition to any required landscape area.

(C) Compliance with Zoning District Development Standards. Any planned development use must comply with the development standards of the zoning district for which the Principal Use or Principal Use Special Exception is allowed.

(D) Compliance with the Pike County Subdivision Regulations. Any planned development must comply with the development standards of the Pike County Subdivision Ordinance.

(E) Off Premise and General Advertising Signage. Off premise and general advertising signage shall be prohibited.

(F) Minimum Planned Residential Development Size. 20 acres.

(G) Common Areas. Each planned residential development shall set aside and develop 25% of the total acreage of the development for recreation, common areas, and/or green space.

(H) Screening. Residential lots abutting in the rear, which do not have natural screening in place along the rear property line, shall be visually screened by planted trees/vegetation or an opaque fence. Should the layout of the terrain be such that enforcement of this requirement would not provide adequate screening, an administrative variance from this requirement may be granted by the Administrative Officer. Approval of the variance may be granted subject to a written request.

(I) Sidewalks. Sidewalks shall be required on at least one side of all interior streets within the development.

(J) Minimum Front Yard Depth. 70 feet or 50 feet with sodded front yards. (Note: If the 50' setback is requested, all front yards, regardless of the setback, must be sodded.) Side yards on double frontage lots must be sodded a minimum distance of ten (10) feet from the curb.

(K) Cul-de-Sac. Development of planned residential development on cul-de-sac streets is discouraged. Streets within a planned residential development should interconnection within a modified grid system. No cul-de-sac may exceed 500 linear feet.

(L) Curb and Gutter. All streets within a planned residential development shall have curb and gutter.

(M) Driveways. No driveways shall be permitted along existing road frontage. All development shall be accessed through driveways permitted on the interior streets.

(N) Paved Driveways. All driveways shall be paved.

(O) Utilities. No overhead utility lines shall be permitted except on a temporary basis as may be required for construction. Any such temporary line must be immediately removed upon completion of construction.

(P) Street Lighting. Street lighting will be installed and maintained.

(Q) Topography Preservation. Development shall be compatible with topography of the land and preserve any unusual topography of the land and preserve any unusual topographic or natural features determined after review by the ~~Planning Commission~~Planning and Zoning Board.

(R) Signage. Signage within a planned residential development shall be limited to one (1) entry monument sign (per entrance) not greater than six (6) feet in height and not exceeding 72 square feet.

(S) Minimum Lot Size. One Acre.

(T) Planted Buffer along Road Frontage. A twenty-five (25) foot planted buffer shall be required along the frontage of the public road on which the entrance to the development is located.

(U) Inclusion of Wetlands in Common Areas. Any wetlands or floodplain located on property within a development may not be included within the common areas required by in Section 156.139(G), except to 50% of the total amount of wetlands or flood plains.

(V) Amenity Construction. Construction on all amenities shall be completed prior to issuance of building permits on more than 25% of the lots within the PRD.

(W) Development Incentive Standards. The event the development incorporates and includes at least six (6) of the development incentives enumerated in Section 156.140, the following development standards may be applied:

(1) Minimum Lot Area: Single-Family Development; .75 acre if public water and public sewer are available.

(2) Minimum Lot Width: Minimum width of 100 feet if public water is available.

(3) Minimum Road Frontage Width Same as Minimum Lot width; 30' on a cul-de-sac.

(4) Cul-de-Sac: Cul-de-sac may exceed 500 linear feet.

(5) Pavement Width: Local and Minor streets 22 feet of pavement, back of curb to back of curb.

(X) Flag (Panhandle) lots, whether part of a minor subdivision or a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. These spacing restrictions shall also apply to proposed flag lots to be located in the proximity of existing flag lots. Georgia Department of Transportation requirements may require two flag lot access strips to abut one another when the access is upon a State highway thoroughfare and may be approved on a case by case basis through a variance application with the ~~Board of Appeals~~Planning and Zoning Board. Flag lot access strips shall be at least 40 feet wide at all points, including, but not limited to, road frontage.

§ 156.140 CRITERIA FOR DEVELOPMENT INCENTIVES

The following criteria may be used for PRD Districts for applicability of incentive development criteria:

(A) Scenic Vistas.

Developments that incorporate and preserve existing scenic vistas, views, natural scenic topography, existing lakes, rivers and/or streams.

(B) Development of Internal Roadways.

Developments that include developments of an internal plan of roads to discourage traffic

congestion.

(A) Reduction of Impervious Surfaces.
Developments that include development of an internal plan of roads to discourage traffic congestion.

(B) Increased Landscaped Areas.
Developments that increase landscaped areas, setbacks or buffers by more than fifty percent (50%), the provision of bike and/or pedestrian paths adjacent thereto.

(C) Consolidation of Small Lots.
Developments that consolidate small lots to create overall size parcels of a size exceeding fifty (50) acres.

(D) Pitched Roof Designs.
Development that incorporates and uses pitched roof designs of 6 to 12 pitch or higher.

(E) Façade.
Residential development that includes a minimum of 30% of the façade with either brick, stone, stucco, or hardyplank/cemplank.

(H) Development that includes construction of and/or dedication for public facilities such as parks, roadway and right of way, police, fire or emergency medical services, regional drainage facilities, schools or other public facilities.

(I) Conservation Devices.
Development that utilizes energy and/or water conservation devices. Examples but not limited to solar panels, geo thermal systems or high efficiency heating and cooling systems.

(J) Historical Preservation.
Development that incorporates preservation of historical sites and buildings.

(K) Increased Open Space.
Development that increases open space by fifty (50%) percent or more than that required by 156.141. County Staff, ~~Planning Commission~~Planning and Zoning Board, and Board of Commissioners shall review each proposed development incentive for its appropriateness and determine if it meets approval as a valid incentive.

§ 156.141 OPEN/COMMON SPACE REQUIREMENTS

(A) Open/Common Space is defined as that portion of the development which is set aside permanently for common use by the residents in a planned residential development.

(B) Open Common space shall be maintained by establishment of a mandatory Home Owners Association (HOA) to own and maintain the land in common for the open/common space purposes intended according to the following provisions:
  (1) With the application for PRD rezoning, the applicant shall submit minimum requirements and structure for the HOA.
  (2) The HOA will maintain, pay taxes, and own the open space.
  (3) Membership in the HOA is mandatory for all homeowners, and dues are uniform.
  (4) The HOA will stipulate that a third party, such as the local government, may enforce the maintenance of the open space through legally enforceable liens.

P-R Planned Development – Residential

§ 156.150 – 156.155-Repealed per Am. Ord. passed 05-13-09.

§ 156.160 CONDITIONS AND REGULATIONS FOR LIMITED LODGING AND VACATION HOMES APPROVED AS SPECIAL EXCEPTIONS IN RESIDENTIAL DISTRICTS

(A) General. Limited Lodging and Vacation Rentals, as defined in this Chapter may be approved as special exceptions in residential and other zoning districts.

(B) The following conditions, regulations, and rules shall apply to all approved special exceptions for Limited Lodging and Vacation Rentals:
Vacation rentals, whether there is a primary owner in residence or not, shall not be permitted in accessory structures, non-habitable structures, nor temporary structures, such as recreational vehicles, tents, canopies, yurts, or similar structures.

(1) Limited Lodging Vacation Rental facilities shall meet applicable International Building Code and International Fire Code regulations. For properties that are served by septic, Limited Lodging and Vacation Rental facilities shall meet applicable environmental health regulations.

(2) Limited Lodging Vacation Rentals may have a maximum of four (4) guestrooms or sleeping rooms that meet the International Building Code regulations.

(3) Maximum overnight occupancy for Limited Lodging and Vacation Rentals shall be up to a maximum of two (2) persons per sleeping room or guestroom, plus two (2) additional persons per property, up to a maximum of ten (10) persons, excluding children under two (2) years of age. The property owner shall ensure that all contracts and online listings and advertisements clearly set forth the maximum number of overnight guests permitted at the property.

(4) The maximum number of total guests and visitors allowed at any time in a single Limited Lodging or Vacation Rental shall not exceed the maximum overnight occupancy plus four (4) additional persons per property during the daytime, or fourteen (14) persons, whichever is less, excluding children under two (2) years of age.

(5) Only approved facilities, meeting current standards shall be used as a Limited Lodging or Vacation Rental. Only one (1) tenant shall be allowed on-site at any given time: Only one transient rental is allowed per parcel. Accessory dwellings shall not be used as a Limited Lodging or Vacation Rental or occupied by the owner while the facilities approved for the special exception is being used as a Limited Lodging or Vacation Rental unless specifically authorized by the Board of Commissioners when approving the special exception use.

(6) Parking shall be provided as follows:

a. Vehicles must be parked within the driveway, garage, or any other approved surface. No vehicles shall be parked on the State/ County right-of-way or along any roadway at any time.

b. A minimum of two (2) on-site parking spaces shall be available for Limited Lodging and Vacation Rentals. However, the owner of the property/facilities is responsible for providing sufficient parking to accommodate the guests. rooms;

c. Limited Lodging and Vacation Rentals larger than as provided in this Section are prohibited.

d. This maximum number of vehicles permitted for guests shall be clearly set forth in all rental agreements and in all online advertisements and listings.

(7) All activities associated with Limited Lodging and Vacation Rentals shall meet the general noise standards contained below. Quiet hours shall be from 10:00 p.m. to 8:00 a.m. The property owner shall ensure that the quiet hours and limits on outdoor activities are included in rental agreements and in all online advertisements and listings.

(8) Outdoor amplified sound, other than household speakers, shall not be allowed at any time associated with a Limited Lodging or Vacation Rental.

(9) Pets, if allowed by owner, shall be secured on the property at all times. Continual nuisance barking by unattended pets is prohibited.

(10) Recycling and refuse storage bins shall not be stored within public view unless in compliance with neighborhood standards. Recycling and trash receptacles shall be returned to screened storage areas within 24 hours of trash pick-up.

(11) Outdoor fire areas, when not prohibited by state or local fire bans, may be allowed but shall be limited to 3 feet in diameter, shall be located on a non-combustible surface, shall be covered by a fire screen, and shall be extinguished as soon as it is no longer in use or by 10:00 p.m., whichever is earlier. No fire or fire area shall be located within 25 feet of a structure or combustible material.

(12) All Limited Lodging or Vacation Rentals operating within the County must have a local certified property manager, which can be the owner or other designated agent, who is available 24 hours per days, 7 days per week during all times that the property is rented or used on a transient basis. Certified property managers may be professional property managers, realtors, property owners, or other designated person who is a minimum of twenty-one (21) years of age.

(13) The owner of any Limited Lodging or Vacation Rental located behind a locked gate or within a gated community shall provide gate code or a lockbox with keys ("Knox Box" or similar) for exclusive use by local law enforcement and emergency services.

(14) Once a Limited Lodging or Vacation Rental is approved as a special exception, a copy of these regulations shall be posted within the facilities. The owner shall post these standards in a prominent place within six (6) feet of the front door of the facilities and include them as part of all rental agreements.

(15) All online advertisements and/or listings for Limited Lodging or Vacation Rentals shall include the following:

a. Maximum occupancy, not including children under two (2);
b. Maximum number of vehicles;
c. Notification that quiet hours must be observed between 10:00 p.m. and 8:00 a.m.;
d. Notification that no outdoor amplified sound other than household speakers is allowed; and,
e. The name, address, and number of the local certified property manager.

(16) The owners shall pay all required County property taxes and fees.

(17) The owner shall register the local certified property manager and update any contact changes with the Department of Planning & Development, which will make said contact information available to local law enforcement and emergency services.

(18) The owner shall obtain a business license for said Limited Lodging and Vacation Rental and comply with all applicable provisions of this Code regarding occupational taxes.
(19) The owners shall pay a hotel/ motel occupancy tax for said Limited Lodging and Vacation Rental and comply with all applicable provisions of this Code.
(20) The owner may be required to pay personal property taxes for said Limited Lodging and Vacation Rental.
(21) Initial complaints on vacation rentals shall be directed to the local certified property manager identified in the business license or the County, as applicable. The certified property manager shall be available 24 hours during all times when the property is rented and shall be available by phone during these hours. Should a problem or arise and be reported to the certified property manager or the County, the property manager shall be responsible for contacting the tenant to correct the problem within 60 minutes, including visiting the site if necessary, to ensure that the issue has been corrected. Failure to respond to complaints or report them to emergency officials shall be considered a violation of this section and shall be cause for revocation of the business license and special land use permit. If the issue reoccurs, the complaint will be addressed by the Director or Code Enforcement division who may investigate to determine whether there was a violation of a zoning, licensing, or special use permit condition. At the discretion of the Director, the special exception may be scheduled for a revocation hearing with the Board of Commissioners, in compliance with all notice requirements. If the special exception is revoked, a special exception for a Limited Lodging or Vacation Rental may not be reapplied for or issued for a period of at least one (1) year. Additionally, a license for a Limited Lodging or Vacation Rental shall not be issued for a period of at least one (1) year upon the property as a result of the revocation of the special exception.

P-I Professional - Institutional Districts

§ 156.170 PURPOSE

P-I Zoning Districts are intended to establish and reserve districts for lower density office-professional-institutional activities. P-I development standards require adequate yard space and parking facilities. Permitted uses are restricted and protected from encroachment by uses capable of adversely affecting the limited character of the district. P-I Districts may serve a purpose as a buffer in separating two quite different types of land uses and minimizing adverse effects of one or the other.

§ 156.171 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A P-I DISTRICT

The factors contained in § 156.028 must be thoroughly considered by the ~~Planning Commission~~Planning and Zoning Board, as well as the Board of Commissioners, when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning

principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Pike County.

§ 156.172 BOUNDARIES OF P-I DISTRICTS

The Official Map shows the boundaries of all P-I Districts within Pike County.

§ 156.173 PERMITTED USES

(A) The following principal uses are permitted in P-I Districts:
- (1) Church, synagogue, chapel or other places of religious worship or educational institution;
- (2) Club or lodge;
- (3) College or university;
- (4) Business or commercial school;
- (5) Hospital or clinic, but not veterinary facility;
- (6) Medical clinic or office;
- (7) Dental clinic or office;
- (8) Nursing home;
- (9) Personal care home, except halfway house;
- (10) Group personal care home;
- (11) Intermediate care home;
- (12) Professional or business office meeting the following development standards: no wholesale or retail merchandise may be offered for sale;
- (13) Local, state or federal government building;
- (14) Retail uses in conjunction with and normally appurtenant to office/institutional uses, including florist shop, cafeteria, snack shop, pharmacy or gift shop when located within an office or medical building.
- (15) Hospice facility;
- (16) Rehabilitation center;

(B) The following principal uses are permitted as special exceptions in P-I Districts: commercial parking lot, commercial parking structure, congregate personal care home; and halfway house as regulated by the State of Georgia.

(C) The following accessory uses are permitted in P-I Districts:
- (1) Those determined by the Zoning Administrator to be customarily appurtenant to those uses permitted in this district;
- (2) Satellite dish antennas and television antennas.
- (3) Well houses.

(D) The following accessory uses are permitted as special exceptions in P-I Districts: none.

(E) All accessory uses must meet the following standards:
- (1) They must be located in either side or rear yards, except as follows: temporary manufactured home on a construction site, satellite dish, television antennas, and well houses are permitted in the front yard as well as rear and side yards;
- (2) They must be located at least ten feet from any property line;
- (3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this chapter;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot less than two acres in area. The size of an accessory building is not limited on lots two acres or more in area;
(5) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(F) Any use not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special exception and follow the procedures for a special exception.

§156.174 DEVELOPMENT STANDARDS FOR P-I DISTRICTS

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within P-I Districts:

(A) Minimum lot area - 20,000 square feet where control water and sewage are provided. Where control water and sewage are not provided, as specified by Pike County Environmental Health Department, but in no case less than 20,000 square feet;
(B) Minimum lot width - 100 feet;
(C) Minimum lot width at the front building line - 100 feet;
(D) Minimum front yard - 50 feet from right-of-way line;
(E) Minimum side yard - 15 feet;
(F) Minimum rear yard - 20 feet;
(G) Maximum building height - 6 stories;
(H) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.
(I) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this chapter.
(J) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
(K) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this chapter. Trees, shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this chapter must be permanently maintained as open space in accordance with the requirements of this chapter.
(L) Reduction of yards or lot area. Except as otherwise provided in this chapter, no lot existing at the time of passage of this chapter may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this chapter for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
(M) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.
(N) Landlocked lots. Landlocked lots are not eligible for placement within a P-I Zoning District.
(O) Street frontage. No principal building may be erected on any lot which has less than 40 feet of immediate frontage on at least one public or private street.

(P) Flag (Panhandle) lots, whether part of a minor subdivision or a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. These spacing restrictions shall also apply to proposed flag lots to be located in the proximity of existing flag lots. Georgia Department of Transportation requirements may require two flag lot access strips to abut one another when the access is upon a State highway thoroughfare and may be approved on a case by case basis through a variance application with the ~~Board of Appeals~~Planning and Zoning Board. Flag lot access strips shall be at least 40 feet wide at all points, including, but not limited to, road frontage.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(R) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this chapter.

(S) Substandard lots. Any lot existing at the time of the adoption of this chapter, which has an area or a width which is less than required by this chapter, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district;

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this chapter, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this chapter are met.

(T) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the Pike County Subdivision Regulations. Consult that document for specific requirements.

(V) Signs. Minimum design and location standards are contained in the Pike County Sign Ordinance. Consult that document for specific requirements.

(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

C-1 Neighborhood Commercial

§ 156.185 PURPOSE

C-1 Zoning Districts are intended to establish and preserve small business areas of a limited nature that serve primarily the residential neighborhood in which they are located. Development standards for C-1 Districts are designed to promote compatibility with the surrounding residential neighborhood.

§ 156.186 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A C-1 DISTRICT

The factors contained in § 156.028 must be thoroughly considered by the ~~Planning Commission~~Planning and Zoning Board, as well as the Board of Commissioners when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Pike County.

§ 156.187 BOUNDARIES OF C-1 DISTRICTS

The Official Map shows the boundaries of all C-1 Districts within Pike County.

§ 156.188 PERMITTED USES

(A) The following principal uses are permitted in C-1 Districts:

(1) Apparel store;

(2) Automobile service station meeting the following development standards:

(a) Petroleum derivatives must be stored in accordance with safety requirements of existing county resolutions;

(b) All pumps and structures must be placed at least 15 feet from the nearest right of-way line of any street or road;

(c) Where any lot line of a service station property abuts other property of any residential zoning district, a minimum yard of 40 feet is required;

(d) It must have frontage on an arterial or collector road as defined in the Pike County Land Use Plan;

(e) Its frontage on an arterial or collector must be at least 100 feet in length; (f) It must have a minimum lot depth of 100 feet.

(3) Antique or art shop meeting the following development standards: outdoor display areas are prohibited;

(4) Banks. Drive-in facilities must meet the following development standards:

(a) Both teller cages and vehicles awaiting service must be located completely off the public right-of-way;

(b) Provision must be made to accommodate a minimum of five waiting vehicles per service window;

(5) Bakery meeting the following development standards: all products produced by the bakery must be sold at retail on the premises;

(6) Barber shop, beauty shop, nail salon, tanning salon, or similar personal service establishment;

(7) Bicycle sales and repair shop;

(8) Book, stationery or card shop;

(9) Business or professional office;

(10) Clothes cleaning agency, pressing establishment, laundry pickup station;

(11) Catering establishment;

(12) Confectionary (candy) store;

(13) Custom dress making or millinery shop;

(14) Dog and cat grooming and supplies, but excluding pet sales and facilities for the overnight keeping of animals;

(15) Drug store;

(16) Dry goods, notions;
(17) Electrical appliance repair shop;
(18) Florist or gift shop;
(19) Grocery, fruit, vegetable or meat market, including supermarket, meeting the following development standards: no killing, eviscerating, skinning, plucking or smoking of food products is permitted;
(20) Small scale indoor recreation, including, but not limited to, pool rooms and game rooms; excludes indoor shooting ranges;
(21) Hardware or appliance store selling predominantly at retail;
(22) Jewelry store;
(23) Laundromat;
(24) Loan office;
(25) Music store;
(26) Neighborhood shopping center;
(27) News or tobacco shop;
(28) Paint and decorating store;
(29) Photographers store, including the sale of supplies and equipment;
(30) Quick copy print shop meeting the following development standards: employ no more than five employees;
(31) Radio/television repair, including the sale of supplies and equipment;
(32) Restaurant which is a part of a neighborhood shopping center;
(33) Shoe store or shoe repair shop;
(34) Tailor, alterations or clothing shop;
(35) Taxi office;
(36) Local, state or federal government building;
(37) Utility substation meeting the following development standards: a buffer must be provided along the entire substation perimeter;
(38) Co-location of a telecommunications antenna on an existing structure.

(B) The following principal uses are permitted as special exceptions in C-1 Districts: none.

(C) The following accessory uses are permitted as Special Exceptions in C-1 Districts:
(1) Any accessory use.

(D) All accessory uses must meet the following standards:
(1) They must be located in either side or rear yards, except as follows: temporary manufactured home on a construction site, satellite dish, television antennas, and well houses are permitted in the front yard as well as rear and side yards;
(2) They must be located at least ten feet from any property line;
(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this chapter;
(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot less than two acres in area. The size of an accessory building is not limited on lots two acres or more in area;
(5) Accessory buildings not attached to the principal building musts be located at least 12 feet from the principal building on the lot.

(E) Any use not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special exception and follow the procedures for a special exception.

§ 156.189 DEVELOPMENT STANDARDS FOR C-1 DISTRICTS

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required with C-1 Districts:

(A) Minimum lot area - 10,000 square feet where control water and sewage are provided. Where water and sewage are not provided, as specified by Pike County Environmental Health Department, but in no case less than 10,000 square feet;
(B) Minimum lot width at the front building line - 100 feet;
(C) Minimum front yards - 50 feet from right-of-way line;
(D) Minimum side yard - None, but 30 feet if a corner lot;
(E) Minimum rear yard - 20 feet;
(F) Maximum building height - 35 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of building height greater than 35 feet.
(G) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.
(H) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this chapter.
(I) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
(J) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this chapter. Trees, shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this chapter must be permanently maintained as open space in accordance with the requirements of this chapter.
(K) Reduction of yards or lot area. Except as otherwise provided in this chapter, no lot existing at the time of passage of this chapter may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this chapter for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
(L) Lot with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.
(M) Landlocked lots. Landlocked lots are not eligible for placement within a C-1 Zoning District.
(N) Street frontage. No principal building may be erected on any lot which has less than 40 feet of immediate frontage on at least one public or private street.
(O) Flag (Panhandle) lots, whether part of a minor subdivision or a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet

apart. These spacing restrictions shall also apply to proposed flag lots to be located in the proximity of existing flag lots. Georgia Department of Transportation requirements may require two flag lot access strips to abut one another when the access is upon a State highway thoroughfare and may be approved on a case by case basis through a variance application with the ~~Board of Appeals~~Planning and Zoning Board. Flag lot access strips shall be at least 40 feet wide at all points, including, but not limited to, road frontage.

(P) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(Q) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this chapter.

(R) Substandard lots. Any lot existing at the time of the adoption of this chapter, which has an area or a width which is less than required by this chapter, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this chapter, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this chapter are met.

(S) Encroachment on public rights-of-way. No building, structure, service area, required offstreet parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(T) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the Pike County Subdivision Regulations. Consult that document for specific requirements.

(U) Signs. Minimum design and location standards are contained in the Pike County Sign Ordinance. Consult that document for specific requirements.

(V) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

C-2 General Commercial

§ 156.200 PURPOSE

C-2 Zoning Districts are intended to provide for a wide range of retail, service and wholesale establishments requiring a location accessible to a large number of the residents of Pike County. Such uses must be located on a thoroughfare with a paved surface.

§ 156.201 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A C-2 DISTRICT

The factors contained in § 156.028 of this chapter must be thoroughly considered by the ~~Planning Commission~~Planning and Zoning Board as well as the Board of Commissioners when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the bases upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Pike County.

§ 156.202 BOUNDARIES OF C-2 DISTRICTS

The Official Map shows the boundaries of all C-2 Districts within Pike County.

§ 156.203 PERMITTED USES

(A) The following principal uses are permitted in C-2 Districts:

(1) Any C-1 permitted use;
(2) Bakery and catering services;
(3) Indoor recreation, including, but not limited to, bowling alleys, theaters, pool rooms and game rooms; excluding indoor shooting ranges;
(4) Restaurant;
(5) Ambulance service;
(6) Auction gallery;
(7) Automobile wash;
(8) Bus terminal;
(9) Business or commercial school;
(10) Community or regional shopping center;
(11) Dancing school, including group instruction;
(12) Department store;
(13) Drive-in configurations of any business otherwise permitted in this zoning district meeting the following development standards:
    (a) Adequate off-street space must be provided for the maneuvering and storage of patrons' vehicles;
    (b) No loud speaker system is allowed which can be heard at neighboring residential or motel properties;
    (c) All lighting must be directed and shielded so as to light only the drive-in establishment;
(14) Furniture store;
(15) Museum and/or heritage center;
(16) Professional assembly and repair of such items as eyeglasses, custom jewelry, prosthetic devices and other similar services and assembly;
(17) Office;
(18) Parking lot or structure;
(19) Pet shop;
(20) Printing, meeting the following development standards:
    (a) Mechanical operation must not be visible from a road;
    (b) No more than four employees are permitted;
(21) Radio and television station meeting the following development standards: transmission

towers must be no more than 35 feet high;

(22) Stationery and office machine sales and service;
(23) Taxidermy business;
(24) Upholstery shop;
(25) Wholesale store, not including establishments operated primarily as a warehouse. A wholesale store is distinguished from a warehouse as follows:
(a) It has at least one square foot of office, sales and display space for each square foot of warehousing space;
(b) The building is so arranged as to encourage walk-in trade;
(26) Daycare center meeting all state development standards.
(27) Co-location of a telecommunications antenna on an existing structure.
(28) Animal hospital or clinic meeting the following development standards: no outside runs or pens are provided;

(B) The following principal uses may be applied for as special exceptions in C-2 Districts:
(1) Animal hospital or clinic with outside runs or pens provided;
(2) Building and lumber supply establishment with outdoor storage of materials;
(3) Club or lodge;
(4) Flea market;
(5) Funeral home and any associated cemetery; (Am. Ord. 03-09-11)
(6) Public, for profit cemeteries; (Am. Ord. 03-09-11)
(7) Public pet cemeteries; (Am. Ord. 03-09-11)
(8) Automobile service station which conducts major automotive repair;
Automobile service station meeting the following standards:
(a) Major repair, body and fender work and painting are permitted;
(b) All structures and buildings, including storage tanks, but not including signs, must be set back at least 25 feet from all side and rear property lines which do not abut a public road right-of-way;
(c) All pumps, buildings and structures, including storage tanks, but not including signs, must be placed so as to maintain the minimum required front yard along the right-of-way line of any abutting road;
(d) Driveway curb cuts must be located at least 20 feet from the intersection of right-of-way lines of any road intersection;
(e) Driveway curb cuts must be designed and located so as to minimize interference with the flow of vehicular or pedestrian traffic;
(9) Pawn shop;
(10) Greenhouse or nursery, including landscape service;
(11) Mortuary or crematorium;
(12) Outdoor amusement enterprise, including, but not limited to, pony riding, miniature golf, carnival or bazaar;
(13) Radio or television transmission tower over 35 feet high;
(14) Airport, public or commercial, paved or unpaved with the following development standards:
(a) All Federal Aviation Administration requirements must be satisfied;
(b) A plat must be submitted detailing the proposed location of the runway and any existing or proposed buildings; and

(c) A restaurant may be constructed on airport property, provided the restaurant complies with the following development standards:

(1) Must be located inside an existing or proposed building;

(2) Must meet all Pike County Environmental Health Department regulations; and

(3) Must have at least a minimum of 500 square feet.

(15) Telecommunications towers, meeting the requirements of Chapter 113 of the Pike County Code.

(16) Shooting range, indoor, meeting the following development standards:

(a) All indoor shooting ranges shall be of soundproof construction whereby the sound from the discharge of any firearm and the impact of any projectile shall not be plainly audible across any adjoining property line or at a distance of 50 feet from the building, whichever distance is greater.

(b) No piece of the projectile or target shall leave the building as a result of the activities taking place therein.

(c) All weapons brought into any indoor shooting range shall be in a case designed for the weapon such that no part of a weapon is visible while inside the case. Certified law enforcement officers in uniform are exempt from this requirement.

(d) All indoor shooting ranges shall comply with all local, state, and /or federal regulations related to indoor shooting ranges.

(e) A site plan shall be submitted to the County, which shows the location of buildings, parking, etc.

(f) At least one qualified individual in the sponsoring club or organization shall be properly certified for shooting range supervision. Each facility shall adopt safety rules and regulations subject to review by the County.

(g) Shooting range design and operation shall conform to the most current standards of the National Rifle Association (NRA) Range Sourcebook.

(h) The National Association of Shooting Ranges (NASR) and the Occupational Safety and Health Administration (OSHA) publication titled "Lead Management and OSHA Compliance for Indoor Shooting Ranges" shall be consulted in planning and constructing indoor shooting ranges.

(i) No service or sales of alcoholic beverages shall be allowed within the shooting range facility or on the shooting range property.

(j) The indoor shooting range shall be covered by accident and liability insurance, amount to be determined by Pike County.

(17) Shooting range, outdoor, meeting the following development standards:

(a) Outdoor shooting ranges shall be located on a minimum 25 acre parcel;

(b) All shooting areas shall be setback at least 200 feet from all property lines, including right-of-way lines;

(c) The outdoor shooting range shall be posted "No Trespassing-Danger-Shooting Preserve" at 200 foot intervals around the perimeter of the preserve property.

(d) A site plan shall be submitted to the County, which shows the location of shooting areas, parking, targets, backstops, etc.

(e) At least one qualified individual in the sponsoring club or organization shall be properly certified for shooting range supervision. Each facility shall adopt safety rules and regulations subject to review by the County.

(f) Shooting range design and operation shall conform to the most current standards of the National Rifle Association (NRA) Range Sourcebook, including minimum height standards for earthen embankments behind shooting range targets.

(g) Outdoor shooting ranges shall be subject to pre-range lead testing and subsequent lead testing thereafter, and the range shall have necessary lead management and lead removal procedures in place.

(h) An accessory retail store is allowed in conjunction with the shooting range, but no service or sales of alcoholic beverages shall be allowed on the shooting range property.

(i) The outdoor shooting range shall be covered by accident and liability insurance, amount to be determined by Pike County.

(C) The following accessory uses are permitted as Special Exceptions in C-2 Districts:

(1) Any accessory use.

(D) All accessory uses must meet the following standards:

(1) They must be located in either side or rear yards, except as follows: temporary manufactured home on a construction site, satellite dish television antennas, and well houses are permitted in the front yard as well as rear and side yards;

(2) They must be located at least ten feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this chapter;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot less than two acres in area. The size of an accessory building is not limited on lots two acres or more in area;

(5) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(E) Any use not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special exception and follow the procedures for a special exception.

§156.204 DEVELOPMENT STANDARDS FOR C-2 DISTRICTS

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within C-2 Districts.

(A) Minimum lot area - 10,000 square feet, where control water and sewage are provided. Where control water and sewage are not provided, as specified by Pike County Environmental Health Department, but in no case less than 10,000 square feet.

(B) Minimum lot width at the front building line - 100 feet;

(C) Minimum front yard - 50 feet from right-of-way line;

(D) Minimum side yard - None, but 30 feet if a corner lot;

(E) Minimum rear yard - 20 feet;

(F) Maximum building height - 35 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of building height greater than 35 feet.

(G) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located. (II) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this chapter.

(H) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(I) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this chapter. Trees, shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this chapter must be permanently maintained as open space in accordance with the requirements of this chapter.

(J) Reduction of yards or lot area. Except as otherwise provided in this chapter, no lot existing at the time of passage of this chapter may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this chapter for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(K) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(L) Landlocked lots. Landlocked lots are not eligible for placement within a C-2 Zoning District.

(M) Street frontage. No principal building may be erected on any lot which has less than 40 feet of immediate frontage on at least one public or private street.

(O) Flag (Panhandle) lots, whether part of a minor subdivision or a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. These spacing restrictions shall also apply to proposed flag lots to be located in the proximity of existing flag lots. Georgia Department of Transportation requirements may require two flag lot access strips to abut one another when the access is upon a State highway thoroughfare and may be approved on a case by case basis through a variance application with the ~~Board of Appeals~~Planning and Zoning Board. Flag lot access strips shall be at least 40 feet wide at all points, including, but not limited to, road frontage.

(P) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(Q) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this chapter.

(R) Substandard lots. Any lot existing at the time of the adoption of this chapter, which has an area or a width which is less than required by this chapter, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to

create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this chapter, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this chapter are met.

(S) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(T) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the Pike County Subdivision Regulations. Consult that document for specific requirements.

(U) Signs. Minimum design and location standards are contained in the Pike County Sign Ordinance. Consult that document for specific requirements.

(V) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

C-3 Heavy Commercial

§ 156.215 PURPOSE

C-3 Zoning Districts are intended to provide for heavier commercial uses and to facilitate the effective use of land situated in relationship to major thoroughfares, highway intersections and interchange areas. Such uses must be located on a thoroughfare having a minimum classification of arterial.

§ 156.216 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A C-3 DISTRICT

The factors contained in § 156.028 must be thoroughly considered by the ~~Planning Commission~~Planning and Zoning Board, as well as the Board of Commissioners, when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Pike County.

§ 156.217 BOUNDARIES FOR C-3 DISTRICTS

The Official Map shows the boundaries of all C-3 Districts within Pike County.

§ 156.218 PERMITTED USES

(A) The following permitted uses are permitted in C-3 Districts:

(1) Any C-2 or C-1 permitted use;

(2) Automobile and truck sales;

(3) Boat sales;

(4) Commercial kennel for boarding of pets; All structures must be setback a minimum 200

feet from all adjacent agricultural and residential properties;

(5) Dry cleaning plant employing no more than 20 persons;
(6) Farmers market;
(7) Feed and seed store;
(8) Heavy equipment sales and service;
(9) Major automotive repair;
(10) Mini-warehouse and warehouse without outdoor storage;
(11) Manufactured home sales lot;
(12) Motel, hotel;
(13) Outdoor theater;
(14) Recreational vehicle sales and service;
(15) Tire retreading;
(16) Trade shop, including electrical, plumbing, gutter, machine and HVAC contractor;
(17) Used car and truck sales.
(18) Special Trade Contractor Shop, including, but not limited to:
(a) Janitorial;
(b) Exterminating;
(c) Floor laying;
(d) Masonry;
(e) Ornamental metal work;
(f) Painting;
(g) Plastering;
(h) Plumbing;
(i) Sheet metal;
(j) Special building equipment installation;
(19) Utility substations meeting the following development standards; a buffer must be provided along the entire substation perimeter;
(20) Portable building sales lot;
(21) Co-location of a telecommunications antenna on an existing structure.

(B) The following principal uses may be applied for as special exceptions in C-3 Districts:
(1) Travel trailer/recreational vehicle park having a minimum lot area of ten (10) acres subject to the following standards:
(a) Travel trailer/recreational vehicles shall not be allowed to remain in park longer than two (2) consecutive weeks;
(b) Park shall provide full utility facilities;
(c) The maximum density for the park shall be 2 units per acre.
(2) Radio/television transmission tower over 35 feet high.
(3) Flea Market;
(4) Telecommunications tower, meeting the requirements of Chapter 113 of the Pike County Code.
(5) Shooting range, indoor, meeting the following development standards:
(a) All indoor shooting ranges shall be of soundproof construction whereby the sound from the discharge of any firearm and the impact of any projectile shall not be plainly audible across any adjoining property line or at a distance of 50 feet from the building, whichever distance is greater.

(b) No piece of the projectile or target shall leave the building as a result of the activities taking place therein.

(c) All weapons brought into any indoor shooting range shall be in a case designed for the weapon such that no part of a weapon is visible while inside the case. Certified law enforcement officers in uniform are exempt from this requirement.

(d) All indoor shooting ranges shall comply with all local, state, and /or federal regulations related to indoor shooting ranges.

(e) A site plan shall be submitted to the County, which shows the location of buildings, parking, etc.

(f) At least one qualified individual in the sponsoring club or organization shall be properly certified for shooting range supervision. Each facility shall adopt safety rules and regulations subject to review by the County.

(g) Shooting range design and operation shall conform to the most current standards of the National Rifle Association (NRA) Range Sourcebook.

(h) The National Association of Shooting Ranges (NASR) and the Occupational Safety and Health Administration (OSHA) publication titled "Lead Management and OSHA Compliance for Indoor Shooting Ranges" shall be consulted in planning and constructing indoor shooting ranges.

(i) No service or sales of alcoholic beverages shall be allowed within the shooting range facility or on the shooting range property.

(j) The indoor shooting range shall be covered by accident and liability insurance, amount to be determined by Pike County.

(6) Shooting range, outdoor, meeting the following development standards:

(a) Outdoor shooting ranges shall be located on a minimum 25 acre parcel;

(b) All shooting areas shall be setback at least 200 feet from all property lines, including right-of-way lines;

(c) The outdoor shooting range shall be posted "No Trespassing-Danger-Shooting Preserve" at 200 foot intervals around the perimeter of the preserve property.

(d) A site plan shall be submitted to the County, which shows the location of shooting areas, parking, targets, backstops, etc.

(e) At least one qualified individual in the sponsoring club or organization shall be properly certified for shooting range supervision. Each facility shall adopt safety rules and regulations subject to review by the County.

(f) Shooting range design and operation shall conform to the most current standards of the National Rifle Association (NRA) Range Sourcebook, including minimum height standards for earthen embankments behind shooting range targets.

(g) Outdoor shooting ranges shall be subject to pre-range lead testing and subsequent lead testing thereafter, and the range shall have necessary lead management and lead removal procedures in place.

(h) An accessory retail store is allowed in conjunction with the shooting range, but no service or sales of alcoholic beverages shall be allowed on the shooting range property.

(i) The outdoor shooting range shall be covered by accident and liability insurance, amount to be determined by Pike County.

(C) The following accessory uses are permitted in C-3 Districts:

(1) Any accessory use

(D) All accessory uses must meet the following standards:

(1) They must be located in either side or rear yards, except as follows: temporary manufactured home on a construction side, satellite dish, television antennas, and well houses are permitted in the front yard as well as rear and side yards;

(2) They must be located at least ten feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this chapter;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot less than two acres in area. The size of an accessory building is not limited on lots two acres or more in area:

(5) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(E) Any use not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special exception and follow the procedures for a special exception.

§ 156.219 DEVELOPMENT STANDARDS FOR C-3 DISTRICTS

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within C-3 Districts:

(A) Minimum lot area - 10,000 square feet, where control water and sewage are provided; where control water and sewage are not provided, as specified by Pike County Environmental Health Department, but in no case less than 10,000 square feet.

(B) Minimum lot width at the front building line - 100 feet;

(C) Minimum front yard - 70 feet from right-of-way line;

(D) Minimum side yard - None, but 30 feet if a corner lot;

(E) Minimum rear yard - 20 feet

(F) Maximum building height - 6 stories;

(G) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(H) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this chapter.

(I) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(J) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this chapter. Trees, shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this chapter must be permanently maintained as open space in accordance with the requirements of this chapter.

(K) Reduction of yards or lot area. Except as otherwise provided in this chapter, no lot existing at the time of passage of this chapter may be reduced, divided or changed so as to produce a

tract of land which does not comply with the minimum dimension or area requirements of this chapter for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(L) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(M) Landlocked lots. Landlocked lots are not eligible for placement within a C-3 Zoning District.

(N) Street frontage. No principal building may be erected on any lot which has less than 40 feet of immediate frontage on at least one public or private street.

(O) Flag (Panhandle) lots, whether part of a minor subdivision or a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. These spacing restrictions shall also apply to proposed flag lots to be located in the proximity of existing flag lots. Georgia Department of Transportation requirements may require two flag lot access strips to abut one another when the access is upon a State highway thoroughfare and may be approved on a case by case basis through a variance application with the ~~Board of Appeals~~Planning and Zoning Board. Flag lot access strips shall be at least 40 feet wide at all points, including, but not limited to, road frontage.

(P) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(Q) Yards and other spaces. No part of a yard, other open space, off-sweet parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this chapter.

(R) Substandard lots. Any lot existing at the time of the adoption of this chapter, which has an area or a width which is less than required by this chapter, is subject to the following exceptions and modifications.

(S) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(T) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this chapter, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this chapter are met.

(U) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(V) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the Pike County Subdivision Regulations. Consult that document for specific requirements.

(W) Signs. Minimum design and location standards are contained in the Pike County Sign Ordinance. Consult that document for specific requirements.

(X) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

M-1 Manufacturing - Rural

§ 156.230 PURPOSE

M-1 Zoning Districts are intended to provide for the location in rural areas which constitute the majority of land in unincorporated Pike County of needed manufacturing uses which are not dependent upon urban-type services. The M-1 zone encourages orderly and compatible development of manufacturing uses, including agricultural related industry, on rural lands. These lands are suited for industrial use due to marginal agricultural soils, adverse circumstances such as shape, proximity to transmission line corridors or proximity to markets or resources. The M-1 zone may be appropriate in areas designated in the Pike County Multi-Jurisdictional Comprehensive Plan as Industrial or in locations which meet the intent of the zone.

§ 156.231 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A M-1 DISTRICT

(A) The factors contained in §§ 156.028 et seq. must be thoroughly considered by the ~~Planning Commission~~Planning and Zoning Board as well as the Board of Commissioners when determining in which district an area of land is to be zoned. This will assure that rational comprehensive planning principles are the basis upon which the decision is made and that the zoning amendment is done in accordance with the Pike County Multi-Jurisdictional Comprehensive Plan.

(B) Furthermore, the ~~Planning Commission~~Planning and Zoning Board shall consider the following standards which are intended to ensure rural compatibility:

(1) The use shall not involve heavy truck traffic through residential areas or on roads not improved to highway standards;

(2) Any retail sales shall be incidental and subordinate to the manufacturing activity and not cause significant increase in traffic;

(3) The operation shall be compatible with existing development and farm and forest use in the vicinity;

(4) The use shall provide a significant service to rural residents or be directly related to rural resource; and

(5) The level of activity and required support facilities will not require urban-type services.

§ 156.232 BOUNDARIES OF M-1 DISTRICTS

The Official Map shows the boundaries of all M-1 Districts within Pike County.

§ 156.233 PERMITTED USES

(A) The following principal uses are permitted in M-1 Districts:

(1) Commercial services and manufacturing activities related to farm or forest uses, provided they conform to the following limits:

(a) Ten or fewer full time employees;

(b) Five or fewer commercial vehicles of more than one ton capacity; and

(c) No retail sales;

(2) Utility facilities necessary for public service except commercial facilities for power generation;

(3) Dwelling for a caretaker or watchman of the premises of a permitted M-1 use;

(4) Utility substations meeting the following development standards: a buffer must be

provided along the entire substation perimeter;

(5) Co-location of a telecommunications antenna on an existing structure.

(B) The following principal uses may be applied for as special exceptions in M-1 Districts;

(1) Any use in this section which exceeds either ten employees or five commercial vehicles of more than one-ton capacity or includes incidental retail sales;

(2) Wholesale and storage of lumber and building materials;

(3) Special trade contractor, including:

(a) Heavy construction;

(b) Building demolition.

(4) Recreational vehicle, mobile home and boat repair and manufacturing;

(5) Any other manufacturing use consistent with the criteria in §156.027 and §156.231;

(6) Kennels, boarding and raising of animals

(7) Public power generation facilities;

(8) Wireless communication facilities attached subject to the following development standards:

(a) Not withstanding other height limitations in this chapter, omni-directional (whip) antennae not exceeding 20 feet in height and directional/parabolic antennae not exceeding eight feet in diameter or width and 15 feet in height may be attached to or located on existing structures;

(b) Antennae and associated equipment shall be surfaced in a nonreflective color to match the structure on which it is located. An equipment enclosure may be set back from the edge of a roof by a distance at least equal to its height in lieu of screening;

(c) Equipment enclosures shall be located within the building on which it is located wherever possible; otherwise, equipment enclosures shall be fenced by a six-foot high fence;

(d) Antennae shall not be illuminated except as required by state or federal law;

(9) Wireless communication facilities consistent with the Pike County Wireless Communications Ordinance as adopted in June 2002 and subsequently amended.

(10) Telecommunications structures meeting the requirements of Chapter 113 of the Pike County Code.

(C) Accessory uses appurtenant to primary uses may be applied for as special exceptions.

(D) Any use not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special exception and follow the procedures for a special exception.

§ 156.234 DEVELOPMENT STANDARDS FOR M-1 DISTRICTS

The following standards are required within M-1 Districts.

(A) Minimum lot area - As specified by the Pike County Environmental Health Department.

(B) Minimum lot width - As specified by the Director of Planning and Development to meet the needs of the use.

(C) Minimum front yard - 50 feet. The first 20 feet of a front yard provided adjacent to a street shall not be used for off-street parking or loading areas, except ingress and egress.

(D) Minimum rear, side yards - 10 feet provided:

(1) The minimum depth shall be increased one foot for each additional foot of building height above 25 feet;

(2) Any rear or side yard provided adjacent to a street shall have a minimum depth of 20 feet.

(E) Maximum building height - 70 feet.

(F) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located. (0) Open storage areas.

(1) All yards, exclusive of those required to be landscaped as provided in division (H) of this section, may be used for materials and equipment storage areas related to a use permitted in the M-1 District, provided such area is screened so it cannot be seen from public roads or from dwellings on property in adjacent districts.

(2) The surface of open storage areas, including automobile and truck parking areas, shall be paved or graveled and maintained at all times in a dust free condition.

(H) Landscaping. The area within 20 feet of a street shall be landscaped. As a condition of approval for a special exception, landscaping may be required if necessary to make the use compatible with the rural character of the area.

(I) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this chapter.

(J) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(K) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this chapter. Trees, shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this chapter must be permanently maintained as open space in accordance with the requirements of this chapter.

(L) Reduction of yards or lot area. Except as otherwise provided in this chapter, no lot existing at the time of passage of this chapter may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this chapter for the district in which it is located, unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(M) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(N) Landlocked lots. Landlocked lots are not eligible for placement within a M-1 Zoning District.

(O) Street frontage. No principal building may be erected on any lot which has less than 40 feet of immediate frontage on at least one public or private street.

(P) Flag (Panhandle) lots, whether part of a minor subdivision or a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. These spacing restrictions shall also apply to proposed flag lots to be located in the proximity of existing flag lots. Georgia Department of Transportation requirements may require two flag lot access strips to abut one another when the access is upon a State highway thoroughfare and may be approved on a case by case basis through a variance application with

the ~~Board of Appeals~~Planning and Zoning Board. Flag lot access strips shall be at least 40 feet wide at all points, including, but not limited to, road frontage.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(R) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this chapter.

(S) Substandard lots. Any lot existing at the time of the adoption of this chapter, which has an area or a width which is less than required by this chapter, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of this district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but existed at the effective date of this chapter, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this chapter are met.

(T) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other physical site improvements are contained in the Pike County Subdivision Regulations. Consult that document for specific requirements.

(V) Signs. Minimum design and location standards are contained in the Pike County sign regulations. Consult that document for specific requirements.

(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Pike County Director of Planning, Department of Community Development.

M-2A Manufacturing - Light

§ 156.245 PURPOSE

M-2A Zoning Districts are intended to provide for light manufacturing uses, all of which are intended to be a minimal nuisance to adjacent properties, to have a minimal impact on the environment and to place a minimal burden on existing infrastructure. The M-2A zone encourages orderly and compatible development of manufacturing uses at the intersection(s) of arterial and major collector or major collector and minor collector roads to avoid strip development. These lands are suited for industrial use due to marginal agricultural soils, the availability of urban services, proximity to transmission line corridors or proximity to markets or resources. The M-2A zone may be appropriate in areas designated in the Pike County multi-Jurisdictional Comprehensive Plan as industrial or in locations which met the intent of the zone.

§ 156.246 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A M-2A DISTRICT

Upon the request to have an area rezoned to a M-2A District, the Director of Planning and Development will request through the proper means the Environmental Review Committee to convene for a public hearing within 20 days of the request and review the proposed project. The factors contained in § 156.028 and the recommendation of the Environmental Review committee must be thoroughly considered by the ~~Planning Commission~~Planning and Zoning Board as well as the Board of Commissioners when determining in which district an area of land is to be zoned. This will assure that rational comprehensive planning principles are the basis upon which the decision is made and that the Zoning Amendment is done in accordance with the Pike County Multi- Jurisdictional Comprehensive Plan.

§ 156.247 BOUNDARIES OF M-2A DISTRICTS

The Official Map shows the boundaries of all M-2A Districts within Pike County.

§ 156.248 PERMITTED USES

(A) The following principal uses are permitted in M-2A Districts:
- (1) Any use permitted under §156.233;
- (2) Bakery or other establishment manufacturing prepared foods and miscellaneous food products;
- (3) Cold storage, ice plant or freezer locker;
- (4) Dairy plant, ice cream manufacturing;
- (5) Distribution of products and merchandise;
- (6) Computer assembly and computer-related industry;
- (7) Fabricating shop:
  - (a) Woodworking;
  - (b) Upholstery;
  - (c) Sheet metal shop;
  - (d) Metal stamping;
  - (e) Screw machine, bolts, nuts, screws, rivets and washers;
- (8) Office and administrative facility;
- (9) Contracting and service facilities:
  - (a) Building contractors (general), highway and street contractors, heavy construction contractors;
  - (b) Special trade contractors, such as:
    - (1) Concrete work;
    - (2) Electrical;
    - (3) Excavating;
    - (4) Foundation work;
    - (5) Septic tank and sewage disposal;
    - (6) Wrecking and demolition;
  - (c) Roofing;
- (10) Wholesaling or warehousing;
- (11) The following agriculturally related facilities;
  - (a) Interpretive center;
  - (b) Commercial office;

(c) Meeting/training facilities. As used herein, agriculturally related facilities are those that primarily, but not exclusively provide services or goods to farmers and farming related organizations or are related to the production or preparation of food;

(12) Local, state or federal government building;

(13) Public power generation;

(14) Other use facilities:

(a) Auction house or market;

(b) Motor freight depot;

(c) Veterinary office or hospital;

(15) Utility substation meeting the following development standards: a buffer must be provided along the entire substation perimeter;

(16) Co-location of a telecommunications antenna on an existing structure.

(B) The following principal uses are permitted as special exceptions in M-2A Districts:

(1) Fertilizers and insecticides manufacturing facilities;

(2) Food, grain, feed and derivative products processing facilities;

(3) Meat products processing and manufacturing facilities (slaughtering, canning, curing, smoking preserving);

(4) Petroleum products and gasoline storage only, provided all storage is underground;

(5) Transportation equipment manufacturing and repair facilities;

(6) Wood and lumber products (except furniture) processing, manufacturing and storage facilities;

(7) Pits and quarries facilities;

(a) Earth, topsoil, clay;

(b) Sand and gravel pits, quarries, including extraction from rivers and streams;

(c) Rock crushing and preparing sand and gravel for construction uses or other special uses.

(8) Wireless communication facilities attached subject to the following development standards:

(a) Not withstanding other height limitations in this chapter, omnidirectional (whip) antennae not exceeding 20 feet in height and directional/parabolic antennae not exceeding eight feet in diameter or width and 15 feet in height may be attached to or located on existing structures;

(b) Antennae and associated equipment shall be surfaced in a non-reflective color to match the structure on which it is located. An equipment enclosure may be set back from the edge of a roof by a distance at least equal to its height in lieu of screening;

(c) Equipment enclosures shall be located within the building on which it is located wherever possible; otherwise, equipment enclosures shall be fenced by a six-foot high fence;

(d) Antennae shall not be illuminated except as required by state or federal law;

(9) Wireless communication facilities consistent with the Pike County Wireless Communications Ordinance as adopted in June 2002 and subsequently amended.

(10) Telecommunications structures meeting the requirements of Chapter 113 of the Pike County Code.

(C) Accessory uses appurtenant to primary uses may be applied for as special exceptions.

(D) Any use not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special exception and follow the procedures for a special exception.

§ 156.249 DEVELOPMENT STANDARDS FOR M-2A DISTRICTS

The following standards are required within M-2A Districts.

(A) Minimum lot area - As specified by the Pike County Environmental Health Department.

(B) Minimum lot width - As specified by the Director of the Planning and Development to meet the needs of the use.

(C) Minimum front yard. There shall be no front yard required in a M-2A zone.

(D) Minimum side yard. No side yard shall be required in a M-2A zone, but if one is provided, Bit shall be at least three feet wide; provided, however, where the lot in a M-2A zone abuts upon or is adjacent to the side of a lot in any residential zone, then there shall be a side yard the same as required in such abutting residential zone, and said yards shall be contained by a wall or fence not less than six feet in height or compact evergreen hedge not less than three feet and capable of obtaining a height of six feet.

(E) Minimum rear yard. No rear yard is required except as herein provided, but if one is provided it shall be not less than three feet in depth exclusive of any alley. A rear yard shall be provided in a M-2A zone when:

(1) The lot abuts or is adjacent to a premises used or is zoned for residential purposes. The yard shall be not less than three feet in depth;

(2) The buildings or structures or portions thereof on a lot are used for residential purpose, in which circumstances side and rear yard restrictions in residential zones shall apply. In the case of subdivision (1) of this section, the rear yard shall be contained by a wall or fence or ornamental compact evergreen hedge not less than three feet high and capable of attaining a height of six feet;

(F) Maximum building height. In a M-2A zone, there shall be no height limit except as provided in the Building Code adopted by the Pike County Board of Commissioners and provided buildings or structures shall set back from every street and lot line one foot for each foot of height of the building in excess of 35 feet in addition to all other yard and setback requirements herein specified. Buildings and structures in conjunction with special exceptions shall observe the height limits and regulations outlined above unless the additional setback is modified as part of the special exception permit.

(G) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(H) Landscaping. All yards shall be landscaped exclusive of through direct driveways adjacent to every street, on every lot upon which a new nonresidential structure is erected or a graveled or unimproved lot is paved or a lot is newly developed for the outdoor sale or display of merchandise, goods or services.

(I) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this chapter.

(J) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(K) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this chapter. Trees, shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this chapter must be permanently maintained as open space in accordance with the requirements of this chapter.

(L) Reduction of yards or lot area. Except as otherwise provided in this chapter, no lot existing at the time of passage of this chapter may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this chapter for the district in which it is located, unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(M) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(N) Landlocked lots. Landlocked lots are not eligible for placement within a M-2A Zoning District.

(O) Street frontage. No principal building may be erected on any lot which has less than 40 feet of immediate frontage on at least one public or private street.

(P) Flag (Panhandle) lots, whether part of a minor subdivision or a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. These spacing restrictions shall also apply to proposed flag lots to be located in the proximity of existing flag lots. Georgia Department of Transportation requirements may require two flag lot access strips to abut one another when the access is upon a State highway thoroughfare and may be approved on a case by case basis through a variance application with the ~~Board of Appeals~~Planning and Zoning Board. Flag lot access 'strips shall be at least 40 feet wide at all points, including, but not limited to, road frontage.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(R) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this chapter.

(S) Substandard lots. Any lot existing at the time of the adoption of this chapter, which has an area or a width which is less than required by this chapter, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of this district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but existed at the effective date of this chapter, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this chapter are met.

(T) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other physical site improvements are contained in the Pike County Subdivision Regulations. Consult that document for specific requirements.
(V) Signs. Minimum design and location standards are contained in the Pike County Sign Ordinance. Consult that document for specific requirements.
(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Pike County Director of Planning, Department of Community Development.

M-2B Manufacturing - Heavy

§ 156.260 PURPOSE

M-2B Zoning Districts are intended to provide for the broadest range of manufacturing uses. The M-2B zones are for the location of those industries which have not reached a technical stage which renders them free of all nuisance factors. These lands are suited for industrial use due to marginal agricultural soils, the availability of urban services, proximity to transmission line corridors or proximity to markets or resources. The M-2B zone may be appropriate at the intersections of arterial and major collector road thoroughfares.

§ 156.261 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A M-2B DISTRICT

Upon the request to have an area rezoned to a M-2B District, the Director of Planning and Development will request through the proper means the Environmental Review Committee to convene for a public hearing within 20 days of the request and review the proposed project. The factors contained in § 156.028 and the recommendation of the Environmental Review Committee must be thoroughly considered by the ~~Planning Commission~~Planning and Zoning Board as well as the Board of Commissioners when determining in which district an area of land is to be rezoned. This will assure that rational comprehensive planning principles are the basis upon which the decision is made and that the zoning amendment is done in accordance with the Pike County Multi- Jurisdictional Comprehensive Plan.

§ 156.262 BOUNDARIES OF M-2B DISTRICTS

The Official Map shows the boundaries of all M-2B Districts within Pike County.

§ 156.263 PERMITTED USES

(A) The following principal uses are permitted in M-2B Districts:
- (1) Any use permitted under §156.248;
- (2) Bottling plants;
- (3) Cabinet shops;
- (4) Printing, publishing and reproducing establishment;
- (5) Electronic manufacturing and assembly;
- (6) Machinery and machinery equipment manufacturing facilities;
- (7) Motor vehicles and motor vehicles equipment facilities;
- (8) Cement, clay, glass and stone products manufacturing facilities;
  - (a) Abrasives, asbestos and other nonmetallic mineral;

(b) Concrete, gypsum and plaster, excluding sand and gravel processing;
(c) Cut stone;
(d) Flat glass;
(e) Glass and glassware, pressed or blown;
(f) Glass products made of purchased glass;
(g) Pottery and related products;
(h) Structural clay;

(9) Metals, primary, manufacturing facilities;
(a) Iron and steel;
(b) Non-ferrous metals;
(c) Primary smelting and refining of non-ferrous metals and alloys;
(d) Secondary smelting and defining of non-ferrous metals and alloys;
(e) Rolling, drawing and extruding of non-ferrous metals;

(10) Textile manufacturing plant;

(11) Truck terminal;

(12) Recycling center;

(13) Utility substation meeting the following development standards: a buffer must be provided along the entire substation perimeter;

(14) Co-location of a telecommunications antenna on an existing structure.

(B) The following principal uses are permitted as special exceptions in M-2B Districts:

(1) Any use permitted as a special exception under §156.245 et seq.;

(2) Airport

(3) Metal working shops;

(4) Paper and allied products fabricating facilities;

(5) Petroleum products, by-products manufacturing facilities:
(a) Paving and roofing materials
(b) Propane gas;
(c) Asphalt;
(d) Asphalt paving mix;
(e) Creosote and creosote products;
(f) Oil reconditioning;
(g) Turpentine.

(6) Manufacture and storage of acidic products;

(7) Salvage and junk yard;

(8) Sanitary landfill incineration which complies with regulations of the Georgia Environmental Protection Division.

(9) Wireless communication facilities attached subject to the following development standards:
(a) Not withstanding other height limitations in this chapter, omni-directional (whip) antennae not exceeding 20 feet in height and directional/parabolic antennae not exceeding eight feet in diameter or width and 15 feet in height may be attached to or located on existing structures;
(b) Antennae and associated equipment shall be surfaced in a nonreflective color to match the structure on which it is located. An equipment enclosure may be set back from the edge of a roof by a distance at least equal to its height in lieu of screening;

(c) Equipment enclosures shall be located within the building on which it is located wherever possible; otherwise, equipment enclosures shall be fenced by a six-foot high fence;

(d) Antennae shall not be illuminated except as required by state or federal law;

(10) Wireless communication facilities consistent with the Pike County Wireless Communications Ordinance as adopted in June 2002 and subsequently amended.

(11) Telecommunications structures meeting the requirements of Chapter 113 of the Pike County Code.

(C) Accessory uses appurtenant to primary uses may be applied for as special exceptions.

(D) Any use not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special exception and follow the procedures for a special exception.

§ 156.264 DEVELOPMENT STANDARDS FOR M-2B DISTRICTS

The following standards are required within M-2B Districts.

(A) Minimum lot area. As specified by the Pike County Environmental Health Department.

(B) Minimum lot width. As specified by the Director of Planning and Development to meet the needs of the use.

(C) Minimum front yard. There shall be no front yard required in a M-2B zone.

(D) Minimum side yard. No side yard shall be required in a M-2B zone, but if one is provided, it shall be at least three feet wide; provided, however, where the lot in a M-2B zone abuts upon or is adjacent to the side of a lot in any residential zone, then there shall be a side yard the same as required in such abutting residential zone, and said yards shall be contained by a wall or fence not less than six feet in height or compact evergreen hedge not less than three feet capable of obtaining a height of six feet.

(E) Minimum rear yard. No rear yard is required except as herein provided, but if one is provided it shall be not less than three feet in depth exclusive of any alley. A rear yard shall be provided in a M-2B zone when:

(1) The lot abuts or is adjacent to a premises used or is zoned for residential purposes. The yard shall be not less than three feet in depth;

(2) The buildings or structures of portions thereof on a lot are used for residential purposes, in which circumstances side and rear yard restrictions in residential zones shall apply. In the case of subdivision (1) of this section, the rear yard shall be contained by a wall or fence or ornamental compact evergreen hedge not less than three feet high and capable of attaining a height of six feet;

(3) A landscaped yard three feet in depth shall be provided in rear yards adjacent to a street.

(F) Maximum building height. In a M-2B zone, there shall be no height limit except as provided in the Building Code adopted by the Pike County Board of Commissioners and provided buildings or structures shall set back from every street and lot line one foot for each foot of height of the building in excess of 35 feet in addition to all other yard and setback requirements herein specified. Buildings and structures in conjunction with special exceptions shall observe the height limits and regulations outlined above unless the additional setback is modified as part of the special exception permit.

(G) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be

erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(H) Landscaping. All yards shall be landscaped exclusive of through direct driveways adjacent to every street, on every lot upon which a new nonresidential structure is erected or a graveled or unimproved lot is paved or a lot is newly developed for the outdoor sale or display of merchandise, goods or services.

(I) Heat, glare and light. All operations and facilities producing heat, glare or light, including Cexterior lighting, shall be so directed or shielded by walls, fences and evergreen plantings, that such heat, glare or light is not reflected or directed onto adjacent properties or streets.

(J) Sewage. Adequate provisions shall be provided for the disposal of sewage and waste materials and such provisions shall meet the requirements of the Pike County Environmental Health Department.

(K) Vibration. No vibration other than that caused by highway vehicles and trains shall be permitted which is discernible at or beyond the property line for the use concerned.

(L) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this chapter.

(M) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(N) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standard contained in this chapter. Trees, shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this chapter must be permanently maintained as open space in accordance with the requirements of this chapter.

(O) Reduction of yards or lot area. Except as otherwise provided in this chapter, no lot existing at the time of passage of this chapter may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this chapter for the district in which it is located, unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(P) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(Q) Landlocked lots. Landlocked lots are not eligible for placement within a M-2B Zoning District.

(R) Street frontage. No principal building may be erected on any lot which has less than 40 feet of immediate frontage on at least one public or private street.

(S) Flag (Panhandle) lots, whether part of a minor subdivision or a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. These spacing restrictions shall also apply to proposed flag lots to be located in the proximity of existing flag lots. Georgia Department of Transportation requirements may require two flag lot access strips to abut one another when the access is upon a State highway thoroughfare and may be approved on a case by case basis through a variance application with the ~~Board of Appeals~~Planning and Zoning Board. Flag lot access strips shall be at least 40 feet wide at all points, including, but not limited to, road frontage.

(T) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(U) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this chapter.

(V) Substandard lots. Any lot existing at the time of the adoption of this chapter, which has an area or a width which is less than required by this chapter, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of this district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but existed at the effective date of this chapter, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this chapter are met.

(W) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(X) Physical design standards. Minimum design standards for driveways, loading areas and other physical site improvements are contained in the Pike County Subdivision Regulations. Consult that document for specific requirements.

(Y) Signs. Minimum design and location standards are contained in the Pike County sign regulations. Consult that document for specific requirements.

(Z) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Pike County Director of Planning, Department of Community Development.

M-2C Manufacturing - Industrial Park

§ 156.275 PURPOSE

M-2C Zoning Districts are intended to provide land for development by most types of manufacturing firms in a planned, centralized location of at least 50 acres. Manufacturing and ancillary operations are permitted only in a clean and quiet manner and only if in compliance with the district's manufacturing performance standards. The M-2A District shall be a "floating district" so the most suitable location(s) can be determined at the time of the rezoning request.

§ 156.276 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A M-2C DISTRICT

(A) Upon the request to have an area rezoned to a M-2C District, the Director of Planning and Development will request through the proper means the Environmental Review Committee to convene for a public hearing within 20 days of the request and review the proposed project. The factors contained in §§ 156.028 and 156.262 and the recommendations of the Environmental Review Committee must be thoroughly considered by the ~~Planning Commission~~Planning and Zoning Board, as well as the Board of Commissioners, when

determining in which district an

area of land is to be zoned. This will assure that rational comprehensive planning principles are the basis upon which the decision is made and that the zoning amendment is done in accordance with the Pike County Multi-Jurisdictional Comprehensive Plan.

(B) An applicant to rezone to the M-2C District shall adhere to the following administrative procedures.

(1) Showing of probable compliance.

(a) Uses, buildings or structures required to comply with this provision, prior to establishment or alteration, shall make a showing of probable compliance with these performance standards. The showing shall be in the form of a letter submitted with the zoning application (or building application if proper industrial zoning already exists) prepared by a professional engineer licensed by the State of Georgia, certifying that said use, building or structure complies with all industrial performance standard requirements. The letter shall be based on the engineer's personal scrutiny of the site and proposed use or alteration and shall have analytical foundation in accepted engineering principles. In addition, the Director of Planning and Development may require the applicant to submit:

(i) A plot plan showing the location of all present and proposed structures, drives, parking lots, waste disposal areas, bulk storage areas, streets, streams or other significant features on or within 200 feet of the proposed site;

(ii) A description of the activity to be conducted regarding waste products, external effects or other conditions which are regulated herein; provided however, that the applicant shall not be required to reveal any trade secrets or sufficient detail with regard to a process which would cause any secret process or manufacturing procedure for a closely guarded proprietary compound or product to become public knowledge and be available to competitors;

(iii) The type and location of abatement devices to control or recording instruments to measure conformance with required standards, not including devices and instruments which are inherent in the manufacturing process;

(iv) Such other data and certification as may reasonably be required by the ~~Planning Commission~~Planning and Zoning Board and the Board of Commissioners to reach a determination.

(b) All information and evidence submitted in applications to indicate conformity to performance standards shall constitute a certification and an agreement on the part of the applicant that the proposed use can and will conform to such standards at all times.

(2) Need for independent engineering analysis. If the Director of Planning, Department of Community Development, the ~~Planning Commission~~Planning and Zoning Board or the Board of Commissioners determines that there is reason to doubt compliance with any applicable performance standard provision, a state licensed professional engineer of the County's choosing, but acceptable to the petitioner, may be asked to analyze the prospects of compliance. Costs of such analysis shall be borne by the petitioner.

(3) Use of independent engineering analysis. Upon submission of an independent engineering analysis authorized by the County, the Board of Commissioners shall authorize establishment of the use, building or structure if said independent analysis confirms probable compliance with this provision and of all other applicable provisions

of this and other County laws and ordinance are satisfied. If, however, the independent engineering analysis indicates that the proposed use, building or structure is not likely to comply with this provision, then said application shall be denied until such time that the proposal is able to fully comply.

(4) Appeal of administrative determination. The procedures for appearing an action of the Board of Commissioners shall be executed in compliance with § 156.028.

§ 156.277 BOUNDARIES OF M-2C DISTRICTS

To allow flexibility in placement of the district and to allow for a comprehensive assessment of the suitability of sites for a M-2C District, the M-2C District shall be a floating district.

§ 156.278 PERMITTED USES

(A) Businesses complying with the following performance standards are allowed as principal uses. Performance standards are intended to permit industrial land uses to be measured factually and objectively, ensure that all industries provide methods which protect the community from hazards that are preventable by legitimate processes of control and nuisance elimination and protect industries from arbitrary exclusion or persecution based solely on subjective determinations of industrial performances made in the past.

(1) Noise.

(a) General. For the purpose of measuring the intensity and frequency of sound, the sound level meter, the octave band analyzer and the impact nurse analyzer shall be employed. The flat network and the fast meter response of the sound level meter shall be used. Sounds of short duration which cannot be measured accurately with the sound level meter shall be measured with the impact noise analyzer. An octave band analyzer calibrated in the preferred frequencies (American Standards Association S16-1960, Preferred Frequencies for Acoustical Measurements) shall be used with the following tables.

(b) Exceptions.

(i) The following uses and activities shall be exempt from the noise level regulations in the M-2C District:

a. Noises not directly under control of the property uses;

b. Noises emanating from construction and maintenance activities between 7:00 a.m. and 10:00 p.m. Such activities are those which are non-routine operations accessory to the primary activities and which are temporary in nature or conducted infrequently;

c. The noises of safety signals, warning devices and emergency pressure relief valves;

d. Transient noises of moving sources such as automobiles, trucks, airplanes and railroads.

(ii) At no point along the boundary of a residential district or along an adjacent lot shall the sound pressure level of any operation or plant exceed the decibel limits in the octave bands designated.

Maximum Permitted Sound Level

Octave Bank Frequency (Cycles Per Second)	Decibels
C0 through 74	67

75 through 149	59
150 through 299	52
300 through 599	46
600 through 1,199	40
1,200 through 2,399	34
2,400 through 4,799	32
4,800 and over	32

(2) Vibration.

(a) Any industrial operation or activity which shall cause at any time and at any point along the nearest adjacent lot line, earth borne vibrations in excess of the limits set forth in Column I of the following tables is prohibited.

(b) In addition, any industrial operation or activity which shall cause at any time and at any point along a residence district boundary line, earth borne vibrations in excess of the limits set forth in Column II of the following tables is prohibited.

(c) The following uses and activities shall be exempt from the vibration level regulations:

(i) Vibrations not directly under the control of the property user;

(ii) Vibrations emanating from construction and maintenance activities between 7:00 a.m. and 9:00 p.m. Such activities are those which are non-routine operations accessory to the primary activities and which are temporary in nature or conducted infrequently;

(iii) Transient vibrations of moving sources such as automobiles, trucks, airplanes and railroads.

(d) Vibrations shall be expressed as displacement in inches and shall be measured with a three-component measuring system approved by the Director of Planning and Development.

Maximum Permitted Steady-State Vibration Displacement Level

Frequency (Cycles Per Second)	I. Displacement (Inches)	II. Displacement (Inches)
0 through 9	.0008	.0004
10 through 19	.0005	.0002
20 through 29	.0003	.0001
30 through 39	.0002	.0001
40 and over	.0001	.0001

(e) Steady-state vibrations, for the purposes of this chapter, are vibrations which are continuous or vibrations in discrete impulses more frequent than 100 per minute shall be considered impact vibrations and shall not cause in excess of twice the displacement stipulated.

Maximum Permitted Impact Vibration Displacement Level

Frequency (Cycles Per Second)	I. Displacement (Inches)	II. Displacement (Inches)
0 through 9	.00016	.0006

10 through 19	.00010	.0003
20 through 29	.0006	.0002
30 through 39	.0004	.0001
40 and over	.0002	.0001

(f) Impact vibration, for the purposes of this chapter, are vibrations which occur in discrete impulses separated by an interval of at least one minutes and numbering not more than eight in any 24-hour period.

(3) Smoke and particulate matter. The emission, from all sources within any lot, or particulate matter containing more than 5% by weight of particles having a particle diameter larger than 44 microns is prohibited. Dust and other types of air pollution borne by the wind from such sources as storage areas, yards and roads within the boundaries of any lot shall be kept to a minimum by appropriate landscaping, paving, oiling or other acceptable mans. Emission of particulate matter from such sources in excess of the weight limitations specified herein is prohibited. The emission of smoke or particulate matter of a density or equivalent opacity equal to or greater than No. 2 on the Ringelmann Chart is prohibited at all times, except as otherwise provided herein. (The Ringelmann Chart is the chart published by the United States Bureau of Mines).

(a) Smoke emission. In the M-2C zone, the emission of more than 12 smoke units per stack in any one-hour period is prohibited. However, once during any six-hour period each stack shall be permitted up to 12 additional units in a 15-minute period for soot blowing and fire cleaning. Only during such 15-minute periods shall smoke of a density or equivalent opacity equal to, but not exceeding, Ringelmann No. 3 be permitted, and then only for fire cleaning and for not more than four minutes per period.

(b) Particulate matter. The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed the rate established in the table below.

Maximum Permitted Particulate Matter Emission Rate

Height of Emission (Feet)	Pounds per Hour per Acre
0 through 49	1.00
50 through 99	1.01
100 through 149	1.06
150 through 199	1.10
200 through 299	1.16
300 through 399	1.30
400 and over	1.50

(c) Method of measurement.

(i) Smoke. For the purpose of grading the density or equivalent opacity of emission of smoke, the Ringelmann Chart shall be employed. For the purpose of determining smoke units, the Ringelmann reading shall be made at least every minute during the period of observation. Each reading (Ringelmann number) shall be multiplied by the time in minutes for which it is observed and the products added together to determine the total number of smoke units observed during the total period of observation.

(ii) Particulate matter. The total net rate of emission of particulate matter within the boundaries of any lot shall be determined as follows: determine the maximum emission in pounds per hour from each source of emission and divide this figure by the number of acres of lot area, thereby obtaining the hourly rate of emission in pounds per acre. Add together the individual rate of emission as derived above to obtain the total rate of emission from all sources of emission within the boundaries of the lot. It is this total that shall not exceed the rate established in the preceding table.

(4) Odors. No continuous, frequent or repetitive emission of odors or odor-causing substances which would be offensive beyond any property line of any manufacturing use will be permitted. An odor emitted no more than 15 minutes in any one day shall not be deemed as continuous, frequent or repetitive within the meaning of these regulations. The existence of an odor shall be presumed when analysis by a competent technician demonstrates that a discernible odor is being emitted. Any process which may involve the creation or emission of any odors shall be provided with a primary and a secondary safeguard system so that control will be maintained if the primary safeguard system fails. All applicants, firms and the like requesting property to be rezoned to M-2C shall comply with the rules and regulations of the State of Georgia Department of Natural Resources.

(5) Radiation hazards. The handling of radioactive materials, the discharge of such materials into air and water and the disposal of radioactive wastes shall be in conformance with all applicable State of Georgia and federal regulations.

(6) Fire and explosive hazard.

(a) All applicable provisions of the Official Code of Georgia shall be complied with, and no explosives shall be stored, used or manufactured without first submitting to the Director of Planning, Department of Community Development a letter of compliance from the State of Georgia Office of Insurance and Safety Fire Commissioner and the Pike County Fire Department Chief.

(b) No gasoline or other inflammables or explosives shall be stored unless the location, plans and construction conform to the laws and regulations of the State of Georgia and have the approval of both the State of Georgia Office of Insurance and Safety Fire Commissioner and the Pike County Fire Department Chief.

(7) Glare and heat. Every use and activity shall be so operated that it does not emit heat or heated air beyond the boundary of the lot on which it located. No direct or sky-reflected glare shall emanate from any use or activity so as to be visible at any point on or beyond the boundary of the lot on which such use or activity is located. This restriction shall not apply to signs otherwise permitted by the provision of the Zoning

Code or other applicable ordinance, nor to activities of a temporary or of an emergency nature, nor to night lighting necessary for safety and the protection of property.

(8) Electromagnetic interference. There shall be no electromagnetic interference that adversely affects the operation of any equipment other than that belonging to the creator of such interference or that does not conform to the regulations of the Federal Communications Commission.

(9) Water quality.

(a) Absolute. All internal drainage systems shall be so designed as not to increase turbidity, sediment yield or the discharge of any other harmful substances that will degrade the quality of water. Any problems shall be mitigated by the applicant.

(b) Relative.

(i) The surface and ground waters of the region shall remain in their natural physical, chemical and biological condition for the benefit of present and future generations of residents of Pike County.

(ii) The surface and ground waters of the region shall be used according to established legal water rights with the understanding that all users shall render the quality of water at least equal to the quality in which it was received.

(iii) The surface and ground waters of the region shall not be encroached upon by land uses or other human activities that could cause deterioration of natural water quality.

(iv) The surface and ground waters of the county shall be protected by investments in roads, water supplies, sewage treatment systems and other facilities and services that would encourage land use and development activities to locations where water quality impacts will be minimized. Conversely, such investment shall be made to discourage land use and development activities in locations where severe water quality impacts may be caused.

(v) The surface and ground waters of the county shall be protected by maintaining permanent vegetative cover and by controlling disturbances to vegetation.

(vi) The surface and ground waters of the county shall be protected from all land use and development activities involving soil disturbance and earth movement.

(vii) The surface and ground waters of the County shall be protected from land use activities creating impervious surface cover conditions that would cause a long-term reduction of the quality of natural groundwater recharge from precipitation.

(viii) The surface and ground waters of the County shall be protected from land use activities that would alter the drainage patterns, velocities, volumes and physical, chemical and biological characteristics of storm water runoff as it occurs naturally in the county.

(ix) The surface and ground waters of the County shall not be used for dilution and disposal of wastes unless it cannot be demonstrated that such wastes will not cause a deterioration in natural water quality condition.

(x) The surface and ground waters of the County shall be protected from uses of pesticides, fertilizers, algaecides, road salts and other chemicals that would temporarily or permanently alter water conditions.

(B) Accessory uses appurtenant to primary uses are permitted as special exceptions and must comply with the performance standards of this subchapter. This includes wireless communications facilities.
(C) All uses not able to comply with the performance standards for the M-2C Districts as set forth in this section are specifically prohibited.

§ 156.279 DEVELOPMENT STANDARDS FOR M-2C DISTRICTS

The following standards are required within M-2C Districts.

(A) Minimum lot area. As specified by the Pike County Environmental Health Department.
(B) Minimum lot width. As specified by the Director of the Planning and Development Department to meet the needs of the use.
(C) Minimum front yard. There shall be no front yard required in a M-2C zone.
(D) Minimum side yard. No side yard shall be required in a M-2C zone, but if one is provided, it shall be at least three feet wide; provided, however, where the lot in a M-2C zone abuts upon or is adjacent to the side of a lot in any residential zone, then there shall be a side yard the same as required in such abutting residential zone, and said yards shall be contained by a wall or fence not less than six feet in height or compact evergreen hedge not less than three feet and capable of obtaining a height of six feet.
(E) Minimum rear yard. No rear yard is required except as herein provided, but if one is provided it shall be not less than three feet in depth exclusive of any alley. A rear yard shall be provided in a M-2C zone when:
    (1) The lot abuts or is adjacent to a premises used or is zoned for residential purposes. The yard shall be not less than three feet in depth;
    (2) The buildings or structures of portions thereof on a lot are used for residential purposes, in which circumstances side and rear yard restrictions in residential zones shall apply. In the case of subdivision (1) of this section, the rear yard shall be contained by a wall or fence or ornamental compact evergreen hedge not less than three feet high and capable of attaining a height of six feet;
    (3) A landscaped yard three feet in depth shall be provided in rear yards adjacent to a street,
(F) Maximum building height. In a M-2C zone, there shall be no height limit except as provided in the Building Code adopted by the Pike County Board of Commissioners and provided buildings or structures shall set back from every street and lot line one foot for each foot of height of the building in excess of 35 feet in addition to all other yard and setback requirements herein specified. Buildings and structures in conjunction with special exceptions shall observe the height limits and regulations outlined above unless the additional setback is modified as part of the special exception permit
(G) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.
(H) Landscaping. All yards shall be landscaped exclusive of through direct driveways adjacent to every street, on every lot upon which a new nonresidential structure is erected or a graveled or unimproved lot is paved or a lot is newly developed for the outdoor sale or display of merchandise, goods or services.
(I) Sewage. All uses requiring sanitary facilities shall be served by a private community sewer system or, when available, a county sewer system.

(J) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this chapter.

(K) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(L) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standard contained in this chapter. Trees, shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this chapter must be permanently maintained as open space in accordance with the requirements of this chapter.

(M) Reduction of yards or lot area. Except as otherwise provided in this chapter, no lot existing at the time of passage of this chapter may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this chapter for the district in which it is located, unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(N) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(O) Landlocked lots. Landlocked lots are not eligible for placement within a M-2C Zoning District.

(P) Street frontage. No principal building may be erected on any lot which has less than 40 feet of immediate frontage on at least one public or private street.

(Q) Flag (Panhandle) lots, whether part of a minor subdivision or a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. These spacing restrictions shall also apply to proposed flag lots to be located in the proximity of existing flag lots. Georgia Department of Transportation requirements may require two flag lot access strips to abut one another when the access is upon a State highway thoroughfare and may be approved on a case by case basis through a variance application with the ~~Board of Appeals~~Planning and Zoning Board. Flag lot access strips shall be at least 40 feet wide at all points, including, but not limited to, road frontage.

(R) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(S) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this chapter.

(T) Substandard lots. Any lot existing at the time of the adoption of this chapter, which has an area or a width which is less than required by this chapter, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of this district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but existed at the effective date of this chapter, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this chapter are met.

(U) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.
(V) Physical design standards. Minimum design standards for driveways, loading areas and other physical site improvements are contained in the Pike County Subdivision Regulations. Consult that document for specific requirements.
(W) Signs. Minimum design and location standards are contained in the Pike County Sign Ordinance. Consult that document for specific requirements.
(X) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Pike County Director of Planning, Department of Community Development.

S-1 SENSITIVE LAND - FLOOD HAZARD

§ 156.280 PURPOSE

(A) S-1 is an overlay district which applies additional standards to specific areas which may lie within any of the districts referred to in the chapter preceding this subchapter. In each zoning district located within the boundaries of the S-1 District, both the regulations of that district and the regulations of the S-1 District apply. If required development standards are specified for the same item in both District regulations, the more stringent regulation shall govern.
(B) Within the land area covered by this chapter, there exists land which is subject to periodic flooding and inundation. Within these areas, development standards are intended to reduce the proliferation of unsuitable development and minimize the destruction of life and property due to flood.

§ 156.281 FEATURES WHICH MAKE LAND SUITABLE FOR INCLUSION WITHIN THE S-1 DISTRICT

Areas subject to periodic flooding are included within the S-1 District. Such areas are indicated on the most current edition of the Federal Emergency Management Agency Flood Insurance Rate Maps for Pike County, on file at the office of Pike County Planning and Development.

§ 156.282 BOUNDARIES OF S-1 DISTRICTS

The Flood Insurance Rate Maps (FIRM) for Pike County are made a part of this chapter by reference and are used to determine the location and extent of flood prone areas and the boundaries of the S-1 District.

§ 156.283 DEVELOPMENT STANDARDS FOR S-1 DISTRICTS

(A) As already stated, S-1 is an overlay district which may lie within any zoning district. If required development standards are specified for the same item in both district provisions, the more stringent regulation shall govern.
(B) The development standards and other requirements for the S-1 District are contained in Title XV, Chapter 152, "Flood and Damage Prevention Ordinance." That Ordinance must be consulted for complete details of development standards associated with the S-1 Overlay District.

S-2 SENSITIVE LAND – WATERSHED PROTECTION DISTRICT

§ 156.290 PURPOSE

(A) In order to provide for the health, safety and welfare of the public and a healthy economic climate within Pike County and surrounding communities, it is essential that the quality of public drinking water be assured. The ability of natural systems to filter storm water runoff can be threatened by unrestricted development. Land disturbing activities associated with development can increase erosion and sedimentation that threatens the storage capacity of reservoirs. In addition, storm water runoff, particularly from impervious surfaces, can introduce toxins, nutrients and sediments into drinking water supplies, making water treatment more complicated and expensive and rendering water resources unusable for recreation. Industrial land uses that involve the manufacture, use, transport and storage of hazardous or toxic waste materials result in the potential risk of contamination of nearby public drinking water supplies.

(B) The purpose of this ordinance is to establish measures to protect the quality and quantity of the present and future water supply of Pike County; to minimize the transport of pollutants and sediment to the water supply; and to maintain the yield of the water supply watershed. The subchapter shall apply to all existing and proposed water supply watersheds within Pike County.

(C) Additionally, the S-2 Watershed Protection District is intended to maintain a high water quality of the surface water (rivers, creeks, streams and springs) and underground water to assure that a high quality of drinking water is maintained in the future. The district is intended to provide for certain development uses, while maintaining and protecting area water sources from polluting effects of more intense development and from encroachments of those uses that are not compatible with a protected watershed area.

§ 156.291 RELATIONSHIP TO OTHER ZONING DISTRICTS

The S-2 is an overlay district which applies additional definitions and standards for development to specific areas which lie within any of the zoning districts identified in any section of this Ordinance. To the extent the boundaries of the S-2 District overlay property located within other districts, the regulations of both districts shall apply. However, if required development standards are specified in both districts, the more stringent provision shall control.

§ 156.292 DEFINITIONS

For the purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(A) BUFFER. A natural or enhanced vegetated area with no or limited minor land disturbances, such as trails and picnic areas, located adjacent to reservoirs or perennial streams within a water supply watershed.

(B) CORRIDOR. All land located within the buffer areas established adjacent to reservoirs or perennial streams within a water supply watershed and within other setback areas specified in § 156.295 of this Ordinance.

(C) IMPERVIOUS SURFACE. A man-made structure or surface which prevents the infiltration of storm water into the ground below the structure or surface, including, but not limited to: buildings, roads, driveways, parking lots, swimming pools and patios.

(D) LARGE WATER SUPPLY WATERSHED. A watershed containing 100 square miles or more of land within the drainage basin upstream of a governmentally owned public drinking water supply intake.
(E) PERENNIAL STREAM. A stream which flows throughout the whole year as indicated by a blue line on a USGS quadrant map.
(F) RESERVOIR BOUNDARY. The edge of a water supply reservoir defined by its normal pool level.
(G) SMALL WATER SUPPLY WATERSHED. A watershed that contains less than 100 square miles of land within the drainage basin upstream of a governmentally owned public drinking water supply intake.
(H) UTILITY. Public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, storm water system and railroads or other utilities identified by a local government.
(I) WATER SUPPLY RESERVOIRS. A governmentally owned impoundment of water for the primary purpose of providing water to one or more governmentally owned public drinking water systems. This excludes any multipurpose reservoirs owned by the U.S. Army Corps of Engineers.
(J) WATER SUPPLY WATERSHED. The area of land upstream of a governmentally owned public drinking water intake.

§156.293 DESIGNATION AND CLASSIFICATION OF WATER SUPPLY WATERSHEDS

The following Water Supply Watershed Districts and reservoirs are hereby defined and designated by this subchapter on the "Watershed, Wetlands, and Groundwater Recharge Area Protection Map" (on file at the office of Pike County Planning and Development), as follows:
(A) City of Griffin/Flint River Intake Watershed.
A large water supply watershed which provides an intake for the City of Griffin on the Flint River in Pike County, Georgia. This watershed does not contain a reservoir.
(B) City of Griffin/Still Branch Reservoir Watershed.
A small water supply watershed which provides an intake for the Still Branch Reservoir.
(C) City of Zebulon/Elkins Creek Intake Water Supply Watershed.
A small water supply watershed which provides a supplementary intake for the City of Zebulon, Georgia. This watershed does not contain a reservoir.
(D) City of Thomaston/Potato Creek Intake Water Supply Watershed.
A small water supply watershed which provides an intake for the Thomaston Reservoir. Although the reservoir itself is located in the City of Thomaston, a portion of the Potato Creek Water Supply Watershed lies within southern Pike County.

§ 156.294 PERMITTED USES

Each Zoning District of this Ordinance specifies a list of permitted principal uses, special exception uses and accessory uses (including special exception accessory uses). The list of permitted uses, special exception uses and accessory uses for each primary Zoning District must be adhered to on land to which the S-2 District also applies.

§ 156.295 USES EXEMPT FROM S-2 CRITERIA

(A) Existing Uses.
Any land use within an area designated as a watershed area existing prior to the adoption of this Ordinance.

(B) Agriculture and Forestry.
Specific forestry and agricultural activities in the stream corridor buffer and setback areas in accordance with the following conditions:
(1) The activity shall be consistent with best management practices established by the Georgia Forestry Commission and/or the Georgia Department of Agriculture;
(2) The activity shall not impact the quality of the drinking water stream.

(C) Mining.
Mining activities are exempt, if permitted by the Georgia Department of Natural Resources pursuant to the Georgia Surface Mining Act of 1968, as amended.

(D) Utilities.
Utilities from the stream corridor buffer and setback area provisions in accordance with the following conditions (if the utilities to be located in the buffer or setback areas cannot be feasibly located outside these areas):
(1) The utilities shall be located as far from the stream bank as possible.
(2) The installation and maintenance of the utilities shall protect the integrity of the buffer and setback areas as best as reasonably possible.
(3) The utilities shall not impair the quality of a drinking water stream.

§ 156.296 DEVELOPMENT AND PROTECTION CRITERIA

(A) The following regulations shall apply to the City of Griffin/Flint River intake identified on the "Watershed, Wetlands and Groundwater Recharge Area Protection Map" as a large water supply watershed without a reservoir.
(1) The corridors of all perennial streams within a seven mile radius drawn within the actual watershed drainage boundary and upstream of the reservoir boundary must be protected by the following criteria:
(a) The buffer shall be maintained for a distance of 100 feet on both sides of the stream as measured from the stream banks;
(b) No impervious surface shall be constructed within the 150-foot setback area on both sides of the stream as measured from the stream banks; and
(c) Septic tanks and septic tank drain fields are prohibited within the 150-foot setback area on both sides of the stream as measured from the stream banks.
(2) Any new facility, located within the seven mile area stipulated in (A)(1) above of a water supply intake or water supply reservoir, which handles hazardous materials of the types listed in section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day, shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.
(3) A buffer shall be maintained for a distance of 150 feet from the reservoir boundary. The allowable buffer vegetation and disturbance is specified in the reservoir management plan.

(4) The City of Griffin/Flint River intake is owned by the City of Griffin, Georgia.

(B) The following regulations shall apply to the City of Griffin/Still Branch Reservoir Watershed identified on the "Watershed, Wetlands and Groundwater Recharge Area Protection Map" as a small water supply watershed with a reservoir.

(1) The corridors of all perennial streams within a seven mile radius drawn within the actual watershed drainage boundary and upstream of the reservoir boundary of the Still Branch Reservoir must be protected by the following criteria. (These criteria apply to all property parcels entirely or partially contained within the watershed drainage boundary.)

(a) The buffer shall be maintained for a distance of 100 feet on both sides of the steam as measured from the stream banks;

(b) No impervious surface shall be constructed within the 150-foot setback area on both sides of the steam as measured from the stream banks;

(c) Septic tanks and septic tank drain fields are prohibited within the 150-foot setback area on both sides of the stream as measured from the stream banks.

(2) The impervious surface area, including all public and private structures, utilities or facilities of the entire water supply watershed shall be limited to 25% or existing use, whichever is greater.

(3) Any new facility which handles hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.

(4) A buffer shall be maintained for a distance of 150 feet from the reservoir boundary. The allowable buffer vegetation and disturbance is specified in the rules and regulations governing lake shore management and public use of Still Branch Reservoir.

(5) The City of Griffin/Still Branch Reservoir is owned and maintained by the City of Griffin, Georgia.

(6) New sanitary landfills are allowed only if they have synthetic liners and leachate collection systems, and comply with all standards of Chapter 51 "Waste Management" of the Pike County Code.

(7) New hazardous waste treatment or disposal facilities are prohibited.

(C) The following regulations shall apply to the City of Zebulon/Elkins Creek Intake Water Supply Watershed identified on the "Watershed, Wetlands and Groundwater Recharge Area Protection Map" as a small water supply watershed without a reservoir:

(1) The corridors of all perennial streams within a seven mile radius drawn within the actual watershed drainage boundary and upstream of the intake point of the Elkins Creek Intake Water Supply Watershed must be protected by the following criteria: (These apply to all property parcels entirely or partially contained within the watershed drainage boundary.)

(a) The buffer shall be maintained for a distance of 100 feet on both sides of the steam as measure from the stream banks;

(b) No impervious surface shall be constructed within the 150-foot setback area on both sides of the stream as measured from the stream banks.

(2) The impervious surface area, including all public and private structures, utilities or

facilities of the entire water supply watershed shall be limited to 25% or existing use, whichever is greater.

(3) Any new facility which handles hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.

(4) New sanitary landfills are allowed only if they have synthetic liners and leachate collections systems, and comply with the standards of Chapter 51 "Waste Management" of the Pike County Code.

(5) New hazardous waste treatment or disposal facilities are prohibited.

(D) The following regulations shall apply to the City of Thomaston/Potato Creek Intake Water Supply Watershed identified on the "Watershed, Wetlands and Groundwater Recharge Area Protection Map" as a small water supply watershed with a reservoir.

(1) The corridors of all perennial streams within a seven mile radius drawn within the actual watershed drainage boundary and upstream of the reservoir boundary of the Thomaston Reservoir must be protected by the following criteria. (These criteria apply to all property parcels entirely or partially contained within the watershed drainage boundary.)

(a) The buffer shall be maintained for a distance of 100 feet on both sides of the steam as measured from the stream banks;

(b) No impervious surface shall be constructed within the 150-foot setback area on both sides of the steam as measured from the stream banks;

(c) Septic tanks and septic tank drain fields are prohibited within the 150-foot setback area on both sides of the stream as measured from the stream banks.

(2) The impervious surface area, including all public and private structures, utilities or facilities of the entire water supply watershed shall be limited to 25% or existing use, whichever is greater.

(3) Any new facility which handles hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.

(4) New sanitary landfills are allowed only if they have synthetic liners and leachate collection systems, and comply with all standards of Chapter 51 "Waste Management" of the Pike County Code.

(5) New hazardous waste treatment or disposal facilities are prohibited.

§ 156.297 ADMINISTRATION AND ENFORCEMENT

(A) Site Plans.

Application for a local development permit within the S-2 District shall include a site plan, drawn at a scale of 1 inch = 50 feet containing the following information:

(1) A map of all planned excavation and fill, including calculations of the volume of cut and filled involved, cross-sectional drawing showing existing and proposed grades.

Elevations, horizontal scale and vertical scale must be shown on the cross-sectional drawings:

(2) A map of any wetland boundaries occurring within the site must be provided. This boundary may be included on other maps provided by the applicant.

(3) Location, dimensions and area of all impervious surfaces, both existing and proposed, on the site and adjacent to the site for a distance of 200 feet;

(4) The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or water body;

(5) Elevations of the site and adjacent lands within 200 feet of the site at contour intervals of no greater than two feet; and no greater than one foot for slopes less than or equal to 2%;

(6) Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials; and

(7) All proposed temporary disruptions or diversions of local hydrology.

(B) Activities to Comply with Site Plan.

All development activities or site work conducted after approval of the site plan shall conform with the specifications of said site plan. Significant changes to the site plan that would alter the amount and velocity of storm water runoff from the site, increase the amount of impervious surface within the development, alter the overall density of development, result in a considerable increase in the amount of excavation, fill or removal of the overall appearance of the development as proposed, can be amended only with the approval of the Director of the Pike County Planning and Development Department or designated appointee. Minor changes, such as the realignment of streets or minor alterations to drainage structures and other infrastructure to meet unexpected conditions are exempted from this requirement.

(C) Exemptions from Site Plan Requirements.

The following activities and developments are exempt from the requirement for detailed site plans:

(1) Single family detached dwellings constructed within a subdivision of four or fewer parcels;

(2) Repairs to a facility that is part of a previously approved and permitted development; and

(3) Construction of minor structures, such as accessory buildings or additions to single family residences.

(D) Review Procedure.

The application shall be made to the Director of the Pike County Planning and Development Department or designated appointee and will be reviewed within 15 days. At the time of the application, the applicant shall pay a filing fee as specified by Pike County. Filing fees up to $500, or $100 per acre, whichever is larger, may be required to evaluate the application. This fee may be used to retain expert consultants who will provide services pertaining to functional assessment, mitigation, and wetland boundary determinations, as deemed necessary by the Building Official or designated appointee. The review period shall include the preparation of findings such as approval, approval with conditions or disapproval by the Director or designated appointee. The applicant will receive written notification of the findings of the Director or designated appointee. Decision of the Director or designated

appointee may be appealed to the Pike County ~~Board of Appeals~~Planning and Zoning Board at no additional cost to the applicant.

(E) Duration of permit validity.

(1) If construction described in the development permit has not commenced within 12 months from the date of issuance, the permit shall expire.

(2) If construction described in the development permit is suspended or abandoned after work has commenced, the permit shall expire 12 months after the date that work ceased.

(3) Written notice of pending expiration of the development permit shall be issued by the Director of the Pike County Planning and Development Department or designated appointee, provided however, that failure of the Director or designated appointee to provide notice to the applicant shall not extend the period of validity of the development permit.

(F) Penalties.

(1) When a building or other structure has been constructed in violation of this Ordinance, the violator may be required to remove the structure at the discretion of the Director of the Pike County Planning and Development Department or designated appointee.

(2) When removal of vegetative cover, excavation or fill has taken place in violation of this Ordinance, the violator may be required to restore the affected land to its original contours and to restore vegetation, as far as practicable, at the discretion of the Director or designated appointee.

(3) If the Director or designated appointee discovers a violation of this Ordinance that also constitutes a violation of any provision of the Clean Water Act, as amended, Pike County shall issue written notification of the violation to the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, and the landowner.

(G) Suspension and Revocation.

The Director of the Pike County Planning and Development Department or designated appointee may suspend or revoke a permit if the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the scope of the work set forth in the permit. The Director shall cause notice of denial, issuance, conditional issuance, revocation or suspension of a permit to be published in the official legal organ of Pike County.

(H) Relief Assessment.

The Pike County Board of Tax Assessors shall consider the requirements of this Ordinance in determining the fair market value of land.

§ 156.298 VARIANCES

(A) A variance from the terms and conditions in this Ordinance may be granted pursuant to the procedures and criteria for granting variances set forth in 156.026 of the Pike County Zoning Code, along with compliance with the terms of this Ordinance. A variance from the provisions of this Ordinance may be granted only in individual cases of practical difficulty or unnecessary hardship upon a finding by the ~~Board of Appeals~~Planning and Zoning Board that all of the following conditions exist:

(1) The existence of extraordinary and exceptional conditions pertaining to the particular piece of property due to size, shape or topography;

(2) Application of the provisions of this Ordinance would create an unnecessary hardship;

(3) Relief by means of variance, if granted, would not cause substantial detriment to the water quality within any watershed area identified herein or otherwise impair the purposes and intent of this Ordinance.
(4) The variance request is not based on circumstances that are self-created;
(5) The variance request would not, if granted, permit a use of land, buildings or structures not otherwise permitted within the applicable zoning district;
(6) The variance request would not, if granted, increase the impervious surface of development within the watershed area beyond that prescribed in this Ordinance; and
(7) The property for which the variance is requested existed as a separate trace on or before July 1, 2001.

(B) The ~~Board of Appeals~~Planning and Zoning Board shall have the authority to impose conditions on any variance granted herein to facilitate achievement of the purposes of this Ordinance.

§156.299 ADOPTION OF PIKE COUNTY "WATERSHED, WETLANDS AND GROUNDWATER RECHARGE AREA PROTECTION MAP"

The S-2 District consists of the area located within the water Supply Watersheds established in 156.293 as shown and designated on a certain map identification known as the "Watershed, Wetlands and Groundwater Recharge Area Protection Map" which map is hereby adopted into and made a part of this Ordinance as is fully set forth. Such map shall be signed by the Chairman of the Board of Commissioners of Pike County and bear the seal of the county or that of a notary public under the following words: "This certifies that this is the Official "Watershed, Wetlands and Groundwater Recharge Area Protection Map referred to in 156.293 through 156.332 of the Zoning Code of Pike County. The map shall be on file at the Pike County Planning and Development Office.

S-3 Sensitive Land – Groundwater Recharge Area Protection District

§ 156.310 PURPOSE

(A) The purpose of the S-3 District is to protect those lands identified as recharge areas for underground reservoirs known as aquifers. In order to promote the health, safety and welfare of the public and a healthy economic climate within Pike County and surrounding communities, it is essential that the quality of public drinking water be ensured. For this reason, it is necessary to protect the subsurface water resources of which Pike County and surrounding communities rely as sources of public water.

(B) Groundwater resources are contained within underground reservoirs known as aquifers. These aquifers are zones of rock beneath the earth's surface capable of containing or producing water from a well. They occupy vast regions of the subsurface and are replenished by infiltration of surface water runoff in zones of the surface known as groundwater recharge areas. Groundwater is susceptible to contamination when unrestricted development occurs within significant groundwater recharge areas. It is, therefore, necessary to manage land use within groundwater recharge areas in order to ensure that pollution threats are minimized.

§ 156.311 RELATIONSHIP TO OTHER ZONING DISTRICTS

The S-3 Groundwater Recharge Area Protection District is an overlay district which shall include all lands within the jurisdiction of Pike County, Georgia, that are mapped as significant recharge areas by the Georgia Department of Natural Resources in Hydrologic Atlas 18, 1989 Edition, which map is hereby adopted and made a part of this subchapter and is on file at the Pike County Planning and Development office. The S-3 Groundwater Recharge Area Protection District applies additional definitions and standards for development to specific areas which lie within any of the zoning districts identified in this subchapter and which are additionally mapped as significant recharge areas, as shown on Hydrologic Atlas 18, 1989 Edition, and on the Watershed, Wetlands and Groundwater Recharge Area Protection Map.

§ 156.312 DEFINITIONS

The following definitions shall apply unless the context clearly indicates or requires a different meaning.

(A) AQUIFER. Any stratum or zone or rock beneath the surface of the earth capable of containing or producing water from a well.

(B) DHR. Georgia Department of Human Resources.

(C) DHR TABLE MT-1. The provisions of the Department of Human Resources' Manual, current edition, for On-site Sewage Management Systems, appearing on Table MT-1, therein, as amended.

(D) DHR TABLE MT-2. The provisions of the Department of Human Resources' Manual, current edition, for On-site Sewage Management Systems, appearing on Table MT-2, therein, as amended.

(E) DRASTIC. The standardized system for evaluating groundwater pollution potential using the hydrogeologic settings described in U.S. Environmental Protection Agency document EPA-600-2-87-035. DRASTIC methodology is the most widely used technique for evaluating "pollution susceptibility."

(F) POLLUTION SUSCEPTIBILITY. The relative vulnerability of an "aquifer" to being polluted from spills, discharges, leaks, impoundments, applications of chemicals, injections and other human activities in the recharge area.

(G) POLLUTION SUSCEPTIBILITY MAPS. Maps of the relative vulnerability to pollution prepared by the Department of Natural Resources, using the "drastic" methodology. (Georgia Department of Natural Resources Hydrologic Atlas 20: Groundwater Pollution Susceptibility of Georgia).

(H) RECHARGE AREA. Any portion of the earth's surface, where water infiltrates into the ground to replenish an "aquifer."

(I) SIGNIFICANT RECHARGE AREAS. Those areas mapped by the Department of Natural Resources in Hydrologic Atlas 18 (1989 edition).

§ 156.313 COORDINATION WITH DEVELOPMENT CRITERIA CONTAINED IN OTHER ZONING DISTRICTS

(A) The provisions of this subchapter apply additional development standards to specific areas which may lie within any zoning district in Pike County. If required development standards are specified for the same item in different subchapters, the more stringent standard shall govern.

(B) Any development must comply with the Pike County Soil Erosion and Sedimentation Control Ordinance, Chapter 153, well as any other applicable development regulation.

§ 156.314 DEVELOPMENT AND PROTECTION CRITERIA IN S-3 DISTRICTS

The following development criteria apply in S-3 Districts:

(A) No construction may proceed on a building or manufactured home to be served by a septic tank unless the Pike County Environmental Health Department first approved the proposed septic tank installation as meeting the requirements of the DHR Rules and Regulations for on-site sewage management (DHR Manual) and divisions (2) and (3), below.

(B) New single-family residential dwellings served by septic tank/drain fields system shall be located on lots having the minimum size limitations, as follows, based on application of Table MT-1. The minimums set forth in MT-1 may be increased further based on consideration of other factors set forth in sections A through F of the DHR Manual: (The degree of Pollution Susceptibility is based on Georgia DNR Hydrologic Atlas 20.)

(1) 150% of the subdivision minimum lot size calculated based on application of DHR Table MT-1, if located in a high pollution susceptibility area;

(2) 125% of the subdivision minimum lot size calculated based on application of DHR Table MT-1, if located in a medium pollution susceptibility area;

(3) 110% of the subdivision minimum lot size calculated based on application of DHR Table MT-1, if located in a low pollution susceptibility area.

(C) New manufactured housing parks served by septic tank/drain field systems shall have lots of spaces having minimum lot size limitations as follows, based on application of Table MT-2. The minimums set forth in Table MT-2 may be increased further based on consideration of other factors set forth in section A through F of the DHR Manual:

(1) 150% of the subdivision minimum lot size calculated based on application of DHR Table MT-2, if located in a high pollution susceptibility area;

(2) 125% of the subdivision minimum lot size calculated based on application of DHR Table MT-2, if located in a medium pollution susceptibility area;

(3) 110% of the subdivision minimum lot size calculated based on application of DHR Table MT-2, if located in a low pollution susceptibility area.

(D) New agricultural waste impoundment sites shall be lined if they are located within:

(1) A high pollution susceptibility area;

(2) A medium pollution susceptibility area and exceed 15 acre-feet; and

(3) A low pollution susceptibility area and exceed 50 acre-feet.

At a minimum, the liner shall be constructed of compacted clay having a thickness of one foot and a vertical hydraulic conductivity of less than 5×10^{-7} cm./sec. or other criteria established by the Natural Resource and Conservation Service.

(E) New above-ground chemical or petroleum storage tanks, having a minimum volume of 660 gallons, shall have secondary containment for 100% of the volume of such tanks or 100% of the volume of the largest tank in a cluster of tanks. Such tanks used for agricultural purposes are exempt, provided that they comply with all federal requirements.

(F) New facilities that handle hazardous materials of the types listed in section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and in amounts of 10,000 pounds or more on any one day, shall perform their operations on

impervious surfaces and in conformance with any applicable federal spill prevention requirements and local fire code requirements.

(G) Permanent storm water infiltration basins shall not be constructed in areas having high pollution susceptibility.

§ 156.315 EXEMPTIONS

Any lot of record approved prior to the date of adoption of this subchapter is exempt from the minimum lot size requirements contained in 156.314 (B) and (C).

§ 156.316 ADMINISTRATION AND ENFORCEMENT PROCEDURES

(A) Site Plans.

Application for a local development permit within the S-3 District shall include a site plan, drawn at a scale of 1 inch = 50 feet containing the following information:

(1) A map of all planned excavation and fill, including calculations of the volume of cut and fill involved, cross-sectional drawings showing existing and proposed grades. Elevations, horizontal scale and vertical scale must be shown on the cross-sectional drawings;

(2) A map of any wetland boundaries occurring within the site must be provided. This boundary may be included on other maps provided by the applicant;

(3) Location, dimensions and area of all impervious surfaces, both existing and proposed, on the site and adjacent to the site for a distance of 200 feet;

(4) The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or water body;

(5) Elevations of the site and adjacent lands within 200 feet of the site at contour intervals of no greater than two feet; and no greater than one foot for slopes less than or equal to 2%;

(6) Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials; and

(7) All proposed temporary disruptions or diversions of local hydrology.

(B) Activities to comply with site plan.

All development activities or site work conducted after approval of the site plan shall conform with the specifications of said site plan. Significant changes to the site plan that would alter the amount of velocity of storm water runoff from the site, increase the amount of impervious surface within the development, alter the overall density of development, result in a considerable increase in the amount of excavation, fill or removal of the overall appearance of the development as proposed, can be amended only with the approval of the Director of the Pike County Planning and Development Department or designated appointee. Minor changes, such as the realignment of streets or minor alterations to drainage structures and other infrastructure to meet unexpected conditions are exempted from this requirement.

(C) Exemptions from site plan requirements.

The following activities and developments are exempt from the requirement for detailed site plans:

(1) Single family detached dwellings constructed within a subdivision of four or fewer parcels;

(2) Repairs to a facility that is part of a previously approved and permitted development; and,

(3) Construction of minor structures, such as accessory buildings or additions to single family residences.

(D) Review procedures.

The application shall be made to the Director of the Pike County Planning and Development Department or designated appointee and will be reviewed within 15 days. At the time of the application, the applicant shall pay a filing fee as specified by Pike County. Filing fees up to $500, or $100 per acre, whichever is larger, shall be required to evaluate the application. This fee may be used to retain expert consultants who will provide services pertaining to functional assessment, mitigation, and wetland boundary determinations, as deemed necessary by the Director or designated appointee. The review period shall include the preparation of findings and the like, approval, approval with conditions or disapproval by the Director or designated appointee. The applicant will receive written notification of the finds of the Director or designated appointee. The Decision of the Director or designated appointee may be appealed to the Pike County ~~Board of Appeals~~Planning and Zoning Board at no additional cost to the applicant.

(E) Duration of permit validity.

(1) If construction described in the development permit has not commenced within 12 months from the date of issuance, the permit shall expire.

(2) If construction described in the development permit is suspended or abandoned after work has commenced, the permit shall expire 12 months after the date that work ceased.

(3) Written notice of pending expiration of the development permit shall be issued by the Director of the Pike County Planning and Development Department or designated appointee, provided however, that failure of the Director or designated appointee to provide notice to the applicant shall not extend the period of validity of the development permit.

(F) Penalties.

(1) When a building or other structure has been constructed in violation of this Ordinance, the violator may be required to remove the structure at the discretion of the Director of the Pike County Planning and Development Department or designated appointee.

(2) When removal of vegetative cover, excavation or fill has taken place in violation of this subchapter, the violator may be required to restore the affected land to its original contours and to restore vegetation, as far as practicable, at the discretion of the Director of the Pike County Building and Zoning Department or designated appointee.

(3) If the Director of the Pike County Planning and Development Department, or designated appointee, discovers a violation of this subchapter that also constitutes a violation of any provision of the Clean Water Act, as amended, Pike County shall issue written notification of the violation to the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, and the landowner.

(G) Suspension and Revocation.

The Director of the Pike County Planning and Development Department or designated appointee may suspend or revoke a permit if the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the scope of the work set

forth in the permit. The Director shall cause notice of denial, issuance, conditional issuance, revocation or suspension or a permit to be published in the official legal organ of Pike County.

(H) Relief Assessment.
The Pike County Board of Tax Assessors shall consider the requirements of this section in determining the fair market value of land.

§ 156.317 ADOPTION OF PIKE COUNTY "WATERSHED, WETLANDS AND GROUNDWATER RECHARGE AREA PROTECTION MAP"

(A) The S-3 District consists of the area located within the Groundwater Recharge Area Protection District as shown and designated on a certain map identified as the "Watershed, Wetlands and Groundwater Recharge Area Protection Map," which map is hereby adopted into and made a part of this subchapter as if fully set forth. Such map shall be signed by the Chairman of the Board of Commissioners of Pike County and bear the seal of the county or that of a notary public under the following words: "This certifies that this is the Official Watershed, Wetlands and Groundwater Recharge Area Protection Map," referred to in 156.293 through 156.332 of the zoning ordinance of Pike County. The map shall be on file at the Pike County Planning and Development Office.

S-4 Sensitive Land – Wetlands Protection District

§ 156.320 PURPOSE

(A) The purpose of the S-4 District is to protect those lands identified as wetlands. Wetland areas are those areas that are flooded or saturated by surface or groundwater often and long enough to grow vegetation adapted for life in water saturated soil. The wetlands in Pike County are indispensable and fragile natural resources with significant development constraints due to flooding, erosion and soils limitations. In their natural state, wetlands serve man and nature. They provide habitat for fish, wildlife and vegetation; water quality maintenance and pollution control; flood control; erosion control; water quality maintenance and pollution control; natural resource education; scientific study; and open space and recreational opportunities. In addition, the wise management of forested wetlands is essential to the economic wellbeing of many communities within the State of Georgia. A considerable number of important wetland natural resources have been lost or impaired by draining, dredging, filling, excavating, building, pollution and other acts. Piece meal or cumulative losses of wetlands will, over time, destroy additional wetlands. Damaging or destroying wetlands threatens public safety and the general welfare.

(B) The purpose of the S-4 District is to promote wetlands protection, while taking into account varying ecological, economic development, recreational and aesthetic values. Activities that may damage wetlands should be located on upland sites to the greatest degree practicable as determined through a permitting process.

§ 156.321 RELATIONSHIP TO OTHER ZONING DISTRICTS

The S-4 Wetlands Protection District is an overlay district which shall include all lands within the jurisdiction of Pike County, Georgia, that are mapped as wetland areas by the U.S. Fish and Wildlife Service National Wetlands Inventory Maps and the "Watershed, Wetlands and Groundwater Recharge Area Protection Map" which are declared to be a part of this subchapter,

together with all explanatory matter thereon and attached thereto. The S-4 Wetlands Protection District applies additional definitions and standards for development to specific areas which lie within any of the zoning districts identified in this subchapter.

§ 156.322 DEFINITIONS

The following definitions shall apply unless the context clearly indicates or requires a different meaning.

(A) CORPS OF ENGINEERS. The United States Army Corps of Engineers, which is given authority pursuant to section 404 of the Clean Water Act, 33 U.S.C. 1344, for the regulation of wetlands and the permitting of fill material therein.

(B) WETLANDS. Any areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. WETLANDS generally include swamps, marshes, bogs and similar areas. The ecological parameters for designating wetlands include hydric soils, hydrophytic vegetation and hydrological conditions that involve a temporary or permanent source of water to cause soil saturation. The definition of WETLANDS, as defined in 33 C.F.R. 32.93 is included within this definition, and adopted by reference.

(C) WETLANDS MAP. The current U.S. Fish and Wildlife Service National Wetlands Inventory Maps for Pike County, Georgia.

(D) JURISDICTIONAL WETLAND. An area that meets the definitional requirements for wetlands as determined by the Corps of Engineers.

(E) JURISDICTIONAL WETLAND DETERMINATION. A delineation of jurisdictional wetland boundaries by the Corps of Engineers, as required by section 404 of the Clean Water Act, 33 U.S.C. 1344, as amended.

(F) REGULATED ACTIVITY. Any activity which will, or which may reasonably be expected to, result in the discharge of dredged or fill material into waters of the United States, excepting those activities exempted in Section 404 of the Clean Water Act.

§ 156.323 COORDINATIONS WITH DEVELOPMENT CRITERIA CONTAINED IN OTHER ZONING DISTRICTS

(A) The provisions of this subchapter apply additional development standards to specific areas which may lie within any zoning district in Pike County. If required development standards are specified for the same item in different sections, the more stringent standard shall govern.

(B) Any development must comply with the Pike County Soil Erosion and Sedimentation Control Ordinance, Chapter 153, as well as any other applicable development regulation.

§ 156.324 ADOPTION OF PIKE COUNTY "WATERSHED, WETLANDS AND GROUNDWATER RECHARGE AREA PROTECTION MAP"

(A) The S-4 Wetlands Protection District consists of and shall correspond to the area located within the Wetland Protection areas as are shown and designated on a certain map identified as the "Watershed, Wetlands and Groundwater Recharge Area Protection Map," which map is hereby adopted into and made a part of this subchapter as if fully set forth. Such map shall be signed by the Chairman of the Board of Commissioners of Pike County and bear the

seal of the County or that of a notary public under the following words: "This certifies that this is the Official "Watershed, Wetlands and Groundwater Recharge Area Protection Map," referred to in 156.293 through 156.332.

(B) The area identified as lying within the S-4 Wetlands Protection District shall be the same as that area lying within the boundaries of Pike County shown on the U.S. Fish and Wildlife Service National Wetlands Inventory and the Watershed, Wetlands and Groundwater Recharge Area Protection Map. To the extent of a conflict between the U.S. Fish and Wildlife Service National Wetlands Inventory and the Watershed, Wetlands and Groundwater Recharge Area Protection Map, the provisions of the U.S. Fish and Wildlife Service National Wetlands Inventory shall control.

(C) The boundaries of the S-4 Wetlands Protection District, as shown on the "Watershed, Wetlands and Groundwater Recharge Area Protection Map" do not necessarily represent the complete boundaries of jurisdictional wetlands within Pike County. The boundaries shown on such maps do not substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act.

(D) Any action required by this subchapter does not relieve the landowner from complying with any and all applicable federal or state permitting requirements.

§ 156.325 PERMITS AND PROTECTION CRITERIA

No regulated activity will be permitted within the S-4 Wetlands Protection District without written permission or a permit from Pike County. If the area proposed for development is located within 50 feet of the boundary of the S-4 Wetlands Protection District, as determined by the Director of the Pike County Planning and Development Department or designated appointee using the "Watershed, Wetlands and Groundwater Recharge Area Protection Map," a determination by the Corps of Engineers shall be required. If the Corps of Engineers determines that wetlands are present on the proposed development site, the local permit or permission will not be granted until a Section 404 Permit or Letter of Permission is issued.

§ 156.326 PERMITTED USES

The following uses shall be allowed as of right within the S-4 District to the extent that they are not prohibited by any other ordinance or law, including laws of trespass, and provided they do not require structures, grading, fill, draining, or dredging except as provided herein:

(A) Conservation or preservation of soil, water, vegetation, fish and other wildlife, provided that it does not affect water of Georgia or of the United States in such a way that would require a permit under Section 404.

(B) Outdoor passive recreational activities, including fishing, bird watching, hiking, boating, horseback riding and canoeing.

(C) Forestry practices applied in accordance with best management practices approved by the Georgia Forestry Commission and as specified in Section 404 of the Clean Water Act.

(D) The Cultivation of agricultural crops.
Agricultural activities shall be subject to best management practices approved by the Georgia Department of Agriculture.

(E) The pasturing of livestock, provided that riparian wetlands are protected, that soil profiles are not disturbed and that approved agricultural best management practices are followed.

(F) Educational, scientific research and nature trails.

§ 156.327 PROHIBITED USES

The following uses are not permitted within the S-4 Wetlands District:

(A) Receiving areas for toxic or hazardous waste or other contaminants.

(B) Hazardous or sanitary waste landfills.

§ 156.328 ADMINISTRATION AND ENFORCEMENT PROCEDURES

(A) Site Plans.

Application for a local development permit within the S-4 District shall include a site plan, drawn at a scale of 1 inch = 50 feet containing the following information:

(1) A map of all planned excavation and fill, including calculations of the volume of cut and fill involved, cross-sectional drawings showing existing and proposed grades. Elevations, horizontal scale and vertical scale must be shown on the cross-sectional drawings;

(2) A map of any wetland boundaries occurring within the site must be provided. This boundary may be included on other maps provided by the applicant;

(3) Location, dimensions and area of all impervious surfaces, both existing and proposed, on the site and adjacent to the site for a distance of 200 feet;

(4) The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream of water body;

(5) Elevations of the site and adjacent lands within 200 feet of the site at contour intervals of no greater than two feet; and no greater than one foot for slopes less than or equal to 2%;

(6) Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials; and

(7) All proposed temporary disruptions or diversions of local hydrology.

(B) Activities to comply with site plan.

All development activities or site work conducted after approval of the site plan shall conform with the specifications of said site plan. Significant changes to the site plan that would alter the amount of velocity of storm water runoff from the site, increase the amount of impervious surface within the development, alter the overall density of development, result in a considerable increase in the amount of excavation, fill or removal of the overall appearance of the development as proposed, can be amended only with the approval of the Director of the Pike County Planning and Development Department or designated appointee. Minor changes, such as the realignment of streets or minor alterations to drainage structures and other infrastructure to meet unexpected conditions are exempted from this requirement.

(C) Exemptions from site plan requirements.

The following activities and developments are exempt from the requirement for detailed site plans:

(1) Single family detached dwellings constructed within a subdivision of four or fewer parcels;

(2) Repairs to a facility that is part of a previously approved and permitted development; and

(3) Construction of minor structures, such as accessory buildings or additions to single family residences.

(D) Review procedures.

The application shall be made to the Director of the Pike County Planning and Development Department or designated appointee and will be reviewed within 15 days. At the time of the application, the applicant shall pay a filing fee as specified by Pike County. Filing fees up to $500, or $100 per acre, whichever is larger, may be required to evaluate the application. This fee may be used to retain expert consultants who will provide services pertaining to functional assessment, mitigation, and wetland boundary determinations, as deemed necessary by the Building Official or designated appointee. The review period shall include the preparation of findings and the like, approval, approval with conditions or disapproval by the Director or designated appointee. The applicant will receive written notification of the findings of the Director or designated appointee. Decision of the Director or designated appointee may be appealed to the Pike County ~~Board of Appeals~~Planning and Zoning Board at no additional cost to the applicant.

(E) Duration of permit validity.

(1) If construction described in the development permit has not commenced within 12 months from the date of issuance, the permit shall expire.

(2) If construction described in the development permit is suspended or abandoned after work has commenced, the permit shall expire 12 months after the date that work ceased.

(3) Written notice of pending expiration of the development permit shall be issued by the Director of the Pike County Planning and Development Department or designated appointee, provided however, that failure of the Director or designated appointee to provide notice to the applicant shall not extend the period of validity of the development permit.

(F) Penalties.

(1) When a building or other structure has been constructed in violation of this Ordinance, the violator may be required to remove the structure at the discretion of the Director of the Pike County Planning and Development Department or designated appointee.

(2) When removal of vegetative cover, excavation or fill has taken place in violation of this subchapter, the violator may be required to restore the affected land to its original contours and to restore vegetation, as far as practicable, at the discretion of the Director of the Pike County Planning and Development Department or designated appointee.

(3) If the Director of the Pike County Planning and Development Department or designated appointee discovers a violation of this subchapter that also constitutes a violation of any provision of the Clean Water Act, as amended, Pike County shall issue written notification of the violation to the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, and the landowner.

S-5 Sensitive Land – Flint River Corridor Protection District

§ 156.330 PURPOSE

(A) The purpose of the S-5 District is to protect those lands identified along the Flint River Corridor in Pike County, Georgia.
(B) River corridors are the strips of land that flank major rivers in Georgia. These corridors are of vital importance of Georgia in that they help preserve those qualities that make a river suitable as a habitat for wildlife, a site for recreation, and a source for clean drinking water. River corridors also allow the free movement of wildlife from area to area within the state, help control erosion and river sedimentation, and help absorb flood waters.
(C) The Flint River is designated as a protected river by the State of Georgia. This subchapter establishes measures to guide future growth and development in the areas lying within the boundaries of Pike County which lie adjacent to the Flint River as defined herein.

§ 156.331 DEFINITIONS

The following definitions shall apply unless the context clearly indicates or requires a different meaning.

(A) HAZARDOUS WASTE. Any solid waste which has been defined as a hazardous waste in regulations promulgated by the Administrator of the United States Environmental Protection Agency pursuant to the federal act, which are in force and effect on February 1, 1988, codified as 40 C.F.R. 261.3. This is the same definition as used in the Georgia Hazardous Waste Management Act.
(B) LAND DISTURBING ACTIVITY. Any grading, scraping, excavating, or filling of land; clearing of vegetation; and any construction, rebuilding, or alteration of a structure. Land disturbing activity shall not include activities such as ordinary maintenance and landscaping operations, individual home gardens, yard and grounds upkeep, repairs, additions or minor modifications to a single family dwelling, and the cutting of firewood for personal use.
(C) NATURAL VEGETATIVE BUFFER OR BUFFER AREA. A river corridor containing the flora native to that area. The natural floras for specific areas are described in Georgia Geologic Survey Bulletin 114, "The Natural Environments of Georgia." Habitats for endangered and threatened species may require human management of the river corridor in order to maintain those species.
(D) PERENNIAL RIVER. A river or section of a river that flows continuously throughout the year. The Flint River is a perennial river.
(E) PORT FACILITY. Any facility for the docking, loading and unloading of ships.
(F) PROTECTED RIVER. Any perennial river or watercourse with an average annual flow of at least 400-cubic feet per second as determined by appropriate U.S. Geological Survey documents. However, those segments of river covered by the Metropolitan River Protection Act of the Coastal Marshlands Protection Act are specifically excluded from the definition of a protected river. In coastal areas, the seaward limit of any protected river shall be the inland limits of the jurisdiction of the Coastal Marshlands Protection Act. The Flint River is a protected river.
(G) PUBLIC UTILITY. A service or services provided by a public utility company or a private entity which provides such service or services and all equipment and structures necessary to provide such services.
(H) RIVER BANK. The rising ground, bordering a river, which serves to confine the water to the natural channel during the normal course of flow.

(I) RIVER CORRIDOR. All the land, inclusive of inlands, not regulated under the Metropolitan River Protection Act (Ga. Code 12-5-440 through 12-5-293), in areas of a protected river and being 100 feet horizontally on both sides of the river as measured from the river banks.

(1) This 100 foot buffer shall be measured horizontally from the uppermost part of the river banks, usually marked by a break in slope. Although not within the measured 100 foot wide buffer, the area between the top of the bank and the edge of the river shall be treated by the local governments in the same manner as the river corridor and shall be included within the River Corridor Protection District.

(2) Because stream channels move due to natural processes such as meandering, river bank erosion, and jumping of channels, the river corridor may shift with time. For the purpose of these standards, the river corridor shall be considered to be fixed at its position at the beginning of each review period for the Pike County Comprehensive Plan. Any shift in the location of the protected river after the review period will be shown by revision of the boundaries of the river corridor at the time of the next Comprehensive Plan Review by the Department of Community Affairs.

(J) SENSITIVE NATURAL AREA. Any area, as identified now or hereafter by the Department of Natural Resources, which contains one or more of the following:

(1) Habitat, including nesting sites, occupied by rare or endangered species;

(2) Rare or exemplary natural communities;

(3) Significant landforms, hydroforms, or geological features; or

(4) Other areas so designated by the Department of Natural Resources; and which are sensitive or vulnerable to physical or biological alteration.

(K) SINGLE FAMILY DWELLING. A dwelling structure designated for the use of one family. This is the same as "Dwelling, single family detached" defined in Pike County Zoning Code Section 156.006.

§ 156.332 ESTABLISHMENT OF THE FLINT RIVER CORRIDOR PROTECTION DISTRICT

The Flint River Corridor Protection District is hereby designated and shall comprise all land, inclusive of islands, in areas of the Flint River within Pike County, Georgia, and being within 100 feet horizontally on both sides of the river as measured from the river banks. Also included is the area between the top of the bank and the edge of the river although this strip of land is not included as part of the 100 foot buffer requirement contained in the minimum standards. This district shall be further defined and delineated on the Watershed, Wetlands and Groundwater Recharge Area Protection Map.

§ 156.333 PROTECTION CRITERIA

(A) Construction within the buffer area is prohibited except as provided herein.

(B) A natural vegetative buffer shall be maintained at all times in the river corridor, except as otherwise provided herein.

(C) The natural vegetative buffer shall be restored as quickly as possible following any land disturbing activity.

(D) Septic tank and septic tank drain fields are prohibited in the river corridor, except as expressly provided in division (E).

(E) Single family dwellings (including the usual appurtenances) are permitted in the buffer area subject to the following conditions:
  (1) The dwelling shall be in compliance with all local zoning regulations;
  (2) The dwelling shall be located on a tract of land containing at least two acres. For the purposes of these standards, the size of the tract of the land shall not include any area that lies within the protected river, (that is, for tracts of land that include portions of a protected river, the area between the river banks cannot be counted towards the two acre minimum size);
  (3) There shall be only one such dwelling on each two acre or larger tract of land;
  (4) A septic tank or tanks serving such a dwelling may be located within the buffer area; and
  (5) Septic tank drain fields shall not be located within the buffer area.

(F) Industrial and commercial land uses existing in the river corridor prior to the promulgation of this subchapter are exempt from the criteria contained herein, provided that:
  (1) These uses do not impair the drinking quality of the river water; and
  (2) These uses meet all state and federal environmental rules and regulations.

(G) The construction of road crossings and utility crossings is permitted in the river corridor provided such construction meets all requirements of the Erosion and Sedimentation Control Act of 1975, and all applicable local ordinances on soil erosion and sedimentation control.

(H) The following uses are permitted in the river corridor, provided that such uses do not impair the long-term functions of the protected river or the river corridor.
  (1) Timber production and harvesting, subject to the following conditions:
    (a) Forestry activity shall be consistent with best management practices established by the Georgia Forestry Commission; and
    (b) Forestry activity shall not impair the drinking quality of the river water as defined by the Federal Clean Water Act, as amended.
  (2) Wildlife and fisheries management activities consistent with the purpose of Ga. Code 12-2-8;
  (3) Wastewater treatment;
  (4) Recreational usage consistent either with the maintenance of a natural vegetative buffer or with river dependent recreation. For example, a boat ramp would be consistent with this criterion but a hard surface tennis court would not. Parking lots are not consistent with this criterion. Paths and walkways within the river corridor are consistent with this criterion.
  (5) Natural water quality treatment or purification;
  (6) Agricultural production and management, subject to the following conditions:
    (a) Agricultural activity shall be consistent with best management practices established by the Georgia Soil and Water Conservation Commission.
    (b) Agricultural activity shall not impair the drinking quality or the river water as defined by the Federal Clean Water Act, as amended; and
    (c) Agricultural activity shall be consistent with all state and federal laws, and all regulations promulgated by the Georgia Department of Agriculture.
  (7) Other uses permitted by the Department of Natural Resources or under Section 404 of the Clean Water Act.

(I) Handling areas for the receiving and storage of hazardous waste are prohibited within the river corridor.
(J) Hazardous waste or solid waste landfills are prohibited within the river corridor.
(K) The standards and requirements in this subchapter do not supersede those contained in the Metropolitan River Protection Act, the Coastal Marshland Protection Act, and the Erosion and Sedimentation Act.

§ 156.334 EXEMPTIONS

The following uses are exempted from the river corridor protection plan:

(A) Land uses existing prior to the enactment of this ordinance.
For the purposes of this subchapter, a pre-existing use is defined as any land use or land disturbing activity, including all human endeavors directly associated with such use or activity, which, prior to the promulgation of this subchapter falls within one of the following categories:
(1) Completed;
(2) Under construction;
(3) Fully approved by the governing authority;
(4) All materials have been submitted for approval by the governing authority; or
(5) Zoned for such use and expenditures in excess of $2,500 have been made in preparation for construction in accordance with such zoning.

(B) Mining activities.
Mining activities if permitted by the Georgia Department of Natural Resources pursuant to the Georgia Surface Mining Act of 1968, as amended.

(C) Utilities.
Except as discussed in 156.333(G), if such utilities cannot be feasibly located outside the buffer area (feasibly shall be decided conservatively by the local government) provided that:
(1) The utilities shall be located as far from the river bank as reasonably possible;
(2) Installation and maintenance of the utilities shall be such as to protect the integrity of the buffer area as well as is reasonably possible; and
(3) Utilities shall not impair the drinking quality of the river water.

(D) Specific forestry and agricultural activities except as discussed in 156.333(H)(1) and (H)(6).

§ 156.335 ADMINISTRATION AND ENFORCEMENT

(A) Site Plans.
Application for a local development permit within the S-5 District shall include a site plan, drawn at a scale of 1 inch = 50 feet containing the following information:
(1) A map of all planned excavation and fill, including calculations of the volume of cut and fill involved, cross-sectional drawings showing existing and proposed grades. Elevations, horizontal scale and vertical scale must be shown on the cross-sectional drawings:
(2) A map of any Flint River boundaries occurring within the site must be provided. This boundary may be included on other maps provided by the applicant.
(3) Location, dimensions and area of all impervious surfaces, both existing and proposed, on the site and adjacent to the site for a distance of 200 feet;

(4) The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or water body;
(5) Elevations of the site and adjacent lands within 200 feet of the site at contour intervals of no greater than two feet; and no greater than one foot for slopes less than or equal to 2%;
(6) Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials; and
(7) All proposed temporary disruptions or diversions of local hydrology.

(B) Activities to Comply with site plan.
All development activities or site work conducted after approval of the site plan shall conform with the specifications of said site plan. Significant changes to the site plan that would alter the amount and velocity of storm water runoff from the site, increase the amount of impervious surface within the development, alter the overall density of development, result in a considerable increase in the amount of excavation, fill or removal of the overall appearance of the development as proposed, can be amended only with the approval of the Director of the Pike County Planning and Development Department or designated appointee. Minor changes, such as the realignment of streets or minor alterations to drainage structures and other infrastructure to meet unexpected conditions are exempted from this requirement.

(C) Exemptions from site plan requirements.
The following activities and developments are exempt from the requirement for detailed site plans:
(1) Single family detached dwellings constructed within a subdivision of four or fewer parcels;
(2) Repairs to a facility that is part of a previously approved and permitted development; and
(3) Construction of minor structures, such as accessory buildings or additions to single family residences.

(D) Review procedures.
The application shall be made to the Director of the Pike County Planning and Development Department or designated appointee and will be reviewed within 15 days. At the time of the application, the applicant shall pay a filing fee as specified by Pike County. Filing fees up to $500, or $100 per acre, whichever is larger, shall be required to evaluate the application. This fee may be used to retain expert consultants who will provide services pertaining to functional assessment, mitigation, and wetland boundary determinations, as deemed necessary by the Director or designated appointee. The review period shall include the preparation of findings and the like, approval, approval with conditions or disapproval by the Director or designated appointee. The applicant will receive written notification of the findings of the Director or designated appointee. Decision of the Director or designated appointee may be appealed to the Pike County ~~Board of Appeals~~Planning and Zoning Board at no additional cost to the applicant.

(E) Duration of permit validity.
(1) If construction described in the development permit has not commenced within 12 months from the date of issuance, the permit shall expire.

(2) If construction described in the development permit is suspended or abandoned after work has commenced, the permit shall expire 12 months after the date that work ceased.
(3) Written notice of pending expiration of the development permit shall be issued by the Director of the Pike County Planning and Development Department.

(F) Penalties.
(1) When a building or other structure has been constructed in violation of this subchapter, the violator may be required to remove the structure at the discretion of the Director of the Pike County Planning and Development Department.
(2) When removal of vegetative cover, excavation or fill has taken place in violation of this subchapter, the violator may be required to restore the affected land to its original contours and to restore vegetation, as far as practicable, at the discretion of the Director.
(3) If the Director discovers a violation of this subchapter that also constitutes a violation of any provision of the Clean Water Act, as amended, the Board of Commissioners shall issue written notification of the violation to the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineer and the landowner.

(G) Suspension and revocation.
The Director of the Pike County Planning and Development Department or designated appointee may suspend or revoke a permit if the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the scope of the work set forth in the permit. The Director shall cause notice of denial, issuance, conditional issuance, revocation or suspension of a permit to be published in the official legal organ of Pike County.

(H) Judicial Review.
(1) Jurisdiction. All final decisions of Pike County, Georgia, concerning denial, approval or conditional approval of a permit shall be reviewable in the Superior Court of Pike County.
(2) Alternative actions. Based on these proceedings and the decision of the Superior Court of Pike County, the Pike County Board of Commissioners or its designee may, within the time specified by the Superior Court of Pike County, elect to:
(a) Institute negotiated purchase or condemnation proceedings to acquire an easement or fee interest in the applicant's land;
(b) Approve the permit application with lesser restrictions or conditions (such as grant or variance); or
(c) Institute other appropriate actions ordered by the court that fall within the jurisdiction of the Pike County Board of Commissioners.

(I) Amendments. These regulations (and the name of resource map) may from time to time be amended in accordance with procedures and requirements in the general statutes and as new information becomes available.

(J) Relief assessment. Assessors and boards of assessors shall consider requirements of these regulations in determining the fair market of land.

(K) Separability and abrogation. All sections and subsections of this Ordinance are considered separate and distinct. Should any section, division, subsection, paragraph or part of this Ordinance be declared by a court of jurisdiction to be invalid for any reason, it shall not invalidate any other section, division, subsection, paragraph or part of this Ordinance.

§ 156.336 ADOPTION OF PIKE COUNTY "WATERSHED, WETLANDS AND GROUNDWATER RECHARGE AREA PROTECTION MAP"

The S-5 District consists of the area located within the Flint River Corridor Protection District as defined in 156.330 and as are shown and designated on a certain map identified as the "Watershed, Wetlands and Groundwater Recharge Area Protection Map," which map is adopted hereby into and made a part of this Ordinance as if fully set forth. Such map shall be signed by the chairman of the Board of Commissioners of Pike County and bear the seal of the county or that of a Notary Public under the following words: "This certifies that this is the Official "Watershed, Wetlands and Groundwater Recharge Area Protection Map," as referred to in 156.293 through 156.332 of the Zoning Code of Pike County.

Official Zoning Map

§ 156.340 OFFICIAL ZONING MAP PIKE COUNTY, GEORGIA

Any reference to the Official Map refers to the Pike County, Georgia Official Zoning Map.

§ 156.341 IDENTIFICATION, ALTERATION AND REPLACEMENT OF THE OFFICIAL MAP

(A) The Pike County, Georgia Official Zoning Map, as previously adopted and codified by Pike County, consisted of 44 pages and an index. On January 26, 2010, the Pike County Board of Commissioners re-adopted the Pike County, Georgia Official Zoning Map, as a single map sheet entitled the *Pike County, Georgia Official Zoning Map* which bears the seal of Pike County and includes certification by the Chairman of the Pike County Board of Commissioners.

(B) (1) The Official Map may be altered only if the proposed alterations are in conformance with the Pike County Land Use Plan, (this does not necessarily mean a one-to-one correspondence) and sound comprehensive planning principles. Any alteration to the Official Map is an amendment to the chapter. The procedure by which amendments are proposed and approved is contained in § 156.028. Any amendment involving changes in zoning district boundaries must be entered on the Official Map as soon as the amendment has been approved by the Board of Commissioners. The entry must be as follows: "On (date) by official action of the Board of Commissioners of Pike County, the following change (or changes) were made in the Official Zoning Map, Pike County, Georgia: (Brief description of change)." It must be signed by the Commission Chairperson. No amendment to portions of this chapter that are illustrated on the Official Map becomes effective until after the change has been entered as described above on the Official Map.

(2) Alterations to the Official Map may be made only by the procedures contained in this chapter. Any unauthorized alteration of the Official Map by any person is a violation of this chapter.

(3) The Official Map shall be on display at the Pike County Planning & Development Department and a current copy shall be kept on display in the Board of Commissioners Meeting Room and is the final authority as to the current status of zoning district boundaries.

(C) If the Official Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Board of Commissioners may adopt a new Official Map which will replace the previous Official Map. The new Official Map is identified as such in the same manner as described above in this section. When the new Official Map is adopted, a notation must be made on the previous Official Map that it is no longer valid, indicating the date that the new Official Map was adopted. The previous Official Map should be preserved, if it has not been lost or destroyed, for possible future reference.

§ 156.342 ZONING DISTRICT BOUNDARIES

Where uncertainty exists with respect to the exact location of the boundary of a zoning district shown on the Official Map, the following guidelines will be used in establishing the exact location of the boundary:

(A) Where a zoning district boundary line as appearing on the Official Map divides a single lot that was a single lot at the time of the enactment of this chapter, the requirements for the zoning district in which the greater portion of the lot lies must be extended to the balance of the lot;

(B) Where a zoning district boundary is indicated as approximately following the corporate limit line of the county, the corporate limit line is the boundary;

(C) Where a zoning district boundary is indicated approximately following a property line or such extended, the line or line extended is the boundary;

(D) Where a zoning district boundary is indicated as approximately following the center line of a stream bed, such a center line is the boundary;

(E) Where a zoning district boundary is indicated as approximately parallel to the center line of a street, road, railroad or the right-of-way of such a facility, the zoning district boundary is parallel to the line and at a distance from it as indicated by scale on the Official Map.

§ 156.343 RELATIONSHIP BETWEEN OFFICIAL MAP AND PIKE COUNTY LAND USE PLAN

(A) The Pike County Land Use Plan was prepared by the ~~Planning Commission~~Planning and Zoning Board and adopted by the Board of Commissioners of Pike County. It should provide the best possible indication of desirable land use patterns that will meet projected future demand for land uses of various types. The Pike County Land Use Plan supplies a body of information on which decisions on future development may be made that are guided by sound planning principles. The Plan does not legally regulate land uses. It contains a Land Use Map, which shows suitable areas for various types of land uses. Actual land uses may not necessarily conform to the Land Use Map.

(B) The zoning districts contained on the Official Map carry standards which must be met by all new development and construction in the county. The arrangement of zoning districts is based on land use information contained in the Pike County Land Use Plan. Establishment and amendment of zoning district boundaries must be in conformance with the Pike County Land Use Plan. (This does not necessarily mean a one-to-one correspondence). This assures that such amendments to the Official Map are based on defensible findings of fact as well as sound comprehensive planning principles.

§ 156.361 SCOPE

This standard covers specifications for off-street parking and service facilities in Pike County. Requirements for such facilities are specified by zoning district in the Pike County Zoning Code. That resolution refers the reader to this standard for specifications of required facilities.

§ 156.362 GENERAL STANDARDS FOR PARKING SPACE DESIGN

(A) Parking spaces must not be reduced. Off-street parking spaces must not be reduced below the minimum required number for the use of the facility to which they are assigned.

(B) Drainage, construction and maintenance. All off-street parking, loading and service areas must be drained so as to prevent damage to abutting properties and/or public streets and must be constructed of materials which will assure a surface resistant to erosion. All such areas must be at all times maintained at the expense of the owners in a clean, orderly and dust-free condition to the extent that it does not create a nuisance.

(C) Separation from walkways, sidewalks and streets. All off-street parking, loading and service areas must be separated from walkways, sidewalks and streets by curbing or other suitable protective device.

(D) Parking area design. Parking stalls must have a minimum width of 9½ half feet and length of 18 feet. There must be provided adequate interior driveways to connect each parking space with a public right-of-way. Interior driveways must be at least 24 feet wide where used with 90 degree angle parking, at least 18 feet wide where used with 60 degree angle parking, at least 12 feet wide where used with 45 degree angle parking and at least 12 feet wide where used with parallel parking. Where there is no parking, interior driveways must be at least 12 feet wide for one-way traffic movement and at least 24 feet wide for two-way traffic movement.

(E) Joint parking facilities. Two or more neighboring uses of the same or different types may provide joint parking facilities as long as the number of off-street parking spaces are not less than the sum of the individual requirement.

(F) Pavement markings and signs. Each off-street parking space must be clearly marked and directional arrows and signs must be properly maintained so as to ensure their maximum efficiency.

§ 156.363 NUMBER OF PARKING SPACES REQUIRED

(A) Off-street parking space must be provided and maintained as specified in the schedule set forth in division (B) of this section. For uses not specifically listed here, the parking requirements for the listed use most similar to the unlisted use in question, as determined by the Building Official, will apply.

(B) Parking requirements by use are as follows:

(1) Apartment or other multi-family dwelling - two spaces for each dwelling unit. Auditorium, stadium, assembly hall, gymnasium, theater, community recreation center or church:

(a) Whichever of the following three standards is the greatest:
  (i) One space per four fixed seats in largest assembly room or area; or
  (ii) one space for each 40 square feet of floor area available for the accommodation of moveable seats, or combination of fixed and moveable seats, in the largest assembly room; or
  (iii) one space per each 150 square feet of gross floor area.

(2) Automobile fueling station - Two spaces (in addition to service area) for each pump and grease rack, but not less than four spaces.

(3) Automobile sales and repair, service station, carwash - Two spaces (in addition to service area) for each pump and grease rack, but not less than four spaces, plus one space for each 500 square feet of gross floor area of the shop or carwash.

(4) Bowling alley - Four spaces per alley, plus requirements for any other use associated with the establishment such as a restaurant and the like.

(5) Club or lodge - One space for each two employees plus one space for each 200 square feet of gross floor area within the main assembly area, plus additional spaces for other uses permitted within the premises.

(6) Combined uses - Parking spaces must be the total of the spaces required for each separate use established by this schedule.

(7) Commercial recreation area (indoor or outdoor) such as YMCA or similar use - whichever of the following two standards is the greater:
  (i) one space for each 150 square feet of gross floor, building or ground area; or
  (ii) one space per each four seats or facilities available for patron use.

(8) Dance school - One space for each employee, plus one space per 150 square feet of gross floor area, plus adequate area for safe and convenient loading and unloading of students.

(9) Dwelling, single-family or two-family - Two spaces for each dwelling unit. Residential driveways will satisfy this need.

(10) Fraternity, sorority, college dormitory - One space for each two residents, plus one space for each two employees.

(11) Golf course - Two spaces for each hole and one space for each two employees, plus requirements for any other use associated with the golf course.

(12) Hospital, personal care home, intermediate care home, nursing home - One space for each three beds, plus one space for each two employees (nurses, attendants and the like), plus one space for each staff or visiting doctor.

(13) Hotel - One space for each three guest rooms, suites or units, plus one space for each two employees. One space for each 150 square feet of gross floor, building, ground area or combination devoted to such use; or one space for each four seats or facilities available for patron use.

(14) Kindergarten, nursery school - One space for each employee, plus adequate area for safe and convenient loading and unloading of students.

(15) Manufacturing activity, industry, warehouse - Two spaces for each three employees on shift of greatest employment, plus one space for each vehicle used directly in the conduct of the business.

(16) Motel - One space for each unit, plus one space for each two employees, plus requirements for any other use associated with the establishment such as a restaurant and the like.
(17) Office, professional building or similar use - One space for each 300 square feet of gross floor area, plus one space for each two employees.
(18) Personal service establishment - One space for each 200 square feet of gross floor area, but not less than two spaces for each employee.
(19) Restaurant or place dispensing food, drink or refreshment - One space for each three seats, plus one space for each two employees on the shift of greatest employment.
(20) Retail store of any type not otherwise specified in this schedule - One space per 200 square feet of gross floor area.
(21) School, elementary - One space for each teacher, plus one space for each two employees and administrative personnel, plus one space for each classroom, plus adequate area for safe and convenient loading and unloading of students.
(22) School, high, trade - One space for each two teachers, employees, administrative personnel and student, plus adequate area for safe and convenient loading and unloading of students.
(23) Shopping center - One space for every 200 square feet of gross floor area.
(24) Swimming pool, public - One space for every 200 square feet of water surface, plus requirements for any other use associated with the establishment such as a restaurant and the like.
(25) Wholesale establishment - One space for each employee, plus sufficient spaces to accommodate vehicles used in the conduct of the business.

§ 156.364 NUMBER OF LOADING SPACES REQUIRED

Manufacturing, industrial, wholesale and retail operations must provide loading space as follows.

(A) Spaces appropriate to functions. Off-street loading spaces must be provided as appropriate to the functions and scope of operation of individual or groups of buildings and uses.
(B) Design of loading spaces. Off-street loading spaces must be designed and constructed so that all maneuvering to park and unpark vehicles for loading can take place entirely within the property lines of the premises. Loading spaces must be provided so as not to interfere with the free, normal movement of vehicles and pedestrians on public rights-of-way.
(C) Ingress and egress. Ingress and egress to off-street loading spaces must conform to curb cut requirements specified in this standard.

§ 156.365 CURB CUT REQUIREMENTS

In any case in which provision for ingress and egress involves the lowering or cutting away of curbs, such a curb cut is subject to the following provisions.

(A) Only one combined entrance and exit is allowed for any parcel of property with a frontage on any one street of less than 50 feet. No more than two combined entrances and exits are allowed for any parcel of property with a frontage on any one street of between 50 feet and 200 feet. For parcels of property having frontage on any one street of more than 200 feet, additional entrances or exits are permitted only after the developer demonstrates to the satisfaction of the Zoning Commission that more curb cuts are needed for safety reasons and such additional curb cuts are approved by the Zoning Commission.

(B) At street intersections, curb cuts must be located at least 25 feet from the intersections of the two curb lines (or such lines extended) or at least 15 feet from the intersection of the two intersecting property lines (or such lines extended), whichever is less.
(C) The distance between any two curb cuts on the same side of the street and located on one property must be at least ten feet. That distance is measured between the points at which the two curb cuts begin to deviate from the established curb line of the abutting street (in other words, between the intersections of the curb return radii and the established curb line of the abutting street).
(D) The minimum setback from all property lines for any driveway is two feet.
(E) The maximum permitted width of any driveway at the right-of-way line of the abutting street is 35 feet.
(F) The maximum permitted width of any curb cut, including the points at which the curb cut begins to deviate from the established curb line of the abutting street at either end of the curb cut (in other words, including the curb returns) is 50 feet. However, the Building Official may approve a specified larger width for a truck stop, if he or she determines that a larger curb cut is needed for safety reasons.
(G) The sum of the two curb return radii for any one curb cut must not exceed 15 feet.

Powers and Duties of County Officials

§ 156.370 PURPOSE

This subchapter formalizes the powers and duties of the Zoning Administrator, the ~~Planning Commission~~Planning and Zoning Board, the ~~Board of Appeals~~Planning and Zoning Board and the Board of Commissioners where this chapter is concerned. It should also provide a convenient list of services provided by each official to aid in complying with the requirements of this chapter.

§ 156.371 POWERS AND DUTIES OF THE ZONING ADMINISTRATOR

The Zoning Administrator has the power and duty to provide the following services related to this chapter:
(A) Provide initial information about this chapter upon request;
(B) Advise how to contact members of the ~~Planning Commission~~Planning and Zoning Board, the ~~Board of Appeals~~Planning and Zoning Board or the Board of Commissioners for services provided by those bodies;
(C) Maintain Official Map and the Official Zoning Code on public display;
(D) Determine in which zoning district a parcel of land lies;
(E) Issue building permits under procedures outlined in § 156.023;
(F) Post a "stop work" order on any building code violation or any zoning district violation;
(G) Issue certificates of occupancy under procedures outlined in § 156.024;
(H) Offer practical suggestions on how to comply with the requirements of this chapter;
(I) Maintain complete records concerning this chapter and related matters and make such records available to the public upon request;
(J) Supervise all professional and clerical assistants employed in connection with the performance of the functions of the Zoning Administrator's office;
(K) Serve as administrative secretary to the ~~Board of Appeals~~Planning and Zoning Board and the ~~Planning Commission~~Planning and Zoning Board;
(L) Issue certificates of zoning compliance for all permitted uses and for conditional uses and

variances which are granted by the ~~Board of Appeals~~Planning and Zoning Board;

(M) Collect data and keep informed as to the best zoning practices, in order that he or she may be qualified to make recommendations to the Pike County Board of Commissioners concerning amendments to the Zoning Map of Pike County;

(N) Research and make reference to the Zoning Code in connection with each and every application received for variance or special exception and to make written recommendations to the ~~Board of Appeals~~Planning and Zoning Board on each such application as to whether:

(1) The granting of such variance or special exception would result in an encroachment on existing land uses or Zoning Districts already established on adjoining or nearby neighborhood properties protected by the Zoning Code from such encroachment;

(2) Sufficient authority exists in the Zoning Code to allow the ~~Board of Appeals~~Planning and Zoning Board to grant the variance or special exception;

(O) The written recommendations of the Zoning Administrator will be made a permanent part of the application file and a copy provided by the Zoning Administrator to the Board of Commissioners for their file;

(P) Research and make reference to the Pike County Zoning Code on each and every application received for amendment to the Pike County Zoning Map and to make written recommendations to the ~~Planning Commission~~Planning and Zoning Board on each such application as to whether:

(1) The approval of such an application would result in an encroachment on an existing land use or Zoning Districts already established on adjoining or nearby neighborhood properties protected by the Zoning Code from such encroachment;

(2) Sufficient authority exists in the Zoning Code to authorize the ~~Planning Commission~~Planning and Zoning Board to make a favorable recommendation on the application;

(3) The approval of the application would be in conflict with the basic purpose and/or provisions of the Zoning Code and, if so, in what manner;

(Q) Such written recommendations will be made a permanent part of the application file and be available to the Board of Commissioners when that Board hears the application.

(R) The Zoning Administrator, or designee, shall have concurrent platting authority for minor subdivision plats along with the ~~Planning Commission~~Planning and Zoning Board, which includes the administrative authority to approve revised or modified minor subdivision plats, except as otherwise provided in Section 155.05 of the Code of Pike County, Georgia. In addition, the Administrative Official/Zoning Administrator shall have the authority to approve revisions or modifications to major subdivision where the proposed revision(s) is/are considered minor in nature such as correcting errors in the previously filed plat or constitute(s) a reconfiguration or a previously approved plat that does not increase the total number of lots;

(S) The Zoning Administrator, or designee, shall have inspection authority as contemplated by the Abandoned Mobile Home Act to inspect, report, and cite concerning the habitability and/or abandonment of mobile homes in the County; and,

(T) The Zoning Administrator shall have any such other powers and duties deemed appropriate by the Board of Commissioners with the consultation of the County Manager.

§ 156.372 ~~PLANNING COMMISSION~~PLANNING AND ZONING BOARD

Section 33.01 details the establishment of the Pike County ~~Planning Commission~~Planning and

Zoning Board. The ~~Planning Commission~~Planning and Zoning Board has the power and duty to provide the following services related to this chapter:

(A) Advise the Board of Commissioners on applications for amendment to this chapter by examining amendment applications and providing written recommendations with reasons for the recommendations to the Board of Commissioners as specified in § 156.028;
(B) Dispense general information about this chapter to the public upon request;
(C) Propose amendments to this chapter;
(D) Maintain and update the Pike County Land Use Plan (where one exists) so that it may provide a current data base with which decisions on proposed amendments to this chapter may be made that utilize sound planning principles;(E) Carry out an ongoing comprehensive planning program which, like the Land Use Plan (where one exists), will provide current data on which decisions regarding this chapter may be based that utilize sound planning principles;
(F) Set off-street parking requirements for certain land uses, where called for in the development standards for a zoning district;
(G) Advise the Board of Commissioners on matters of zoning and annexation.
(H) The ~~Planning Commission~~Planning and Zoning Board, or designee, shall have concurrent platting authority for minor subdivision plats along with the Zoning Administrator.

§ 156.373 ~~BOARD OF APPEALS~~PLANNING AND ZONING BOARD

Section 33.02 details the establishment of the ~~Board of Appeals~~Planning and Zoning Board. The ~~Board of Appeals~~Planning and Zoning Board has the power and duty to provide the following services:
(A) Authorize variances according to procedures specified in § 156.026;
(B) Accept applications for appeal of an action of the Zoning Administrator and render official decisions on them according to procedures specified in § 156.025;
(C) Recommend special exceptions under procedures contained in §§ 156.027 (G) and (H).

§ 156.374 BOARD OF COMMISSIONERS

The Board of Commissioners is considered as the legislative body of Pike County and shall have the power and duty to make all final zoning decisions as defined by state law, including, but not limited to, making decision decisions regarding re-zonings, text amendments, special exceptions, and the official zoning map. In addition, the Board of Commissioners can propose or initiate proposed re-zonings, text amendments, special exceptions, or changes to the official zoning map. Also, one Commissioner may serve on the Environmental Review Committee on an "as needed" basis.

§ 156.380 VIOLATIONS

If any building or land is used or maintained in violation of this chapter, anyone, including the county, who would be harmed by such a violation may initiate legal proceedings to obtain an injunction or other appropriate remedy to stop the violation or to prevent any act which would constitute such a violation. Other legal remedies are also available as provided by Georgia law.

§ 156.390 PENALTY

(A) It is unlawful to violate the provisions of this chapter or to fail to comply with any of its requirements (including violations of conditions and safeguards established in connection

with grants of variances, conditional uses or conditional exceptions). Any person who violates this chapter or fails to comply with any of its requirements will, upon conviction, be

fined not more than $500 or spend not more than 60 days in jail, or both. In addition, he or she must pay all costs and expenses involved in the case. Each day such a violation continues shall be considered a separate offense.

(B) The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in or maintains such a violation may each be found guilty of a separate offense and suffer the penalties provided here.

(Res. Passed 5-88)(Am. Ord. Passed 12-11-91) (Am. Ord. Passed 09-12-97) (Res. Passed 07-10-02) (Am. Ord. Passed 12-11- 02)(Am. Ord. Passed 05-27-03)(Am. Ord. Passed 08-13-03)(Am. Ord. passed 09-03-03) (Res. passed 06-29-04) (Am. Ord. Passed 12-01-05)(Am. Ord. Passed 11-08-06) (Res. passed 12-13-06) (Am. Ord. Passed 08-11-10) (Am. Ord. 09-08- 10)(Am. Ord. 03-09-11) (Am. Ord. Passed 05-11-11) (Am. Ord. passed 07-11-12)(Am. Ord. passed 09-09-15) (Am. Ord. passed 11-09-16)(Am. Ord. passed 07-12-17) (Am. Ord. passed 07-31-18) (Am. Ord. passed 3-10-21)(Am. Ord. passed 12-8-21).

TITLE XV:

LAND USAGE

Chapter 158

Sign Ordinance

CHAPTER 158: SIGN ORDINANCE

Section

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§ 158.01 TITLE

This ordinance shall hereafter be known and cited as the "Pike County Sign Ordinance."
(Res. passed 5-88; Amended 12-10-08)

§ 158.02 STATEMENT OF FINDINGS

(A) The County finds that signs provide an important medium through which individuals, businesses, and government may convey a variety of messages. Left unregulated, however, signs can become a threat to the public health and safety as a traffic hazard and a detriment to property values and the overall economic growth of Pike County as an aesthetic nuisance. See, e.g., Scenic America, Billboards & Sign Control available at http://www.scenic.org; Jerry Weitz, Ph.D., AICP, The Public Purpose of Roswell's Sign Ordinance and the Implications of Doing Without It: A Position Paper (December 7, 1999) available at http://roswellgov.com. In particular, based on the cited materials and the studies referenced therein as well as other related studies, the County finds that unregulated signs:

(1) Can be a safety hazard to drivers and pedestrians;
(2) Can create unsafe, cluttered and aesthetically blighted thoroughfares throughout the County;
(3) Can hamper economic growth;
(4) Can lower property values;
(5) Can adversely impact public investments;
(6) Can degrade the utility of public safety signs; and
(7) Can adversely impact the aesthetic quality of the community and surrounding environment.

(B) The County also finds the following:

(1) There is a substantial difference between signs erected by public authority and signs erected by private citizens or businesses. Signs erected by public authority are virtually all erected for the purpose of maintaining the public safety either through direct control of traffic or through provision of such type signage as street signs which enable the traveling public to know where they are located and to find where they are going. As such, with the exception of signs identifying government buildings, virtually all government signs are erected purely for public safety purposes. Moreover, their use in the public right-of-way is necessary to ensure their visibility to the motoring public. The County finds that public utility signs are frequently of the same nature as those signs erected by governmental entities in that they provide necessary information to safeguard the public from downed power lines and from street excavations. Even where signs serve a propriety purpose, such as identifying markings on utility polls, those signs are marked primarily for the purpose of benefiting the public generally through identification of locations where there may be temporary losses of power.

(2) The County finds that some signage has a single targeted function and that identification of such signage by description is impossible without referring to its function. For instance, address numerals are used for the sole purpose of locating addresses, which is of benefit to persons looking for those addresses and is essential to public safety personnel responding to emergencies. While such signage is referenced based upon the function it serves within the context of this ordinance, the provisions of this ordinance are unrelated to the content of the speech provided and allow maximum expressive potential to sign owners.

(Res. passed 5-88; Amended 12-10-08)

§ 158.03 STATEMENT OF PURPOSE

By enacting this Chapter, the County intends:

(A) To balance the rights of individuals, businesses, and government to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs;

(B) To afford the business community equal and fair opportunity to advertise and promote it products and services without discrimination;

(C) To preserve and promote the public health, safety, and welfare of the citizens of Pike County;

(D) To improve traffic and pedestrian safety;

(E) To maintain and enhance the visual environment, and preserve the right of citizens and visitors to enjoy Pike County's rural scenic beauty;

(F) To protect property values of nearby public and private property by minimizing possible adverse effects and visual blight caused by signs;

(G) To avoid the harmful aspects of the unrestricted proliferation of signs;

(H) To promote economic development;

(I) To enable the fair and consistent enforcement of sign regulations; and

(J) To promote the purposes stated in this Section by regulating signs based on objective standards, including, but not limited to height and size, and without regard to the content of the sign message.

This Ordinance is adopted under the zoning authority of Pike County in furtherance of the more general purposes set forth in the Zoning Ordinance. This Ordinance is adopted and hereafter amended pursuant to Article IX, Section II, Paragraph IV of the Constitution of the State of Georgia and the Georgia Planning Act of 1989.
(Res. passed 5-88; Amended 12-10-08)

§ 158.04 APPLICABILITY

The regulations set forth below shall apply and govern in all zoning districts. Within the unincorporated portions of the County no sign shall be erected or maintained unless it is in compliance with this Chapter.
(Res. passed 5-88; Amended 12-10-08)

§ 158.05 DEFINITIONS

(A) ABANDONED SIGN.
Any sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, or unkempt, and for which no person accepts maintenance responsibility.

(B) AUDIBLE SIGN.
Any sign which emits a sound which is audible or emits a signal which can be converted into audible sounds, whether by radio or other means.

(C) AWNING/CANOPY SIGN
Any sign that is a part of, or attached to, an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

(D) BANNER.
A sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, or fabric that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners.

(E) BEACON.
Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move. A Beacon is considered a prohibited sign unless otherwise required by Federal and/or State law, rule or regulation. See Section 158.10.

(F) CHANGEABLE COPY SIGN.
Any sign that incorporates changing lights, lettering, or images to form a sign message or messages, whether such changes are accomplished electronically or manually.

(G) ELECTRONIC SIGN.
Any sign that, through computer programming, may exhibit illuminated changeable copy, flashing and /or scrolling elements, and /or illuminated, changeable graphics on a fixed display surface.

(H) FLAG.
Any fabric or bunting containing colors, patterns, or symbol used as a symbol of a government or other entity or organization.

(I) FLASHING SIGN.
A sign, the illumination of which is not kept constant in intensity at all times when in use and which exhibits marked changes in lighting effects.

(J) LOT.
A parcel of land that is of sufficient size to meet minimum zoning requirements for lot area, coverage, and use and that can provide such yards and other open spaces as required by the zoning standards.

(K) MARQUEE; MARQUEE SIGN.
Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather. A marquee sign is prohibited. See Section 158.10

(L) OBSCENE.
Material is obscene if to the average person, applying contemporary community standards, taken as a whole, it predominantly appeals to the prurient interest, that is, a shameful or morbid interest in nudity, sex or excretion; the material taken as a whole lacks serious literary, artistic, political or scientific value; and the material depicts or describes, in a patently offensive way, sexual conduct specifically defined as: (a) acts of sexual intercourse, heterosexual or homosexual, normal or perverted, actual or simulated; (b) acts of masturbation; (c) acts involving excretory functions or lewd exhibition of the genitals; (d) acts of bestiality or the fondling of sex organs of animals; or (e) sexual acts of flagellation, torture, or other violence indicating a sadomasochistic sexual relationship.

(M) OUT-OF-STORE MARKETING DEVICE.
Any facility or equipment which is located outside of a primary building on a site zoned for non-residential uses, which is used for the primary purpose of providing a product or service without the owner's or agent's immediate presence, and which is manufactured to include a color, form, graphic, illumination, symbol, and/or writing thereon to communicate information regarding the product or service provided thereby to the public. Examples of out-of-store marketing devices include: fuel pumps, bank ATM units, vending machines, newspaper racks, drink machines, ice boxes, and phone booths. Where such out-of-store marketing devices are too small to be legible to the traveling public on neighboring rights-of-way and are otherwise non-removable without damage to the equipment's surface, they do not require a permit and are not subject to overall sign limitations for the lot on which they appear.

(N) PENNANT; STREAMER.
Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

(O) PERMIT; WRITTEN.
A sign permit reviewed, approved, and issued by the Zoning Administrator or his/her designee.

(P) PERMITTEE.
The person and/or entity owning or leasing the land on which the sign is erected or for which an application has been submitted.

(Q) PORTABLE SIGN.
A sign which is not permanently affixed to the ground or to a structure, including but not limited to signs on trailers or signs mounted or painted on vehicles which are parked in such a manner as to serve the purpose of a sign.

(R) PUBLIC SIGN.
Any sign erected by a governmental entity.

(S) ROOF SIGN.
Any sign erected and constructed wholly on and over the roof of a building, or supported by the roof structure.

(T) SIGN.
A sign is an object, device, display, or structure thereof, displayed outdoors or visible from a public way, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location; or to express a point of view, by any means including words, letters, figures, designs, symbols, advertising flags, fixtures, colors, illuminations or projected images. Each substantially different face of a sign shall constitute a separate sign.

(U) SIGN AREA.
(1) The area of the smallest rectangle within which all elements of a flat sign are contained (a flat sign being one with two display surfaces facing exactly opposite directions, or one display surface if against the wall of a building); or the maximum projected surface area (projected in one direction) of any other sign.
(2) Supporting structures for signs shall not be counted in the sign area, provided such supporting structures consist of posts, hangers, or brackets of the minimum number and size necessary to support the sign. A wall or fence on which a sign is mounted shall not be counted in the sign area, provided it serves primarily to enclose, divide, or protect an area.

(V) SIGN, FREE STANDING.
A sign that is not mounted on a principal building.

(W) SIGN, NON-CONFORMING.
Any sign that does not conform to the provisions of this Chapter at the effective date of this Chapter, or any amendment thereto.

(X) SIGN, TRAFFIC CONTROL.
A sign to regulate the safe and ordered flow of vehicular and pedestrian traffic.

(Y) SIGN, WALL.
A sign which is mounted parallel on the exterior surface of a building in which the activity advertised by the sign is located.

(Z) WINDOW SIGN.
Any sign that is placed inside a window or upon the window panes or glass, either inside or outside the building, and is visible from the exterior of the structure.

(Res. passed 5-88; Amended 12-10-08)(Amended 10-14-09) (Am. Ord. passed 12-12-12)

§ 158.06 GENERAL PROVISIONS

(A) Permit required.
A permit shall be required for the erection, alteration or reconstruction of any sign unless otherwise noted and shall be issued by the Zoning Administrator or his/her designee in accordance with the regulations contained in this Chapter.

(B) Design, materials and maintenance.
Any sign not meeting the following provisions shall be repaired or rebuilt in accordance with the specifications of this Chapter:
(1) All signs shall be designed and constructed in accordance with applicable provisions of the Uniform Building Code and the electrical code of Pike County at all times;
(2) The area on private property around the sign on which it is erected shall be properly

maintained clear of brush, trees, and other obstacles so as to make signs readily visible;

(3) All burned out bulbs or damaged panels must be replaced;

(4) All sign copy shall be maintained securely to the face and all missing copy must be replaced; and

(5) All signs shall be maintained in good structural condition at all times so that the public and traffic safety are not compromised.

(6) It shall be the responsibility of the sign owner to maintain and insure compliance with the provisions of this Chapter.

(C) Measurement of sign height.

This height shall be measured from the grade at the right-of-way boundary line or the grade of the sign site if such grade is higher than the grade at the boundary line of the street right-of-way to the uppermost part of the sign face, base or structure. If the sign is located below the grade at the boundary line of the street right-of-way, sign height shall be measured from the edge of the right-of-way to the uppermost part of the sign face, base or structure.

(D) Minimum sign setbacks.

Except as otherwise specifically provided, for any freestanding sign, the minimum front setback is 10 feet from the edge of the paved road or beyond the right-of-way line, whichever is greater; and 10 feet from the side and rear lot lines. However, in no case will a sign be allowed to obscure vision at a street or driveway intersection, or railway crossing. Setbacks along state highways shall be as required by the Georgia Department of Transportation.

(E) Illumination and Electronic Displays.

(1) No sign**,** electronic or otherwise, shall be illuminated by lights and/or graphics that flash, move and/or scroll, or markedly change in intensity, more than once per day, except that a sign may have changeable copy 12 inches high or less that may change. The changeable copy of 12 inches high or less may change not more than every 2 minutes. To prevent glare visible from a public street or adjoining property, the beam of any light shall be directed so as not to be visible beyond the sign at which it is directed, and the light source shall not be visible from any point on an adjacent property or the public right-of-way.

(2) Electronic, real-time displays of time and temperature, which may comprise a portion or the entirety of an electronic sign's copy, shall be exempt from the copy change frequency specified in Section 158.06 (E)(a), but must remain at a height of 12 inches or less.

(F) Movement or animation.

A sign structure shall not rotate, oscillate, or otherwise move or change in appearance, whether such motion is driven by wind, mechanical, electrical, or other means, except in accordance with Section 158.6(E) above, changeable copy of 12 inches high or less may change not more than every two (2) minutes, except in cases where Section 158.06(E)(b) may apply.

(G) Sign message.

In any zoning district, any sign, display, or device allowed under this Chapter may contain any lawful non-commercial or commercial message. No provision of this Chapter shall be construed to allow regulation of signs based on the content or view point of the sign message.

(Res. passed 5-88; Amended 12-10-08)(Amended 10-14-09) (Am. Ord. 12-12-12) (Am. Ord. 4-9-14)

§ 158.07 SIGN REQUIRING ISSUANCE OF A WRITTEN PERMIT

The following signs are allowed with a permit (the permit must be approved prior to commencement of any sign construction):

(A) Wall Signs.

In non-residential zoning districts only, one wall sign per establishment shall be permitted unless that establishment has street frontage on more than one side.

(1) If a business is located in a structure that is located on a lot that has no street frontage, one wall sign shall be permitted on any single façade for that business establishment in the structure, whether that façade faces the street or not. If a business establishment is located in a structure that is located on a lot that has street frontage, but the portion of the structure where the business establishment is located does not have frontage, the business establishment is entitled to one wall sign on the business establishment's façade. If a business establishment is located in a structure that is located on a lot that has more than one street frontage, one wall sign on each façade of the business establishment which has street frontage for the façade of the business establishment is permitted. A publicly owned alley shall be considered a street.

(2) Wall signs attached flat against the exterior surface of a building may extend not more than 12 inches from the wall.

(3) The total area for wall signage shall not exceed two square feet for each linear foot of building frontage attributable to the particular business or businesses which the sign will identify, or 15% of the total area of the one building façade upon which the signage is placed or 100 sq. ft., whichever is less. A sign directory is a wall sign. For buildings with multiple tenants having store fronts only, the facade rented by the tenant shall be considered as wall area for a sign.

(4) The total area for wall signage shall include any/all awning sign and/or canopy sign area.

(B) Residential Subdivision Entrance.

No more than 2 freestanding signs shall be allowed to be placed at each entrance of a residential subdivision. These signs must be placed on common property under the ownership of the Home Owners Association (HOA) and shall not be allowed to be on private property. The sign face shall not exceed 35 sq. ft. in area or five feet in height. Sign structures shall not exceed 6 feet in height. If the sign or sign structure is attached to a decorative wall or fence, the decorative wall or fence shall not exceed 6 feet in height. The post and/or columns of the decorative wall or fence shall not exceed 8 feet in height. Such signs shall not be internally illuminated. A permit shall be required. The permit shall not be issued until after the final plat is recorded.

(C) Signage During Construction.

In all zoning districts one additional sign shall be allowed during construction. The sign shall not be internally illuminated. A permit shall be required.

(1) Duration. The sign shall be allowed beginning with the issuance of a land disturbance permit and ending with the issuance of a Certificate of Occupancy or installation of a permanent sign, whichever comes first.

(2) Size. The sign shall not exceed 12 square feet in area nor 5 feet in height.

(D) Menu Boards.

In all non-residential districts, restaurant menu boards are allowed subject to the following regulations:

(1) No more than 8 square feet in area per side with no more than 2 sides;

(2) No more than 4 feet in height;

(3) No part of the sign shall be legible by the traveling public.

(E) Freestanding Signs On Non-Residential Lots.

The owner of nonresidential property or the owner's agent may apply for a permit for one freestanding sign in addition to the signs allowed by general permit in Section 158.08.

(1) The maximum sign area of the sign shall be 64 sq. ft. for multiple user lots and 32 sq. ft. for single user lots. Maximum sign areas shall apply to each face separately, but no freestanding sign shall have more than two faces. Where sign faces are located in a "V" formation, the angle between the two sign faces shall not be greater than 60 degrees.

(2) The maximum height of the sign is 20 feet.

(F) Free-Standing Sign On Residential Lots Used For Non-Residential Purposes.

The owner of residential property that is used for non-residential purposes or the owner's agent may apply for a permit for one freestanding sign in addition to the signs allowed by general permit in Section 8 subject to the following:

(1) The residential lot must be 5 acres or greater;

(2) The maximum sign area of the sign shall be 32 square feet. Maximum sign areas shall apply to each face separately, but no freestanding sign shall have more than two faces. Where two sign faces are located in a "V" formation, the angle between the two sign faces shall not be greater than 60 degrees; and,

(3) The maximum height of the sign is 20 feet.

(G) Awning/Canopy Signs.

In non-residential districts, awning and/or canopy signs may be permitted. The area of any awning and/or canopy sign(s) shall be limited to the maximum area permitted for wall signs set forth above. In the event a non-residential establishment intends to have an awning and/or canopy sign in addition to the permitted wall sign, the total aggregate sign area for all awning, canopy and/or wall signs may not exceed the limitations set forth in Section 158.07(A) above.

(H) Electronic Signs.

Prior to issuance of a written permit, proposed electronic signs must document conformance with applicable standards and restrictions of the Sign Ordinance, including, but not limited to, Section 158.06 (E) and (F). If the permit applicant cannot document conformance with Section 158.06 (E) and (F), then the applicant must declare whether or not they will seek a variance to the standards. Official variance approval must be obtained prior to issuance of a written sign permit for applicants that cannot document conformance with Section 158.06 (E) and (F).

(Res. passed 5-88; Amended 12-10-08)(Amended 10-14-09) (Am. Ord. passed 12-12-12)(Am. Ord. passed 4-9-14)

§ 158.08 GENERALLY PERMITTED SIGNS

A general permit is hereby granted for the following types of signs in any zoning district, provided that such signs are erected and maintained in compliance with all applicable conditions:

(A) Traffic control signs;

(B) Official notices issued by any court with competent jurisdiction or authorized public agency, department or official;
(C) Temporary signs (signs which are not permanently mounted), including real estate "for sale," "for rent," and directional signs, yard sale signs, and similar signs, etc., shall be restricted to no more than 2 signs per lot. Said signs shall not exceed 4 square feet in area per side and shall not exceed 4 feet in height. Signs shall not have more than 2 sides;
(D) Any flag provided, however, that (1) no more than two flagpoles are permitted per lot, (2) no more than two flags are permitted per flagpole, (3) the maximum dimension of the hoist side of each flag shall not exceed 20% of the height of the flagpole, (4) all flagpoles shall be set back from each property boundary a distance equal to the height of the flagpole or in accordance with 158.7(F), whichever is greater, and (5) all flagpoles shall be maintained in good repair, so as not to constitute a threat to public safety. On officially designated county, state, and federal holidays, there shall be no maximum flag size or number of flags on display;
(E) Individual Parcel Sign. In addition to any other written permit, pursuant to the provisions of this Ordinance, one sign of no more than 4 square feet in area per side and no more than 4 feet in height may be placed on any parcel of land in any zoning district by the property owner or with the property owner's consent. Signs shall not have more than 2 sides. No individual parcel sign shall be allowed to be placed in a public right-of-way. An individual parcel sign may contain any lawful non-commercial or commercial message. In no event shall any individual parcel sign contain obscene material as defined in Section 158.05(K) of this Ordinance;
(F) Window signs provided, however, no more than 25% or 35 sq. ft., whichever is less, of the total available glass area shall be used to display window signs. No window signs are allowed above the first floor unless the building is a multi-tenant office or commercial structure wherein tenants have primary direct access from their space to the outside. The access must include outside walkways and stairways properly designated for public use. In no case shall any window signs be installed above the level of the second floor windows;
(G) Numerals displayed for purpose of identifying property location not to exceed 8 inches in height;
(H) Door signs not to exceed 1 square foot in size and not more than one sign per door;
(I) Out-of-store marketing devices.
(J) Political campaign signs. This ordinance does not regulate the length of time a political campaign sign may be displayed nor the number of political signs which may be displayed on private property for which permission by the property owner has been granted. Political campaign signs shall not exceed 5 feet in height and 16 square feet in area per side. Signs shall not have more than 2 sides. Signs must be attached to an independent mounting device no more than 40 inches above ground level. Political campaign signs shall not be placed within 100 feet of any intersection nor shall any sign be closer than 10 feet to the pavement of a roadway. In no event shall a political campaign sign be placed in a public right-of-way.

(Res. passed 5-88; Amended 12-10-08)

§ 158.09 NON-CONFORMING SIGNS

(A) Findings.

The County finds that non-conforming signs may adversely affect the public health, safety and welfare. Such signs may adversely affect the aesthetic characteristics of the County and

may adversely affect public safety due to the visual impact of said signs on motorists and pedestrians.

(B) Non-conforming Signs.
An existing sign at the time of the adoption of this ordinance that is deemed a non-conforming sign that is permanently affixed to the ground or to a building may continue to be used, except that the non-conforming sign:

(1) Shall not be enlarged or altered except in conformance with this Chapter, but it may be repaired to the extent necessary to maintain it in a safe condition;
(2) Shall not be replaced, expanded or modified by another non-conforming sign, except that the substitution or interchange of poster panels, painted boards or dismountable material on non-conforming signs shall be permitted;
(3) Shall not be allowed to be increased in height or size or relocated on the property, but may be decreased in height or size; and
(4) Is subject to removal if (a) it has deteriorated to a point of making it a hazard, or unsightly; (b) the business advertised ceases at that location; or (c) the sign has been damaged to such extent that more than minor repairs are required to restore the sign.
(5) To the extent this section conflicts with O.C.G.A. § 32-6-83 or Ga. Const. Art. 3 §6, ¶ 4(a) in application, this section shall be deemed to provide effected parties the minimum protections provided by O.C.G.A. § 32-6-83 or Ga. Const. Art. 3 §6, ¶ 4(a) as amended from time to time. In no event is it the County's intent to obligate itself to pay any compensation related to the removal of any sign. .

(Res. passed 5-88; Amended 12-10-08)

§ 158.10 PROHIBITED SIGNS

Notwithstanding any other provision of this Chapter, the following types of signs shall be prohibited anywhere in the unincorporated areas of Pike County.

(A) Signs imitating warning signals.
No sign shall display intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance or rescue vehicles, nor shall any sign use the words "stop," "danger," or any other word, phrase, symbol or character in a manner that might mislead or confuse an automobile or other vehicular driver;

(B) Signs within street or highway right-of-way.
No sign whatsoever, whether temporary or permanent, except traffic control signs and signals and information signs erected by an authorized public agency or department, are permitted within any street or highway right-of-way or at any location where, by reason of position, shape, wording or color, it obstructs the view of pedestrians or vehicular traffic;

(C) Certain attached and painted signs. Signs painted on or attached to trees, fence posts and telephone or other utility poles or signs painted on or attached to rocks or other natural features or painted on the roofs shall be prohibited;

(D) Fluttering ribbons, balloons and banners. Fluttering ribbons, tethered balloons and banners and similar devices are prohibited. This restriction, however, does not apply to flags;

(E) Roof signs. No sign shall be permitted that is mounted on or extends into the air above any roof surface of a building. A sign may be mounted against a parapet of uniform height around the perimeter of a building but may not extend above the parapet;

(F) Portable signs. No portable sign shall be permitted unless it qualifies as a temporary sign and complies with all applicable requirements for such signs under this Chapter; this shall include portable business signs with flashing lights / arrows.
(G) Painted wall murals. No painted mural shall be permitted unless it complies with the height and size restrictions contained in this Chapter as a wall sign; and
(H) Obscene signs. Signs or other advertising structures that contain obscene material are prohibited.
(I) Abandoned signs. Abandoned signs constitute a violation of this ordinance and are subject to the enforcement provisions set forth herein.
(J) Audible signs. Any sign that emits a sound which is audible or otherwise emits a signal that can be converted into audible sound shall be prohibited, shall constitute a violation of this ordinance and shall be subject to the enforcement provisions set forth herein.
(K) Beacons/Beacon signs. Any beacon or beacon sign, as defined herein, shall be prohibited, shall constitute a violation of this ordinance and shall be subject to the enforcement provisions set forth herein: except, however, this prohibition shall not apply to any beacon that may be required by Federal and/or State law, rule or regulation.
(L) Marquee signs. Any marquee sign, as defined herein, shall be prohibited, shall constitute a violation of this ordinance and shall be subject to the enforcement provisions set forth herein
(M) Pennant, streamer. Any pennant and/or streamer sign, as defined herein shall be prohibited, shall constitute a violation of this ordinance and shall be subject to the enforcement provisions set forth herein.
(Res. passed 5-88; Amended 12-10-08) (Am. Ord. passed 12-12-12)

§ 158.11 SIGN PERMITS REVIEW, INSURANCE AND FEES

(A) Purpose.
The purpose of this Section is to provide a timely and standardized mechanism for reviewing applications for sign permits to ensure signs within the County comply with the objective standards of this Chapter, including, but not limited to, the height and size provisions.
(B) Authority.
The zoning administrator or his/her designee is authorized to review and approve or disapprove an application for a sign permit pursuant to the procedures of this Section and the standards of this Chapter.
(C) Applicability.
No sign, except those specified in Section 158.8 of this Chapter, shall be erected, placed, reconstructed or structurally altered without the sign owner having first obtained a sign permit from the zoning administrator or his/her designee, pursuant to the procedures in this Section and the standards of this Chapter.
(D) Generally Permitted signs by ordinance.
Pursuant to Section 158.8 of this Chapter, a general permit has been granted for those signs listed therein, and no application for a sign permit is required so long as all applicable standards of this Chapter are met.
(E) Procedure.
The following procedure shall govern the application for and the issuance of all written sign permits under this Chapter.

(1) Initial submission and review of application. Application for a sign permit shall be made on the form provided by the zoning administrator or his/her designee and shall be accompanied by the information and documents listed on the form and the fee as required by the County. An application will only be deemed as complete when all required information and accompanying documents are received. The following information will be required at a minimum:
   (a) The type and purpose of the sign as defined in this Chapter.
   (b) The value of the sign.
   (c) A survey to scale showing the street address of the property upon which the subject sign is to be located, the proposed location of subject sign on the property, the distance of the proposed sign from the property's boundaries, and all existing structures or buildings on the property.
   (d) The square foot area per sign and the aggregate square foot area if there is more than 1 sign face.
   (e) The names(s) and address(es) of the owner(s) of the real property upon which the sign is to be located.
   (f) Written consent of the owner of the property, or his/her agent, granting permission for the placement, maintenance, size and height of the sign to be placed on the property.
   (g) For wall signs: a set of building elevations.
   (h) The name, address, telephone number, and business license number of the sign contractor.
   (i) Scaled elevation of the size and height of the proposed sign from ground level and adjacent street level.
   (j) Insurance certificate referenced in Section 158.12 below.

(2) Action by Zoning Administrator or his/her designee. Within 15 working days after the application is determined complete, the zoning administrator or his/her designee shall review the application in accordance with this Section and determine whether the application complies with the standards in this Chapter.

(3) Approval. If the zoning administrator or his/her designee finds that the application complies with the standards of this Chapter, the zoning administrator or his/her designee shall approve and issue a written sign permit. Any Sign application for which no action has been taken after 15 working days after the application is complete shall be deemed approved by default. In such an event of default approval, the applicant shall request in writing the issuance of a written sign permit from the zoning administrator or his/her designee.

(4) Fails to comply. If the zoning administrator or his/her designee determines the application fails to comply with the standards of this Chapter, the applicant shall be provided a written notification. If the applicant resubmits the application within 30 days of the written notification of denial, the resubmitted application does not require payment of the fee. The time for resubmission may be extended an additional 30 days for good cause, if requested of the zoning administrator prior to the original deadline for re-submittal.

(5) Re-submittal. A revised application shall be resubmitted to the zoning administrator or

his/her designee and reviewed within 15working days after its re-submittal. The zoning administrator or his/her designee shall approve or disapprove the application based on the criteria and time restraints set forth in this Chapter.

(6) Criteria. A sign permit shall be approved upon a finding that the applicant has demonstrated the application complies with the objective standards of this Chapter.

(7) Expiration. A sign permit shall become null and void if the sign for which the permit was issued has not been installed and completed within six months after the date of issuance; provided, however, that when an applicant can demonstrate that a commercial entity was engaged to construct the permitted sign, but the fabrication has not yet been completed, one 90 day extension may be granted by the zoning administrator. No refunds will be made for permit fees paid for permits that expired due to failure to erect a permitted sign. If later an individual desires to erect a sign at the same location, a new application must be submitted and another fee paid in accordance with the fee schedule applicable at such time.

(F) Amendments.

A sign permit may be amended, extended, or modified only in accordance with the procedures established for its original approval.

(G) Maintenance of permit.

The owner or lessee of a lot containing signs requiring a permit under this Chapter shall, at all times, maintain in force a sign permit for such property. Sign permits shall be issued for individual lots.

(H) Identification Labels.

(1) With each permit the zoning administrator or his/her designee shall issue a sticker bearing the same number as the permit with which it is issued. It shall be the duty of the permittee or his/her agent to affix such sticker to the sign in the lower right hand area so it will be easily seen. The absence of a proper sticker shall be prima facie evidence that the sign has been, or is being, erected or operated in violation of the provisions of this article.

(2) The zoning administrator or his/her designee shall inspect all existing signs and advertising devices in the County to determine if such signs or devices conform to the provisions of this article. Identification stickers shall be provided for all signs in order to identify existing conforming and nonconforming signs.

(I) Assignment of sign permits.

A current or valid sign permit shall be freely assigned or transferred to a successor as owner or lessee of the property or holder of a business license for the same premises, subject only to filing such application as the County may require and paying any applicable fees. The assignment shall be accomplished by filing and shall not require approval.

(J) Vested rights.

No person applying for a sign permit or erecting a sign under this Chapter shall acquire any vested rights to continue maintenance of such signs.

(K) Appeals.

The following procedure shall govern the appeal of any decision to deny or grant an application for a sign permit under this Chapter:

(1) Any party aggrieved or affected by the denial of an application for a sign permit may

appeal the determination to the ~~Board of Appeals~~Planning and Zoning Board in accordance with the procedures of Chapter 156.025. The appeal shall be heard at the next scheduled meeting but not more than 45 days from the filing of the written notice of appeal.

(2) Any party aggrieved or affected by the decision of the ~~Board of Appeals~~Planning and Zoning Board may appeal to the Board of Commissioners by filing a written notice of appeal with the zoning administrator within 30 days following the decision of the ~~Board of Appeals~~Planning and Zoning Board. Unless otherwise agreed to by the parties, the Board of Commissioners shall hear the appeal within 30 days following the filing of the notice of appeal. The Board of Commissioners shall have 20 working days following the hearing to issue a written decision.

(3) Any party aggrieved or affected by the decision of the Board of Commissioners may appeal the decision by filing a writ of certiorari with the Superior Court pursuant to O.C.G.A. § 5-4-1, et seq.

(L) Inspections.

The zoning administrator or his/her designee may conduct inspections of all signs requiring the issuance of written sign permits to ensure compliance with the provisions of this Chapter.

(M) Fees.

The Pike County Board of Commissioners may set reasonable fees for the issuance of written sign permits, sign inspections and sign variance applications.

(Res. passed 5-88; Amended 12-10-08)(Amended 10-14-09) (Am. Ord. passed 12-12-12)

§ 158.12 PUBLIC LIABILITY INSURANCE REQUIRED

Any person or entity erecting or maintaining signs requiring a written sign permit within the County shall obtain a certificate of insurance from an insurance company authorized to do business in Georgia evidencing that the entity has in effect public liability and property damage insurance in the sum of $25,000.00 for property damage for any one claim, and public liability insurance in an amount not less than $100,000.00 for injuries including accidental death to one person. The certificate of insurance shall state that the insurance carrier shall notify the County thirty (30) days in advance of any termination and/or restriction of the coverage, including nonrenewal, cancellation, and nonpayment of any premium.

(Res. passed 5-88; Amended 12-10-08)

§ 158.13 VARIANCE

A variance may be granted upon application if an individual case of unnecessary and extraordinary hardship is placed upon the applicant for a sign permit, when such variance will not be contrary to the public interest and the purposes of this Ordinance, except that no variance will be given to extend the size and height maximums of this ordinance.

(A) Authority to grant variances.

Pursuant to the provisions set forth in Sections 33.02, 156.026 and 156.373 of the Code of Ordinances, Pike County, Georgia, the ~~Board of Appeals~~Planning and Zoning Board is authorized to receive, consider, grant, grant with conditions, or deny applications for variances for written sign permits.

(B) Variance application. A request for a variance may be initiated by a property owner or

his/her authorized agent by filing an application with the zoning administrator. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and

position of the proposed sign in relationship to the surrounding properties in addition to the requirements prescribed in Section 156.023 of the Zoning Code. The zoning administrator may require other drawings or materials essential to an understanding of the proposed sign and variance requested and its relationship to the surrounding properties.

(C) Fee. Each application for a variance shall be accompanied by the applicable fee, which shall be established by the Pike County Board of Commissioners.

(D) Conditions and criteria for granting variances. The ~~Board of Appeals~~Planning and Zoning Board, in cases where specifically authorized, may grant a variance only after consideration and adoption of findings of fact that all of the following conditions and criteria have been met:

(1) There exist extraordinary and exceptional conditions pertaining to the property in question resulting from its size, shape, or topography that are not applicable to other lands or structures in the area;

(2) A literal interpretation of the provisions of the sign ordinance would deprive the applicant of rights commonly enjoyed by other similar properties;

(3) Granting a variance requested would not confer upon the property of the applicant any significant privileges that are denied to other similar properties;

(4) The requested variance will be in harmony with the purpose and intent of these regulations and will not be injurious to the neighborhood or to the general welfare;

(5) The special circumstances are not the result of actions of the applicant;

(6) The variance is not a request to permit a sign that exceeds the height and size limitations contained in this Chapter;

(7) The mere existence of a non-conforming sign or advertising devise shall not constitute a valid reason to grant a variance; and

(8) The variance requested is the minimum variance, which will make possible the logical use of the land and sign.

(Res. passed 5-88; Amended 12-10-08)

§ 158.14 ENFORCEMENT

(A) Enforcement officer.

The provisions of this ordinance shall be administered and enforced by the zoning administrator or his/her designee.

(B) Notice.

The zoning administrator or his/her designee shall give the permittee a 10 to 30 day written notice, based on the practical considerations of completing measures to conform with the standards of this Chapter, to correct the deficiencies or to remove the sign which is in violation of this Chapter. If the permittee refuses to correct the deficiencies or remove the sign, the zoning administrator will have the sign removed at the expense of the permittee.

(C) Penalties.

If the violation is not eliminated within the required time period, the sign permit shall be revoked. In addition, any person violating this Ordinance shall be subject to a fine in the amount of $250 per offense. Each day in which the violation continues to occur shall constitute a separate violation. Violation of this ordinance shall be deemed a misdemeanor and shall be prosecuted in accordance with §10.99 of The Code of Ordinances, Pike County, Georgia and with OCGA §36-1-20 as presently enacted or may be subsequently amended.

(D) Public Nuisance.

Any violation of this Chapter is hereby declared to be a public nuisance.

(E) Appeal.

Any violator may appeal the determination of the zoning administrator to the ~~Board of Appeals~~Planning and Zoning Board in accordance with the procedures of Section 158.11 of this Ordinance. Any appeal shall act as a super cedes of the County's enforcement of this Ordinance, except to the extent that violation of this Ordinance is deemed to present a safety hazard to the public.

(F) Legal proceedings.

The zoning administrator upon a finding that any provision of this Ordinance is being violated, is authorized to institute legal proceedings to enjoin violations of this Ordinance. The violator shall be liable for court costs and reasonable attorney fees incurred by the County.

(G) Removal.

(1) The County may order the removal of any sign in violation of this ordinance by written notice to the permit holder; or if there is no permit holder, then to the owner of the sign; or if the sign owner cannot be found or cannot be determined, then to the sign erector and any party that procured the erection of the sign. If a written notice has been issued, such notice shall operate to revoke the permit.

(2) If the sign is not removed within the time required by the County (or the date any appeal becomes final), the County shall remove or cause to be removed the sign and collect the costs thereof after a final determination by a court that the sign is unlawful and should be removed.

(3) The County shall have removed any sign in violation of this ordinance, without giving notice to any party if: the sign is upon the public right-of-way or upon other public property or if the sign poses an immediate safety threat to the life or health of any member of the public.

(H) Sign(s) removed by the County will be destroyed after 14 days if sign(s) is/are not claimed.

(Res. passed 5-88; Amended 12-10-08)(Amended 10-14-09)

§ 158.15 SEVERABILITY AND CONFLICT

(A) Severability.

This Ordinance is declared to be severable. In the event any section, subsection, sentence, clause or phrase of this Chapter shall be declared or adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses or phrases of this Chapter, which shall remain of 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 hereof. The County hereby declares that it would have passed the remaining parts of this Chapter if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

(B) Conflict.

If any part of this Ordinance is found to be in conflict with any other Ordinance of this County or any state or federal statute, the most restrictive or highest standard shall prevail. If any part of this Sign Ordinance is explicitly prohibited by state or federal statute, that part shall not be enforced.

(Res. passed 5-88; Amended 12-10-08)

§ 158.16 EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the date of its adoption.

(Res. passed 5-88; Amended 12-10-08) (Am. Ord. passed 12-12-12)

TITLE XV:

LAND USAGE

Chapter 160

US Highway 19 & US Highway 41 Overlay Districts Ordinance

CHAPTER 160: US HIGHWAY 19 & US HIGHWAY 41 OVERLAY DISTRICT ORDINANCE

Section

160.01 Purpose and Intent
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160.17 Conflicts in Language
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160.21 Effective Date

§ 160.01 PURPOSE and INTENT

It is the purpose and intent of the overlay district regulations to establish additional development standards for public and private land development and building construction activities along the major commercial corridors of Pike County to:

(A) Promote the general health, safety and welfare of the community;
(B) Improve the efficient operation of traffic along US Highway 19 and US Highway 41;
(C) Create a sense of place that is aesthetically appealing and environmentally responsible;
(D) Encourage innovative development projects that set standards for landscaping, community design and aesthetics.
(E) Establish consistent and harmonious design standards for public improvements and private property within the overlay districts so as to unify the distinctive visual quality of the US Highway 19 and US Highway 41 corridors.

The overlay districts provide an additional layer of regulations to the underlying zonings of properties along the major commercial corridors to provide additional controls on development, minimize inappropriate, haphazard and inharmonious improvements and alterations to properties, to secure and maintain additional building setbacks, to secure consistency in performance between public and private developments, and for other purposes.
(Ord. Passed 03-31-09)

§ 160.02 AREA OF JURISDICTION

(A) The boundaries of the overlay districts are established to include those properties with frontage on or access via US Highway 19 (Georgia State Route 3) and US Highway 41 (Georgia State Route 7). The boundaries of the US 19 overlay district are contained within a corridor 400 feet from each side of the centerline of US Highway 19 from its intersection with the Pike County/Spalding County line to its intersection with the Pike County/Upson County line, less and except portions of US Highway 19 within the municipal limits of Zebulon.

(B) The boundaries of the US Highway 41 overlay district are contained within a corridor 400 feet from each side of the centerline of US Highway 41 from its intersection with the Pike County/Spalding County line to its intersection with the Pike County/Lamar County line.

(C) If the 400 foot corridor for either US Highway 41 comprises 50% or more of an adjacent parcel's depth, then the entire parcel, inside and outside of the 400 foot corridor limit line, shall be subject to the full requirements of this Ordinance.

(D) Adjacent parcels whose depths exceed the 50% requirement described in the preceding paragraph shall be subject to additional landscape screening for the principal building and/or parking if the property owner seeks to place the principal building and/or parking in a zone a minimum of 0.01 feet to a maximum of 400 feet further behind the 400 foot corridor limit line. The type, size, and quantity of the additional landscape screening shall be specified by either the ~~Planning Commission~~Planning and Zoning Board or the Director of Planning and Development.

(D) Parcels which straddle the limits of an overlay district shall be subject to the standards of the overlay district only to the extent of the limits of the District, unless the property owner(s) elects to apply the standards of the overlay district to the entirety of the property.

(Ord. Passed 03-31-09)(Ord. Amended 10-14-09)

§ 160.03 APPLICABILITY OF REGULATIONS

(A) The standards of the US Highway 19 and US Highway 41 overlay district shall apply to all developments except as follows:

(1) Agricultural and single family detached residential uses;

(2) Alteration or renovation that involves 50 % or less of the floor area of an existing building provided that no additional alteration or renovation occurs within a 3 year period.

(3) Expansions of less than 50 % of the floor area of the existing building, provided the same exterior materials on the existing structure(s) are used or a superior material is approved by the Director of Planning and Development and that no additional expansion, alteration or renovation occurs within a 3 year period.

(4) The owner or official designee of an individual development site that by physical features, i.e., topography, buildings, other structures, etc., will prevent new development from being highly visible from the highway may provide evidence in the form of topographic maps, finished floor elevations, maximum height of buildings, photos, balloon tests or other applicable information to the Director of Planning and Development for an administrative exemption approval. Any proposal determined by the Director of Planning and Development to be exempt from the overlay district requirements shall be brought to the attention of the ~~Planning~~

~~Commission~~Planning and Zoning Board as an

information item. If the ~~Planning Commission~~Planning and Zoning Board disagrees with the Director of Planning and Development, the ~~Planning Commission~~Planning and Zoning Board shall by a majority vote forward the matter to the Board of Commissioners for further review.

(5) Development approved prior to the adoption of this ordinance provided the property is not rezoned or a change of use occurs. If rezoning or a change of use occurs, the requirements of this ordinance shall take full effect on the parcel or lot to the extent parcel dimensions will allow.

(6) Any development with an approved land disturbance permit prior to the adoption of this ordinance.

(B) Public and quasi-public buildings such as schools, libraries, churches, etc., shall be subject to the overlay district requirements.

(Ord. Passed 03-31-09)(Ord. Amended 07-21-10)(Ord. Amended 08-11-10)

§ 160.04 PERMITTED USES

Unless otherwise specified or prohibited, permitted uses, accessory uses and special exceptions which are allowed in the underlying zoning shall also be allowed in the overlay district. Each new development and land use shall conform to the standards of the overlay district as well as to the standards of the underlying zoning district. In the event of a conflict between the standards of the overlay district and the underlying zoning district, the most restrictive requirement shall prevail.

(Ord. Passed 03-31-09)

§ 160.05 SPECIAL EXCEPTIONS

(A) The following uses shall be allowed in the overlay districts only if the Board of Commissioners approves a special exception pursuant to the procedures specified by the Pike County Zoning Ordinance:

(1) self-storage facility,

(2) used car and truck lot,

(3) automobile repair and maintenance facility,

(4) commercial outdoor recreation,

(5) car wash, and

(6) outdoor storage.

(B) This section may be modified to add or delete uses only by amendment through the public hearing process prescribed for amendments to the Pike County Zoning Ordinance.

(Ord. Passed 03-31-09)

§ 160.06 PROHIBITED USES

(A) The following uses are strictly prohibited in the overlay districts:

(1) masts,

(2) towers,

(3) antennas above tree lines,

(4) laying or broiler poultry or turkey houses,

(5) hog parlors and the like,

(6) tattoo parlors,

(7) pawnshops,

(8) junk yards, and
(9) adult entertainment establishments.

(B) This section may be modified to add or delete prohibited uses only by amendment through the public hearing process prescribed for amendments to the Pike County Zoning Ordinance.

(Ord. Passed 03-31-09)

§ 160.07 NONCONFORMING BUILDINGS, STRUCTURES OR USES OF LAND

(A) Any lawfully existing building, structure or use of land located within the boundary of an overlay district at the time of adoption of the overlay district shall be deemed to be a nonconforming condition. Any nonconforming building, structure or use of land may continue subject to the following restrictions:
   (1) If a nonconforming building, structure, or use of land is removed or is made to conform to the standards of the respective overlay district, the condition shall not be permitted to revert to a nonconforming condition.
   (2) No nonconforming building, structure or use of land shall be allowed to convert to a different nonconforming building, structure or use of land.

(B) No existing building, structure or use of land that was in violation of any applicable code, ordinance or regulation at the time of the adoption of the overlay districts, shall be deemed to be a conforming condition.

(Ord. Passed 03-31-09)

§ 160.08 APPLICATION REQUIREMENTS

(A) All applications for development in the US Highway 19 and US Highway 41 overlay districts shall include 7 copies of each of the following: a site plan review application form, a site plan, a landscape plan and a narrative description of the project. Architectural renderings or photographs of substantially similar examples of building materials should also be submitted or the applicant may indicate in the narrative a written statement of intent to comply with the building materials and features requirements specified in Section 160.15. In addition, the applicant is required to meet with the Director of Planning and Development or designee prior to filing an application to review filing requirements and development standards (preapplication review).

(B) Principal Building Marked. Unless work is to be completed within the interior of an existing structure, certification by the applicant is required as a part of the application that the primary corners (no less than four) of the largest building proposed for the site have been marked in the field by a surveying ribbon placed by a registered Georgia land surveyor. Failure to mark the primary building in this way shall constitute an incomplete application and no further action by the County shall be warranted.

(Ord. Passed 03-31-09)(Ord. Amended 10-14-09)

§ 160.09 APPLICATION AND REVIEW FEES

Application and review fees shall be in accordance with the current Pike County Fee Schedule, as established by the Board of Commissioners.

(Ord. Passed 03-31-09)

§ 160.10 SITE PLAN REVIEW APPLICATION FORM

All applications shall include a complete site plan review application form.
(Ord. Passed 03-31-09)

§ 160.11 SITE PLAN

(A) All applications shall include a site plan prepared by a licensed Georgia registered professional engineer (PE), surveyor (RLS), landscape architect (RLA) or certified planner (AICP). The site plan shall illustrate graphically lot lines and dimensions, street names, zonings of adjacent properties, locations of existing and proposed buildings, required landscape strips and buffers, fences, walls, detention ponds, etc. Development standards and design standards which cannot be illustrated graphically shall be addressed as notes on the site plan.

(B) Site plans shall be drawn at a scale of 1 inch = 50 feet and shall not exceed 24" x 36" in size unless otherwise approved by the Director of Planning and Development.

(C) Applicants shall be required to meet with the Planning Director or designee to review the site plan.

(D) The Director of Planning and Development shall forward the site plan to the ~~Planning Commission~~Planning and Zoning Board for review. The ~~Planning Commission~~Planning and Zoning Board shall either approve or reject the site plan. If the site plan is rejected, the ~~Planning Commission~~Planning and Zoning Board shall forward a written explanation to the property owner/applicant stating the reasons for its decision. If rejected, the property owner/applicant may revise the site plan and resubmit it to the ~~Planning Commission~~Planning and Zoning Board or appeal the decision of the ~~Planning Commission~~Planning and Zoning Board to the Pike County Board of Commissioners within thirty (30) days of the ~~Planning Commission~~Planning and Zoning Board's action. Upon approval of the site plan by the ~~Planning Commission~~Planning and Zoning Board or Board of Commissioners, the property owner/applicant may apply for a land disturbance or building permit. In granting a site plan approval, the ~~Planning Commission~~Planning and Zoning Board or the Board of Commissioners may impose such reasonable and additional conditions as may be deemed necessary to protect adjoining or nearby properties or to otherwise promote the public health, safety or welfare.

(E) Site plans shall not be required for interior renovations.

(Ord. Passed 03-31-09)

§ 160.12 LANDSCAPE PLAN

(A) All applications shall include a landscape plan prepared by a licensed Georgia registered landscape architect (RLA). The landscape plan shall illustrate all required landscape and buffer areas along with materials, sizes and quantities of planting materials. The plan shall be fully implemented prior to the issuance of a Certificate of Occupancy except as may be approved by the Director of Planning & Development due to inclement weather conditions. Delay of the implementation of the landscaping plan shall not exceed a period of 6 months and the property owner/applicant shall be required to post a performance bond in the amount of 110% of the estimated cost of the delayed landscaping improvements.

(B) Landscape plans shall not be required for development solely involving interior renovations.

(C) The minimum standards for landscape strips, landscape islands and buffers shall be as follows:

(1) Landscape strips. A landscape strip is an area measured from a property line reserved for the planting of trees, shrubs, grass and/or ground cover except for approved access

and utility crossings. Landscape strips shall be designed with at least 60 % coverage in trees and shrubs and no more than 40 % in grass (sod), or ground cover. At the time of planting, trees shall be a minimum of 2" in caliper and not less than 6ft. in height; shrubs shall be a minimum of 3ft. in height (or minimum 3 gallon containers); and ground cover shall be a minimum of 1 ft. in height (or minimum 1 gallon containers). Mature and native vegetation should be preserved in landscape strips. Where applicable, landscape strips shall be designed so as to conform to GDOT sight distance requirements.

(a) Landscape strips along public rights-of-way. Landscape strips along public rights-of-way shall be measured from the front property line and shall be a minimum of 25 feet wide along the property's entire public street frontage(s) except at points of ingress/egress or within existing easements of various purposes.

(b) Landscape strips alongside and rear property lines adjacent to nonresidential uses. A minimum 15 foot wide landscape strip shall be provided along the property's side and rear property lines adjacent to nonresidential zonings and/or uses.

(c) Landscaping in the rights-of-way of US Highway 19 and US Highway 41 shall be subject to the approval of GDOT. Written authorization or denial by GDOT shall be provided to the Department of Planning and Development as an attachment to the required landscape plan.

(2) (a) Landscaping in Parking Areas. Landscaped islands shall be provided for every 10 parking spaces and at the ends of each row of parking spaces. The landscaped islands shall be a minimum of 10 feet wide and 18 feet in length and shall include a minimum of 1 canopy tree, 2 evergreen shrubs, and ground cover. Trees shall be a minimum of 2" in caliper and not less than 6 feet in height at time of planting. Shrubs shall be a minimum of 3 feet in height (or minimum 3 gallon containers). Ground cover shall be a minimum of 1 foot in height (or minimum 1 gallon containers). The remaining area of landscaping islands shall be planted with additional trees, shrubs, ground cover and/or grass (sod).

(b) The perimeter of landscaped islands shall be surrounded by a continuous raised concrete or asphalt curb. The width and length of landscaped islands shall be measured from the inside edge of the curb. Trees planted in landscaped islands shall be allowed to grow to maturity and shall not be pruned beyond the requirements of basic maintenance.

(3) Other required landscaping. All land surfaces other than those covered by buildings, other structures, paving, required landscaped areas, buffers and other site features shall be landscaped with well-maintained grass (sod), flowers, shrubs, etc. The location and details of all other landscaped areas, including designated natural areas, shall be depicted on the required landscape plan.

(4) Buffers. A buffer is a natural, undisturbed portion of a lot, except for approved access and utility crossings, which is set aside to achieve a vegetative visual barrier alongside the rear property lines between nonresidential zonings/uses and agricultural and/or residential uses. Buffers should be achieved with existing natural vegetation; however, where vegetation does not exist or buffer area is sparsely vegetated, replanting shall be subject to the approval of the Director of Planning and Development.

(a) Replanted buffers shall consist of a combination of evergreen trees, evergreen shrubs and deciduous shade trees as follows:
  (i) A staggered row of evergreen trees a minimum of 6 feet in height at the time of planting; or
  (ii) A single row of deciduous shade trees at least 2 inches in caliper at breast height at the time of planting which are expected at maturity to reach a height of no less than 30 feet; and
  (iii) 2 staggered rows of evergreen shrubs, at least 3 feet in height, planted a maximum of 4 feet on center.

(b) Buffers shall be measured from the property line and provided in the following widths:
  (i) A minimum 50 foot wide buffer shall be provided along the side and rear property lines of all industrially zoned properties adjacent to agricultural and/or residential (including planned and multi-family) zoned properties;
  (ii) A minimum 25 foot wide buffer shall be provided along the side and rear property lines of all nonresidential zonings/uses (except industrially zoned properties) adjacent to agricultural and/or residential (including planned and multi-family) zoned properties;
  (iii) Buffers shall not be required between nonresidential and residential uses within a planned or multi-family residential development.
  (iv) Although a fence, wall, berm or other visual barrier may be substituted for a natural, vegetative buffer if approved through the variance process detailed in Section 160.16, under no circumstances shall said fence, wall, berm or other visual barrier be termed a "buffer."
  (v) Maintenance of Landscaped Areas and Buffers. All landscaped areas and buffers shall be maintained by the property owner. Should vegetation be removed or die, it shall be the responsibility of the property owner to replace it in accordance with the standards herein subject to the approval of the Director of Planning and Development.

(Ord. Passed 03-31-09)

§ 160.13 NARRATIVE

All applications shall include a narrative description of the proposal's consistency with the development and design standards.
(Ord. Passed 03-31-09)

§ 160.14 DEVELOPMENT STANDARDS

(A) Ingress/egress.
The number and location of curbcuts along US Highway 19 (State Route 3) and US Highway 41 (State Route 7) shall be as approved by the Georgia Department of Transportation (GDOT). Connectivity between parcels shall be as approved by the Department of Public Works. The Department of Public Works may require stubouts to adjacent properties. Where parking lots and/or driveways are located at distances greater than 50 feet from an adjacent property line, no constructed stubout shall be required;

however, a perpetual easement for ingress and egress from the driveway/parking lot to the adjacent property line shall be required as a condition of site development permit approval.

(B) Underground Utilities.
Utilities shall be underground except those above ground utilities existing on the date of the adoption of this ordinance and any future utilities approved as special exceptions by the Pike County Board of Commissioners.

(C) Outdoor Lighting.
All outdoor lighting shall be night sky friendly, i.e., lighting shall be directed away from adjoining residential properties. Hooded down-light fixtures shall be used to minimize glare onto adjacent properties or roadways.

(D) Storm Water Detention Ponds.
Security fencing shall be provided around all detention ponds visible from and within one 100 feet of an adjacent right-of-way. Said security fencing shall be a minimum of 4 feet in height and designed to appear as wrought or forged iron in black or natural earth tone color. If not visible from an adjacent right-of-way, said security fencing may be black vinyl coated chain link fencing or other material as may be approved by the Director of Planning and Development. Evergreen shrubs, a minimum of 3 feet in height when installed and planted at intervals of 4 feet, shall be provided around the perimeter of detention facilities located within 100 feet of a side or rear property line.

(Ord. Passed 03-31-09)(Ord. Amended 10-14-09

§ 160.15 DESIGN STANDARDS

(A) Front and right-of-way facing walls.
Exterior building materials for front exterior walls (containing the primary building entrance) and any side exterior walls that face the highway and/or adjacent public street shall be as follows:

(1) Category "A" materials shall comprise 50 percent or more of the area of each wall and shall be limited to one or a combination of the following: brick, natural stone with weathered, polished, fluted, or broken face, and/or glass. No quarry-faced stone shall be used except in retaining walls. The brick and stone material shall not be painted or defaced in any manner.

(2) Category "B" materials may comprise no more than 50 percent of the area of each wall and shall be limited to one or a combination of the following: masonry backed stucco, exterior insulation finish system (EIFS), fiber cement boards, shingles, wood, manmade stone or false brick, and/or surface textured and painted poured in place concrete.

(3) Category "C" materials shall be limited to use as trim or accents and may include painted cement block, minimum 22 gauge painted steel, plastic and/or other materials not previously described except that vinyl shall be strictly prohibited.

(B) Remaining side and/or rear exterior treatments.
Exterior building materials shall be as follows:

(1) Any combination of Category A or B materials listed above.
As indicated in Section 160.08, applicants shall submit either architectural renderings or photographs of substantially similar examples of building materials

and/or features or a written statement of intent to comply with these regulations which includes proposed building materials, etc.

(C) Speaker Systems.
No outdoor loud speakers or music systems shall be allowed on any property less than 15 acres in area. Building security systems and public warning sirens shall not be considered speaker systems.

(D) Loading Docks and Parking Areas for Commercial Vehicles.
All loading docks and parking areas for commercial vehicles shall be located or screened so as to not be visible from adjacent residential properties. Screening shall be in accordance with Section 160.12. No loading dock shall be located in the front of a building.

(E) Parking Area and Materials.
To the maximum extent possible, all vehicular parking shall be in rear and side yards and shall be covered with plant mix asphalt or concrete surface and all driveways shall be paved with similar materials. Paving stones and textured treatments may be used in driveways and pedestrian walkways to create variety and visual interest.

(F) Outdoor Storage.
Outdoor storage shall be allowed only in side and rear yards and shall be fully screened from adjacent properties by a vegetative buffer in accordance with Section 160.12, masonry walls, or opaque wood fencing. Screening shall be a minimum of two (2) feet higher than the top of the materials being screened and no less than six (6) feet nor more than ten (10) feet in height. Chain-link fencing, with or without slats, shall not be allowed as a screening material.

(G) Exterior Equipment/Containers.
All mechanical equipment, above ground tanks, storage facilities, garbage cans, trash containers, palletized trash, recycling containers, or other similar exterior equipment and/or containers shall be located or screened so as to not be visible from adjacent streets and properties. Screening may be accomplished by a vegetative buffer in accordance with Section 160.12, masonry wall, or opaque wood fencing.

(H) Vacant Buildings.
Vacant buildings and properties shall be maintained to include landscaping, parking areas, building exteriors, signs, etc. Sign structures shall not be left without sign-face materials.

(Ord. Passed 03-31-09)

§ 160.16 VARIANCES

Where the strict application of any provision of the US Highway 19 or US Highway 41 overlay district would result in an exceptional and practical difficulty or undue hardship upon any owner of a specific property, the owner of said property may file a variance request for consideration by the Pike County ~~Board of Appeals~~Planning and Zoning Board in accordance with the provisions of Chapter 156 of the Code of Pike County.
(Ord. Passed 03-31-09)

§ 160.17 CONFLICTS IN LANGUAGE

Where conflicts in language occur between this and other ordinances of Pike County, the most restrictive standard shall prevail. Where determination of the most restrictive standard is not readily determined, the most recently adopted standard shall prevail.

(Ord. Passed 03-31-09)

§ 160.18 REVIEW

(A) Staff review.

(1) The Director of Planning and Development or designee shall provide written comments regarding deficiencies of the application to the applicant within fifteen (15) business days of the filing of the complete application. If there are no deficiencies noted by staff, the complete application shall be forwarded to the ~~Planning Commission~~Planning and Zoning Board for review at the next regularly scheduled monthly meeting. A complete file shall be maintained by the Department of Planning and Development for public inspection.

(2) If deficiencies are noted by staff, the applicant shall have the right to amend the application or appeal staff's comments to the ~~Planning Commission~~Planning and Zoning Board.

(B) ~~Planning Commission~~Planning and Zoning Board review.

(1) Review of the application shall be by a quorum of the ~~Planning Commission~~Planning and Zoning Board at a regularly scheduled monthly meeting. The applicant shall be allowed to present the proposal and the members of the ~~Planning Commission~~Planning and Zoning Board shall be allowed to ask questions of the applicant.

(2) The application review process is public, but a public hearing shall not be required. Questions by citizens should be in writing and submitted to the Chairman of the ~~Planning Commission~~Planning and Zoning Board no later than the commencement of the meeting. The Chairman may, but is not required, to recognize individuals in attendance with questions. The Chairman may seek answers to questions from the applicant or staff. Each member of the ~~Planning Commission~~Planning and Zoning Board shall be given ample time to ask questions with final questions to be raised by the Chairman.

(3) The ~~Planning Commission~~Planning and Zoning Board may approve the application as submitted, approve the application as conditioned by the ~~Planning Commission~~Planning and Zoning Board, table the item until a later, specific date, or deny the application.

(4) In making a determination to approve, approve with changes, table or deny an application, the ~~Planning Commission~~Planning and Zoning Board shall consider the following:

(a) Does the application meet or exceed the standards of the overlay district?

(b) Does the application comply with the purpose and intent of the overlay district even if it does not fully comply with all of the standards of the overlay district?

(c) Are there conditions that need to be added to make the project a more appropriate and economically viable project?

(d) What are the likely consequences of requiring a specific condition as part of approval, particularly in the absence of prior precedence?

(5) Approval or approval with conditions by the ~~Planning Commission~~Planning and Zoning Board is intended to be the final action necessary for the applicant to proceed with securing a land disturbance permit or building permit provided all permitting requirements are met.

(6) Tabling of the item may be to a regularly scheduled meeting or to a special called meeting.

(7) Denial of an application is the final action by the ~~Planning Commission~~Planning and Zoning Board. (Ord. Passed 03-31-09)

§ 160.19 APPEALS

(A) A property owner/applicant or adjacent property owner that wishes to appeal a decision of the ~~Planning Commission~~Planning and Zoning Board concerning a specific site plan may file an appeal to the Pike County Board of Commissioners. The appeal must be in writing and filed with the Director of Planning and Development within 10 calendar days of the action by the ~~Planning Commission~~Planning and Zoning Board. The Director of Planning and Development shall place the appeal on the agenda of the next available regularly scheduled meeting of the Board of Commissioners. The decision of the Board of Commissioners shall be final, except as may be determined through legal proceedings of the Superior Court of Pike County.

(B) Upon receipt of a written appeal, the Board of Commissioners should place the item on the agenda of the next regularly scheduled meeting to render a decision on the matter in accordance with the Board's established rules of procedure.

(C) The appeal process is public but a mandatory public hearing shall not be required. The appellant shall be allowed sufficient time, but not more than 10 minutes, to present the details of the application relative to the ~~Planning Commission~~Planning and Zoning Board's decision to the Board of Commissioners. The Director of Planning & Development shall not speak on behalf of the ~~Planning Commission~~Planning and Zoning Board but shall instead offer professional opinions as to the validity of the appellant's claims. The Board of Commissioners shall be allowed to ask questions of the appellant, the Planning Director and applicant (if not the appellant).

(D) Although a mandatory public hearing shall not be required, the Chair of the Board of Commissioners may recognize individuals in attendance who have questions and shall seek to secure answers from staff or the applicant. Each member of the Board shall be given ample time to ask questions with final questions to be raised by the Chair.

(E) After due deliberation, a motion shall be made to affirm the original action by the ~~Planning Commission~~Planning and Zoning Board, modify the original action by specific additional conditions of approval, table the matter to a specific date for further review, or reverse the ~~Planning Commission~~Planning and Zoning Board's action.

(F) In making a determination to affirm, affirm with modifications, table or reverse the ~~Planning Commission~~Planning and Zoning Board's approval or denial of a site plan, the Board of Commissioners should consider the matter in light of the following questions:

(1) Was the action by the ~~Planning Commission~~Planning and Zoning Board consistent with the specific requirements of the overlay district?

(2) Did the action by the ~~Planning Commission~~Planning and Zoning Board comply with the general intent of the overlay district even if it does not fully comply with the specific requirements of the overlay district?

(3) Are there conditions that need to be added to make the project a more appropriate and economically viable project?

(4) What are the likely consequences of requiring a specific condition as part of approval, particularly in the absence of prior precedence?

(G) Affirmation with or without modifications of a prior approval or reversal of a prior denial, by the Board of Commissioners, shall be the final action necessary for the applicant to proceed with securing a land disturbance permit or building permit, provided the requirements of those processes have been met.

(H) Reversal of a prior approval or affirmation of a prior denial shall be the final action taken by

the Board of Commissioners. Any work in process must immediately cease and desist. Work begun in advance of the conclusion of the County's appeal process is at risk and will

not be compensated by the County.
(Ord. Passed 03-31-09)

§ 160.20 AMENDMENTS TO TEXT OF OVERLAY DISTRICTS

Text amendments shall be in accordance with the requirements of Chapter 156, Section 156.028, of the Code of Pike County, Georgia.
(Ord. Passed 03-31-09)

§ 160.21 EFFECTIVE DATE

This ordinance shall become effective upon the second reading of the proposed ordinance and upon the affirmative vote of at least 3 commissioners.
(Ord. Passed 03-31-09)

TITLE XV:

LAND USAGE

Chapter 164

Fence, Wall, and Buffer Ordinance

CHAPTER 164: FENCE, WALL AND BUFFER ORDINANCE

Section

164.01 Purpose and Intent
164.02 Applicability of Regulations
164.03 Definitions
164.04 Provisions & Restrictions for Fences and Walls
164.05 Pre-Existing Fences and Walls
164.06 Permits Required
164.07 Provisions & Restrictions for Landscaping Buffers
164.08 Landscaping Buffer Applications
164.09 Invasive Species List
164.10 Tree List for Landscaping Buffers
164.11 Shrub and Groundcover List for Landscaping Buffers
164.12 Enforcement and Penalty
164.13 Severability
164.14 Effective Date

§ 164.01 PURPOSE AND INTENT

It is the purpose and intent of this Chapter to allow individuals and organizations the opportunity to achieve high quality fence, wall and buffer designs for the purpose of better softening the conflict between different, or incompatible, land uses. It is also the purpose and intent of this Chapter to protect property from a loss of use, enjoyment or value due to the construction of aesthetically objectionable fences or walls on adjacent property.
(Ord. Passed 10-14-09)

§ 164.02 APPLICABILITY OF REGULATIONS

(A) Fences, walls and buffers shall be permitted in all zoning districts in unincorporated Pike County and are subject to the provisions and restrictions in Section 164.04 of this Chapter.
(B) In cases where fences, walls, and buffers may be warranted on properties lying partially or wholly within the US Highway 19 and US Highway 41 Overlay Districts, the standards and restrictions of the Overlay Districts relating to building and landscape materials shall prevail.
(Ord. Passed 10-14-09)

§ 164.03 DEFINITIONS

For the specific purposes of this Ordinance, the following definitions shall apply:
(A) BERM.
A man-made earth mound of definite height and width maintained for landscaping and obscuring purposes. Berms are stabilized with grass or other approved groundcovers.
(B) BUFFER.
(1) That portion of a lot established for open space purposes and intended to separate properties with different and possibly incompatible types of uses. A BUFFER must not be otherwise occupied with structures. A BUFFER must be at least ten feet wide and

provide reasonable visual screening of the property through the provision of one of the following:

(a) Planted vegetative screen at least ten feet wide and six feet high;

(b) Fence or wall at least six feet high which provides visual screening;

(Existing Definition from Section 156.006 Definitions – Pike Co. Zoning Ordinance)

(2) Where encroachment of a buffer occurs, vegetation disturbance shall be kept to the minimum required for the installation, and vegetation that is removed during the process shall be replaced with suitable landscape material that provides the same quality of screening and/or stabilizing cover. In cases where designated undisturbed buffers are found to have inadequate vegetative screening at certain points, the Director of Planning and Development reserves the right to specify additional landscaping material within the limits of the undisturbed buffer to achieve proper screening.

(3) For the purposes of this Ordinance, there are three general types of buffers:

(a) *Buffer, Conservation.* Any land in permanent vegetation, designed to intercept pollutants, stabilize stream banks and other riparian areas and manage other environmental concerns. Conservation buffers include: riparian buffers, filter strips, grassed waterways, shelter belts, windbreaks, living snow fences, contour grass strips, cross-wind trap strips, shallow water areas for wildlife, field borders, herbaceous wind barriers, and vegetative barriers. Conservation buffers may be either undisturbed or artificially enhanced, depending on the situation.

(b) *Buffer, Landscaping.* Any trees, shrubs, groundcovers, walls, fences, berms, space, or related landscaping features required by Ordinance on private lots, and privately maintained, for buffering lots from adjacent properties or public rights-of-way for the purpose of increasing visual or other aspects of privacy and aesthetics. The term 'landscaping buffer' shall be synonymous with the terms 'vegetative buffer', 'vegetated buffer', 'landscape buffer', and 'planted buffer' found throughout the Pike County Zoning Ordinance.

(c) *Buffer, Undisturbed.* Any existing vegetation, trees, shrubs, and/or groundcovers, on private lots, and privately maintained, for buffering lots from adjacent properties or public rights-of-way for the purpose of maintaining visual or other aspects of privacy and aesthetics.

(C) FENCE.

(1) A barrier erected upon, or immediately adjacent to, a property line for the purpose of separating properties, or for screening, enclosing, and/or protecting the property within its perimeter.

(2) For the purposes of this Ordinance, there are eight general types of fences:

(a) *Fence, Farm.* A fence, usually wood or wire, associated with active agricultural practices occurring on parcels not less than 2 acres in size.

(b) *Fence, Living.* A continuous hedgerow of living, quality plant material planted and maintained for the purpose of enclosing or screening an area.

(c) *Fence, Municipal.* A fence occurring on property owned by or under the jurisdiction of Pike County, Georgia government and/or its Boards and Authorities.

(d) *Fence, Privacy.* An opaque fence constructed of wood, vinyl or other similar materials that blocks vision for the purpose of obscuring or screening an area from public view.

(e) *Fence, Security.* A fence consisting of wood, vinyl, chain-link, or other similar materials that blocks access to potentially valuable or dangerous areas within a private or public property parcel.

(f) *Fence, Silt.* A temporary fence for erosion and sediment control purposes on a property undergoing land disturbance. Silt fence materials, construction, and installation must be in accordance with standards set in the latest edition of the "Manual for Erosion and Sediment Control in Georgia" provided by the Georgia Soil and Water Conservation Commission.

(g) *Fence, Temporary.* A fence briefly used for protection and stability of existing trees, structures, etc. during activity on a property parcel. The fence, usually composed of silt fence material or orange mesh, is removed upon full site stabilization.

(h) *Fence, Unsafe.* A fence deemed unsafe by the Director of Planning and Development.

(D) FENCE/WALL HEIGHT.

The vertical dimension from the natural ground level to the top of the fence or wall, measured at any point along the length of the structure. The height shall not include decorative finishes on posts or columns.

(E) NATURAL GROUND LEVEL.

The level of the ground prior to any recent man-made changes in the elevation of the ground. For purposes of administering this article, "natural ground level" also shall include the level of the ground established on any development plans approved in accordance with the Pike County review process.

(F) WALL.

(1) A solid, usually opaque, barrier erected upon a property for the purpose of separating properties, screening, enclosure, protection, and reconciling significant elevation differences. For the purpose of this Ordinance, 'wall' shall not refer to any load-bearing walls that are part of a building.

(2) For the purposes of this Ordinance, there are six general types of walls:

(a) *Wall, Decorative*. A low, freestanding wall consisting of brick, stone, block, timbers, or similar materials and constructed with a design that includes specific pattern elements or ornamentation. Decorative walls are usually not security or privacy walls and are often located well within the interior of a property parcel, such as a low, garden wall.

(b) *Wall, Municipal.* A wall occurring on property owned by or under the jurisdiction of Pike County, Georgia government and/or its Boards and Authorities.

(c) *Wall, Privacy.* A freestanding wall constructed of brick, stone, block, timbers, or other similar materials that blocks vision for the purpose of obscuring or screening an area from public view.

(d) *Wall, Retaining.* A wall constructed of brick, stone, block, timbers, or other similar materials that quickly allows for necessary grade changes where horizontal space on a property may be limited. Also a wall constructed to hold back soil or rock from a building, structure, or a wall constructed to prevent the erosion of soil on steep slopes.

(e) *Wall, Security.* A freestanding wall constructed of brick, stone, block, timbers, or other similar materials that blocks access to potentially valuable or dangerous areas within a private or public property parcel.

(f) *Wall, Unsafe.* A wall deemed unsafe by the Director of Planning and Development.

(Ord. Passed 10-14-09)

§ 164.04 PROVISIONS & RESTRICTIONS FOR FENCES AND WALLS

(A) Height Standards and Restrictions.

(1) Privacy fences and walls shall be a minimum 6 feet in height, but shall not exceed 8 feet in height, except for living fences. With few exceptions, privacy fences shall be used in place of privacy walls, due to construction costs and structural safety concerns.

(2) Security fences and walls, around swimming pools, detention ponds, etc. shall be a minimum 4 feet in height, but shall not exceed 8 feet in height. With few exceptions, security fences shall be used in place of security walls, due to construction costs and structural safety concerns. Security fences may be higher than 8 feet in certain industrial / manufacturing areas with written permission from the Director of Planning and Development.

(3) All fences and walls located within residential front yards in R-20, R-15, R-11, and PRD zoning districts shall not exceed 4 feet in height, except for living fences.

(4) If the covenants of a Homeowner's Association within unincorporated Pike County are more restrictive than the standards of this Ordinance in terms of fence or wall height, then the standards of the restrictive covenants shall prevail.

(5) At the discretion of the Director of Planning and Development, walls 4 feet in height or above may require review and certification by a Georgia registered structural engineer.

(B) Location Standards and Restrictions.

(1) Fences and walls shall not be placed directly on a property line. They shall be located a minimum of 6 inches behind the property line. Fences and walls shall also not be located within any public right-of-way.

(2) No fence or wall shall be placed in any drainage, utility, landscaping, access or other easement without notification to the easement holder and the following of proper procedure outlined by the easement holder after notification. Fences and walls already within a particular easement are subject to damage or removal due to repairs and maintenance by the easement holder to areas or structures associated with the easement.

(3) Fences and walls shall not be placed within floodplain boundaries, stream buffers, or drainage ways in a manner that will impede the flow of water.

(4) No privately-owned fence or wall shall be installed so that, in the opinion of the Director of Planning and Development or GDOT, obstructs vision at any street intersection, or in any way creates a hazard to traffic. No fences or walls above 30 inches shall be located within GDOT sight triangles.

(5) No fence may be installed that, in the opinion of the County Fire Chief, prevents or unduly restricts access to a property for emergency purposes.

(a) An access opening for emergency entrance shall be incorporated into any fenced areas within which a building is totally or partially located. For residential properties, the access opening shall be at least 4 feet in width. For commercial or industrial properties, the access opening shall be at least 14 feet in width. A gate or unfenced area shall qualify as an access opening if it is of the required width.

(b) If the covenants of a Homeowner's Association within unincorporated Pike County are more restrictive than the standards of this Ordinance in terms of fence or wall location, then the standards of the restrictive covenants shall prevail.

(C) Material, Construction, and Repair Standards and Restrictions.

(1) Fences and walls constructed near property lines shall be constructed with the finished side towards the neighboring property. Fences and walls constructed along a street right-of-way shall be constructed with the finished side towards the street.

(2) The following fence and wall materials are prohibited from use: unfinished cinder block, creosote-coated lumber, any fabric, any metal or metal alloy (excluding wrought iron and chain link fences), particle board (wood composite material), plywood sheets, sheet rock material, and any other materials deemed inappropriate by the Director of Planning and Development. Barbed wire, razor wire, and electrified fences (excluding pet control fences) shall only be allowed on parcels with permitted agricultural practices in A-R zoning districts, or in certain high security industrial / manufacturing areas. Simple wire fences, other than those described above, shall be allowed in zoning districts other than A-R, where the keeping of livestock is a permitted use.

(3) Chain link fence may be galvanized steel or vinyl coated. Safety top caps must be installed on chain link fences installed or already located on properties owned by or under the jurisdiction of the Pike County, Georgia government and / or its Boards and Authorities (municipal chain link fences).

(4) Chain link fences may be used as privacy fences or screening buffers, provided that they are a minimum 6 feet high and completely covered in a "wind break" screening material of minimum 90% opaqueness.

(5) All fencing and wall materials must be either white, black, or natural earth tone colors only, with the exception of galvanized chain link fence.

(6) All fences and walls within the County must be maintained in a safe condition. The owner of the property on which a fence or wall is located shall be responsible for the maintenance and repair of the fence or wall. The owners of fences and walls deemed unsafe by the Director of Planning and Development will be sent a certified letter by the Director explaining the unsafe situation. If the fence or wall owner does not begin to voluntarily remedy or remove the unsafe situation within 30 days of notification, the Director can order the fence or wall be permanently stabilized or removed within a specified timeframe, with continued violations to be processed under the jurisdiction of Pike County Magistrate Court. Pre-existing fences and walls, as defined in Section 164.05, deemed to be unsafe are subject to the requirements of this section and shall be fully replaced for the entire fence or wall portion adjacent to the aggrieved property owner, according to the full standards of this Chapter.

(7) Any fence or wall damaged by accident or an act of God, or deemed unsafe shall be properly repaired (or replaced, depending on the severity) within 90 days of occurrence. Municipal fences and walls shall, upon being damaged, first have all debris cleared and be temporarily stabilized immediately. Final repairs to the damaged fence shall be started no more than 30 days after temporary stabilization is achieved.
(8) For fences requiring a permit, fence posts that require concrete footers shall have them to a minimum 12 inch depth.
(9) Retaining walls and freestanding walls (with the exception of decorative walls) shall require reinforced concrete footers. Retaining walls may require weep holes and dead man anchors, depending on the situation.
(10) From the 2003 International Property Maintenance Code: "Private swimming pools, hot tubs, and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier at least 48 inches (4 feet) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier." The total enclosed fence area shall not exceed 3 times the pool surface area.
(11) From the 2003 International Property Maintenance Code, the spacing between fence slats (spindles) shall not exceed 4 inches.
(12) All municipal fences and walls shall comply with the Americans with Disabilities Act guidelines for accessibility and safety, in terms of protruding objects, changes in elevation, detectable warning surfaces, and adequate access widths. Single family detached residential properties are exempt from these requirements.
(13) If the covenants of a Homeowner's Association within unincorporated Pike County are more restrictive than the standards of this Ordinance in terms of fence or wall materials, construction and repair practices, then the standards of the restrictive covenants shall prevail.

(Ord. Passed 10-14-09)

§ 164.05 PRE-EXISTING FENCES AND WALLS

With the exception of the unsafe situations described in Section 164.04 (c)(6), this Ordinance shall apply only to fences and walls proposed for construction after the effective date of this Ordinance. Fences and walls under construction as of the effective date of this Ordinance are also exempt.

(Ord. Passed 10-14-09)

§ 164.06 PERMITS REQUIRED

(A) A permit with an associated fee shall be required for all fences required around swimming pools and detention ponds, and all walls, both freestanding and retaining, over 4 feet in total height. An application for a permit, with a fee amount approved by the Board of Commissioners, shall be made on forms provided by the Planning and Development Department.

(B) Permits for swimming pool fences shall be applied for at the same time as a pool permit and shall be attached to the pool permit.
(C) Permits for detention pond fences shall be applied for at the same time as submittal of civil or erosion/sediment control plans for the development requiring the detention pond.
(D) A fence permit (with associated fee) may, at the discretion of the Director of Planning and Development, be required for proposed industrial or manufacturing developments where potentially hazardous materials may be stored.
(E) A non-fee permit shall be required for all other fences and walls not specifically exempted below. The permit shall be in the form of an application, provided at the Planning and Development office, which shall provide the materials, dimensions, and location of the proposed fence or wall. The applicant shall also be provided with a copy of the fence standards and restrictions and shall sign a written statement acknowledging an understanding of the standards and restrictions provided. Homeowner's associations and local fence companies are encouraged to obtain copies of this Ordinance and incorporate its standards into their standards and procedures. All permitted fences, whether requiring a fee or not, are subject to the standards and restrictions of this ordinance, and continued violations shall be subject to the enforcement and penalty procedures outlined in Section 164.12.
(F) Specific situations <u>not</u> requiring a fence permit (fee or no-fee permits):
  (1) Minor repairs to an existing fence or wall with no significant structural changes.
  (2) Replacement of an existing fence with a new fence that is the same type, height, and material and in the same location as the existing fence; provided the replacement fence is otherwise in full compliance with this ordinance.
  (3) The installation of gates of up to 8 feet in width in an existing fence or wall with no structural changes.
  (4) Fences associated with permitted agricultural uses including, but not limited to, livestock and poultry containment, gardens and crop-growing.
  (5) Walls, 4 feet or less in height, associated with agricultural practices, livestock and poultry containment, gardens and crop-growing. A permit shall be required for any type of wall over 4 feet in height.
  (6) Living fences with no man-made structural components.
  (7) Decorative walls less than 4 feet in height, located well within the interior of a property parcel, and serving no privacy or security function.

(Ord. Passed 10-14-09)

<u>§ 164.07 PROVISIONS & RESTRICTIONS FOR LANDSCAPING BUFFERS</u>

(A) Unless otherwise specified, the buffer standards shall only apply along the property lines where the two conflicting zoning districts, or uses, meet.
(B) The developer or owner of the subject property is responsible for installing the buffer. The adjacent property owner shall not have to participate in installing a buffer unless their property is developed or re-developed with an incompatible use.
(C) No buffer or required landscape materials shall be placed within any easement, right-of-way, or septic field.

(D) Unless otherwise specified, all required buffer areas shall be provided entirely on the subject property and may be incorporated into the building yard setbacks required in each zoning district

(E) All required buffer trees shall be irregularly spaced and designed to provide the appearance of a natural landscape unless otherwise specified by this Ordinance.

(F) All portions of the buffer not planted with trees, shrubs, or other buffer materials shall be covered with grass or other approved groundcover. No species listed on the Invasive Species List for North America shall be used for ground covering vegetation (see Section 164.09).

(G) Buffer landscaping required by this section shall not be used to satisfy the minimum requirements of any landscaping requirements found elsewhere in the Pike County Code of Ordinances.

(H) All landscape materials must be properly maintained, and kept in a neat and orderly appearance, free from all debris and refuse. All unhealthy or dead plant material shall be removed by the end of the next planting season.

(I) For homeowner's associations, County properties, etc., a berm maintenance schedule will be prepared for berms occurring on their properties, and, upon request, a copy of the schedule shall be furnished to the Planning and Development office. The berm maintenance schedule will address required monthly maintenance activities for berms related to pruning, mowing, weeding, fertilization, etc. In addition, the maintenance schedule will address the mowability of certain berm slopes and provide alternate solutions for berm slopes judged to be too steep to be mowed by conventional means.

(J) For the purposes of this Ordinance, there are three main types of landscaping buffers:

(1) Type 1 Landscaping Buffer: 10 feet of width from subject property line; buffer shall provide a continuous, 6 feet high minimum vegetative screen (at time of plant maturity), accompanied by appropriate groundcover for the remainder of the buffer width, OR buffer shall provide a minimum 6 feet high opaque fence or wall (subject to the requirements of this chapter), accompanied by approved groundcover for the remainder of the buffer width, along the affected boundary between the subject property and adjoining properties.

(2) Type 2 Landscaping Buffer: 25 feet of width from subject property line; buffer shall provide 1 deciduous canopy tree and 2 evergreen understory trees for every 20 linear feet along the affected boundary between the subject property and adjoining properties.

(3) Type 3 Landscaping Buffer: 50 feet of width from subject property line; buffer shall provide 2 staggered rows of deciduous canopy trees to be planted parallel to the property line within the buffer yard with 1 canopy tree placed every 20 linear feet along the affected boundary between the subject property and adjoining properties. In addition to the canopy trees, either a 6 foot tall opaque fence or wall (subject to the requirements of this chapter), or a 4 foot tall grassed berm planted with shrubs along its ridge, or a 6 foot tall row of evergreen understory trees shall be installed parallel to the property line within ten (10) feet of the affected boundary between the subject and adjoining properties.

(a) If a berm is used to fulfill the requirements, 1 shrub for every 10 feet of continuous boundary shall be planted on the ridge of the berm. All required shrubs shall measure a minimum 12 inches in height measured from grade at the time of planting.

(b) If a row of evergreen trees is used to meet the requirements, 1 tree shall be placed every 10 feet along the property boundary.

(Note: Deciduous canopy trees shall be a minimum 2 inch caliper at time of planting. Evergreen trees and large shrubs (for Type 1, 2, and 3 screening) shall be a minimum 3 feet tall at time of planting and shall achieve a minimum 6 feet tall at maturity. Smaller landscape shrubs (for Type 3 buffer screening along berms only) shall be a minimum 3 gallon container size (minimum 12 inches) at the time of planting.)

(K) In cases where unapproved disturbance has occurred in a conservation buffer (stream banks, wetlands, etc.), the Director of Planning and Development reserves the right to specify additional landscaping material within the limits of the conservation buffer to remedy the disturbance. The Director shall submit in plan form the location and types of landscape materials for remediation within the conservation buffer to the Natural Resources Conservation Service, Barnesville Field Office, for review and approval.

(Ord. Passed 10-14-09)

§ 164.08 LANDSCAPING BUFFER APPLICATIONS

The following situations shall require landscaping buffers:

(A) Type 1 Landscaping Buffers shall be required for:

(1) Proposed utility substations.

(2) Where applicable, the side and rear property lines of proposed church developments.

(3) Other uses or areas where deemed necessary by the Pike County ~~Planning Commission~~Planning and Zoning Board and/or the Department of Planning and Development.

(B) Type 2 Landscaping Buffers shall be required for:

(1) The rear and sides of the boundary of any proposed PRD development.

(2) Along the frontage of public roads on which the entrance to a proposed PRD development is located.

(3) Between a proposed C-1 (Neighborhood Commercial) development and existing residentially zoned property, and between a proposed P-I (Professional-Institutional) development and existing residentially zoned property.

(4) Other uses or areas where deemed necessary by the Pike County ~~Planning Commission~~Planning and Zoning Board and/or the Department of Planning and Development.

(C) Type 3 Landscaping Buffers shall be required for:

(1) Between a proposed C-2 (General Commercial) development and existing residentially zoned property, between a proposed C-3 (Heavy Commercial) development and existing residentially zoned property, and between all proposed manufacturing developments and existing residentially zoned property.

(2) Other uses or areas where deemed necessary by the Pike County ~~Planning Commission~~Planning and Zoning Board and/or the Department of Planning and Development.

(Ord. Passed 10-14-09)

§ 164.09 INVASIVE SPECIES LIST

No plants listed on the Invasive Species List for North America shall be utilized in landscaping buffer design and installation, including but not limited to common landscape plants such as: carpet bugle (*Ajuga*), bamboo (*Bambusa*), clematis, winter creeper (*Euonymus fortunei*), ivy (*Hedera*), sunflower (*Helianthus*), privet (*Ligustrum*), monkeygrass (*Liriope*), honeysuckle (*Lonicera*), loosestrife (*Lythrum*), passionflower (*Passiflora*), *Pennisetum*, firethorn (*Pyracantha*), kudzu (*Pueraria*), and *Wisteria.*
(Ord. Passed 10-14-09)

§ 164.10 TREE LIST FOR LANDSCAPING BUFFERS

(A) Prohibited Trees (for Landscaping Buffers)

Silver Maple (*Acer saccarinum*)
Sweetgum (*Liquidambar styraciflua*)
Tree-of-Heaven (*Ailanthus altissima*)
Crabapple (*Malus sp.)*
Mimosa (*Albizia julibrissin*)
Poplar (*Populus sp.)*
Catalpa (*Catalpa sp*.)
Bradford Pear (*Pyrus calleryana 'Bradford'*)
Ginkgo (*Ginkgo biloba*)
Locust (*Robinia sp.)*
Black Walnut (*Juglans nigra*)
Willow (*Salix sp*.)

*Note: The Director of Planning and Development reserves the right to prohibit other tree species not listed here.

**Note: Certain prohibited tree species may be used in natural, undisturbed buffers at the discretion of the Director of Planning and Development.

(B) Recommended Deciduous Canopy Trees

Red Maple (*Acer rubrum*)
Live Oak (*Quercus virginiana*)
Sugar Maple (*Acer saccharum*)
Sassafras (*Sassafras albidum*)
River Birch (*Betula nigra*)
Littleleaf Linden (*Tilia cordata*)
Tulip Poplar (*Liriodendron tulipifera*)
Chinese Elm (*Ulmus parvifolia*)
Black Gum (*Nyssa sylvatica*)
Japanese Zelkova (*Zelkova serrata*)
Pin Oak (*Quercus palustris*)
Aristocrat Pear (*Pyrus calleryana 'Aristocrat'*)
Hickory (Carya sp.)

(C) Recommended Evergreen (Understory) Trees

Leyland Cypress (*x Cupressocyparis leylandii*)
American Holly (*Ilex opaca*) or other similar holly species
Dwarf Southern Magnolia (*Magnolia grandiflora 'Little Gem'*)
Virginia Pine (*Pinus virginiana*)
Cherry Laurel (*Prunus caroliniana*)
*Note: The Director of Planning and Development reserves the right to approve other tree species not listed here.

(Ord. Passed 10-14-09)

§ 164.11 SHRUB AND GROUNDCOVER LIST FOR LANDSCAPING BUFFER

(A) Recommended Shrubs

Flowering Abelia (*Abelia grandiflora*)
Dwarf Cherry Laurel (*Prunus laurocerasus*)
Japanese Aucuba (*Aucuba japonica*)
Dwarf Indian Hawthorn (*Rhaphiolepsis indica.)*
Azalea (*Azalea sp.*)
Knockout Rose (*Rosa 'Radrazz'*)
Barberry (*Berberis thunbergii*)
Leatherleaf Viburnum (*Vibur. Rhytidopyllum*)
Rockspray Cotoneaster (*Cotoneaster horizontalis)*
Burning Bush (*Euonymus alata*)
Chinese Hollies (*Ilex cornuta*)
Japanese Hollies (*Ilex crenata*)
Yaupon Holly (*Ilex vomitoria*)
Loropetalum (*Loropetalum chinensis*)

(B) Recommended Groundcovers

Spreading Yew (*Cephalotaxus harringtonia*)
Bearberry Cotoneaster (*Cotoneaster dammeri*)
Bermuda grass (*Cynodon sp.*)
Centipede grass (*Eremochloa sp.*)
Fescue grass (*Festuca sp.)*
Creeping Gardenia (*Gardenia radicans*)
Daylily (*Hemerocallis sp.*)
St. Johnswort (*Hypericum calycinum*)
Evergreen Candytuft (*Iberis sempervirens*)
Heller Japanese Holly (*Ilex crenata 'Helleri'*)
Dwarf Mondo Grass (*Ophiopogon japonicus 'Nana'*)
Pachysandra (*Pachysandra terminalis*)
Moss Pink (*Phlox subulata*)
Dwarf Pittosporum (*Pittosporum tobira 'Wheeler's Dwarf'*)
Zoysia grass (*Zoysia sp.)*
*Note: The Director of Planning and Development reserves the right to approve other shrub and groundcover species not listed here.

(Ord. Passed 10-14-09)

§ 164.12 ENFORCEMENT AND PENALTY

Any person in violation of this article shall be cited and tried in Magistrate Court and, upon conviction, shall be subject to prosecution and fined up to $250.00 for each occasion that a violation occurs.
(Ord. Passed 10-14-09)

§ 164.13 SEVERABILITY

Any portion of this ordinance that may be deemed void, invalid or otherwise unconstitutional and/or illegal shall be severed from the ordinance without invalidating the remaining provisions of this ordinance.
(Ord. Passed 10-14-09)

§ 164.14 EFFECTIVE DATE

This ordinance shall become effective upon the second reading of the proposed ordinance and upon the affirmative vote of at least 3 commissioners.
(Ord. Passed 10-14-09)

PIKE COUNTY
PLANNING AND ZONING BOARD
6:30 p.m. November 10, 2022

The Pike County Planning and Zoning Board will conduct its scheduled monthly meeting on November 10, 2022, at 6:30 p.m. on the second floor of the Pike County Courthouse located at 16001 Barnesville Street, Zebulon, Georgia. The Board will conduct **PUBLIC HEARINGS** on the following item:

(1) VAR-22-12 Matthew Caraway owner and applicant request a variance to development regulations for property located at 285 New Road, Molena, GA 30258 in Land Lot 157 of the 9th District, further identified as Parcel ID 034 040. The property consists of 5 +/- acres and the request is to allow an accessory building to be constructed on a lot less than 10 acres before the primary structure is built. Commission District 2, Commissioner Tim Guy. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will have final decision.**

(2) SE-22-04 Peach State Aerodrome owner and Keven Sasser Applicant request a special exception to allow residential pilot quarters in the C-2 zoning district on a portion of Parcel ID 050 022 and 050 022A located on Jonathan Roost Road, Williamson, GA 30292 in Land Lots 232 & 249 of the 8th District. The property consists of 28.16+/- acres. Commission District 4, Commissioner James Jenkins. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

(3) SE-22-05 Joshua Denton owner and applicant request a special exception to operate a general home occupation for property located at 264 Walker Road, Meansville, GA 30256 in Land Lot 89 of the 8th District, further identified as Parcel ID 093 035CB. The property consists of 3.0 +/- acres and the request is to allow the parking of 3 trucks in association with a general home occupation. Commission District 4, Commissioner James Jenkins, **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

(4) Text amendments to Title XV, Land Usage, Chapter 150, Building Regulations, Chapter 155, Subdivisions, Chapter 156 Zoning Code, Chapter 160, US Highway 19 & US Highway 41 Overlay District Ordinance, and Chapter 164, Fence, Wall & Buffer Ordinance. The purpose of this text amendment is to change the name of the Planning Commission and the Board of Appeals to the newly created Planning and Zoning Board in the aforementioned sections of the Code. **The public is invited to attend to speak in favor or in opposition of the request. The PZB will forward a recommendation to the BOC for final decision.**

The Pike County Board of Commissioners will conduct a **PUBLIC HEARING** on November 29, 2022, at 6:30 pm at the Pike County Courthouse located at 16001 Barnesville Street, Zebulon, Georgia. **The public is invited to speak in favor or in opposition of the request.**

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