

# **Jasper County Zoning Ordinance of 2008**

**Draft for Review**

*Submitted by:*

**Jasper County Zoning Committee**

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**Jasper County Planning & Zoning Commission**

*and the*

**Jasper County Board of Commissioners**

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## **ARTICLE I. GENERAL REGULATIONS**

### **Preamble and enactment.**

The zoning regulations and districts herein established have been made for the purpose of promoting the health, safety, morals, convenience, order, prosperity and the general welfare of present and future inhabitants of Jasper County; of lessening congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. The regulations have also been made with reasonable consideration among other things to the character of the district and its peculiar suitability for particular uses, and with a view to promoting desirable living conditions and the sustained stability of neighborhoods, protecting property against blight and depreciation, securing economy in governmental expenditures, conserving the value of buildings, and encouraging the most appropriate use of land, buildings and other structures throughout Jasper County.

The comprehensive land use plan herein established has been made for the following purposes: to control, guide and direct development in Jasper County; to protect, preserve and enhance the county's cultural, environmental, economic and social resources; to identify current land uses in order to assist the county in making decisions regarding budgets, finances, utilities and other resources; to enable the county to predict future land uses for planning purposes; to stabilize the land uses in the county; to assist in fulfilling the purposes of the county's zoning regulations; to assist the county in fulfilling its statutory and other legal obligations; and to provide a public document which will serve as a means of general information on land use and development for the citizens of Jasper County.

### **Short Title.**

This ordinance shall be known and may be cited as “the Jasper County zoning ordinance.”

## Definitions

For the purpose of this ordinance, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building" shall include the word "structure" and the word "shall" is mandatory and not directory. Any words not herein defined shall be construed as defined in the general county Code and where definitions in the general county Code are in conflict with those herein, the definitions herein shall prevail.

The word *developer* includes a *firm, corporation, co-partnership, association, institution, or person*. The word *lot* includes the words *plot* and *parcel*. The word *building* includes the word *structure*. The words *used* or *occupied* as applied to any land or building include the words *intended, arranged, or designed, to be used, or occupied*.

*Accessory Structure*: A structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use.

*Administrative officer*: The person, officer, or official and his authorized representative, whom the board of county commissioners of Jasper County has designated as its agent for the administration of these regulations. Also called zoning administrator.

*Adult service facility* means a commercial establishment in which the patron directly or indirectly is charged a fee to engage in private, personal contact with employees, patrons, or personnel primarily for entertainment purposes, using steam rooms or other devices or equipment provided by the establishment, and that is not otherwise regulated as an adult entertainment establishment or massage establishment.

*Agriculture*: The production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats, or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program.

*Airport*: A transportation terminal facility where aircraft take off and land.

*Airstrip, Private*: An area designated for the take-off and landing of private, non-commercial aircraft, with no terminal facilities and no scheduled take-offs and landings.

*Alley*: A secondary way which affords access to the side or rear of abutting property.

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

*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 must meet the following development standards as well as all other applicable regulations:

*Bed and breakfast:* A detached dwelling in which rooms are rented to transient guests on an overnight basis and meals may be served only to overnight guests.

*Block:* A unit or area of land bounded by public highways or streets, other than alleys, or a combination of streets, public lands, railroad rights-of-way, waterways or any other barrier to the continuity of development.

*Board of Commissioners:* see County Commission

*Boarding or Rooming House:* A building other than a hotel used or intended for use as a place for lodging or feeding or both, for compensation, of three or more persons but not exceeding 20 customarily rented for a weekly or monthly basis.

*Buffer:* Land area used to visibly separate one use from another or to shield or block noise, lights, or other nuisances. Buffer strips do not include buildings but may include fences or berms, as well as trees and shrubs.

*Buildable Area:* The area of a lot remaining after the minimum yard, setback and open space requirements have been met.

*Building Envelope:* see Buildable Area.

*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.

*Building Inspector:* The designee of the administrative officer responsible for issuing building permits and related duties.

*Building Line:* A line parallel to a specified minimum distance from the front, side, or rear property lines or the right-of-way beyond which no foundation wall or part of the structure of any building projects with the exception of roof overhang, steps, and the subsurface projection of footings.

*Building Setback:* The line, parallel to a property line or right-of-way, which represents the minimum distance a building must be set back from the property line or right-of-way measured at the foundation of the building.

*Building, Accessory:* A building 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.

*Building, Principal:* The building on a lot in which the principal use of the lot is conducted. In a residential district, a dwelling shall be deemed to be the principal building on the lot.

*Building:* Any structure having a roof and intended for shelter, housing, or enclosure of persons, animals, or property of any kind.

*Cemetery:* Land reserved for burial plots or occupied by grave sites for the 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.

*Centerline, Right-of-way:* The line running midway between the edges of a surveyed or mapped dedicated right-of-way. Where the edges of right-of-way have not been established by subdivision plat or public

purchase, the centerline shall be the line running midway between any adjoining drainage ditches or other publicly maintained road improvements.

*Centerline, Street:* The line running midway between the edges of pavement of a street.

*Clinic:* An establishment where patients are admitted for examination and treatment by physicians, dentists, psychologists, or social workers but where there is usually no overnight lodging.

*Club or Lodge, Private:* A group of people organized for a common purpose including religious, fraternal, recreational, cultural, civic, social, or educational meetings that are conducted on a regular non-profit basis, operated for the benefit of members and not open to the general public. Fraternal organizations must show that they have received recognition and sanction from a parent group or organization. A private club's membership is limited by either: (a) the use and operation of an amateur athletic facility including but not limited to golf courses, tennis courts, shooting ranges or swimming pools; or (b) residency in a particular subdivision, condominium, multi-family apartment, or other residential development.

*Clubhouse:* A building, or portion thereof used by a club.

*Comprehensive Plan:* The overall plan for development for Jasper County, or any part or element of that plan, adopted by the County Commission, as amended.

*Condominium:* A building, or group of buildings in which units are owned individually, and the structure, common area and facilities are owned by all the owners on a proportional, undivided basis under the Georgia Condominium Act.

*Conservancy lot* A lot not held in common ownership within a conservation subdivision and that is limited to use for one principal dwelling unit and that contains a designated permanent green space area(s) protected by conservation easement that contributes to the green space requirements of the county code.

*Conservation area, primary* All 100-year floodplains, wetlands, and steep slopes greater than 25 percent grade that are set aside as permanent open space on a development parcel.

*Conservation area, secondary* Lands that are set aside as permanent open space on a development parcel, that are not primary conservation areas.

*Conservation subdivision design* A type of residential development planning consisting of a four-step design process described in Chap. 5 of *Growing Greener* by Randall Arendt (Washington DC, Island Press, 1999) resulting in designation of common open space and clustered compact lots for dwellings. It is intended to protect farmland, natural resources, and rural landscape character while permitting no fewer than the same number of dwellings allowed under current zoning regulations and conventional subdivision design. In some cases, a greater density (density bonus) may be offered in the local ordinance to encourage this approach to residential development planning.

*Conservation subdivision:* A subdivision planned using the conservation subdivision design method.

*Conspicuous:* Noticeable from the nearest public street. Readily visible to the general public.

*Construction Plans:* The maps, drawings, and analyses that conform with an approved preliminary plat that show the specific location and design of improvements to be installed including street design and profile, grading and drainage, utility construction, sediment and erosion control, and other design

information which may be required by the Planning Director to show conformance with all ordinances, laws, and regulations.

*Conventional Construction:* A building constructed on the building site from basic materials delivered to the site; and which is constructed in accordance with the current edition of the International Building Code or International Residential Code produced by the International Code Council as adopted and amended by the State of Georgia.

*County Commission:* The County Commission of Jasper County, Georgia.

County: Jasper County, Georgia.

*Crosswalk:* A right-of-way within a block dedicated to public use, intended primarily for pedestrian use, and designed to provide access to adjacent roads and lots

*Curb Cut:* The opening along the curb line where vehicles may access an adjoining lot and enter or leave the roadway .

*Day-Care Center:* A private establishment enrolling seven or more persons for group care, without transfer of custody, for 4--24 hours per day and which is licensed to operate as a day-care center.

*Day-Care, Home:* Any place operated by any person who receives for pay three to six persons for group care, without transfer of custody, for 4--12 hours a day.

*DCA:* Georgia Department of Community Affairs.

*Density:* The number of people, households, or dwelling units per unit of land or conversely, the number of acres of land per dwelling unit, etc. Unless otherwise stated, residential density is calculated based upon the gross acreage of a site or tract of land.

*Design Standards:* Criteria that set forth specific improvement requirements.

*Developer:* The person, corporation, firm, association, partnership or other legal entity that is the legal owner of land or is the owner's agent or who holds an option to purchase land and who is seeking to obtain a building permit, a development permit, to subdivide land or to rezone land for a proposed development.

*Development plan:* see Construction plans.

*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 ordinance this term has no specific meaning. See definition of manufactured home.

*Drainage Way:* Any surface water course, river, stream, gully, ditch, or swale – either natural or manmade – which serves as a collector and free flowing channel for accumulated storm water.

*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.

*Dwelling, Condominium:* An individually owned dwelling unit in an attached, detached, or multi-family

structure, with joint ownership of common areas of the buildings and grounds.

*Dwelling, Multifamily Apartment:* A dwelling containing three or more adjoining dwelling units, typically occupied by renters, and the area immediately surrounding the dwelling is landscaped and may contain recreation facilities for the private use of dwelling occupants.

*Dwelling, Patio:* A single-family dwelling in which all or a portion of the area required for side and rear yards may be consolidated into one or more garden court spaces within the walls of the dwelling unit.

*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. (Also called townhouse dwelling.)

*Dwelling, Single-Family Detached:* A single residential detached building designed for or containing one dwelling unit.

*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."

*Dwelling:* A building or portion thereof designed, arranged, or used principally for residential occupancy, not including motels, hotels, boarding houses, or rooming houses.

*Easement:* The right or privilege of using another's property, for purposes such as ingress and egress or for constructing and maintaining sanitary sewers, water mains, electric lines, telephone lines, drainage ways, storm sewers, gas lines, bicycle paths, vehicle or pedestrian ways, and other purposes.

*Elevation, Front:* The view of a building or group of buildings as seen from directly in front of the structure.

*Entertainment business, Adult:* means any one (1) or any combination of the following:

(a) *Adult bookstore* means an establishment having a substantial or significant portion of its stock in trade, books, printed materials, magazines or other periodicals or novelty items which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas or an establishment with a segment or section, comprising at least five (5) percent of its total floor space, devoted to the sale or consisting of said printed material or novelty items which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

(b) *Adult business* means an establishment other than those expressly specified in this section, where employees or patrons expose specified anatomical areas or engage in specified sexual activities.

(c) *Adult motion picture theater* means an enclosed building with a capacity of fifty (50) or more persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein

(d) *Adult mini-motion picture theater* means an enclosed building, or enclosed or semi-enclosed room or booth within an enclosed building, with a capacity of less than fifty (50) persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified anatomical areas for observation by patrons therein.

(e) *Adult motion picture arcade* means any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by an emphasis on matter depicting or describing specified sexual activities or specified anatomical areas.

(f) *Adult video store* means an establishment having a substantial or significant portion of its stock in trade, videotapes, movies, CD ROMS, or other reproductions, whether for sale or rent, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas or an establishment with a segment or section, comprising at least five (5) percent of its net sales from said videos which are characterized or distinguished by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

(g) *Erotic entertainment/dance establishment* means a nightclub, theater or other establishment which features live performances by dancers, entertainers, strippers or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.

(h) *Escort bureau, introduction services* means any business, agency or persons who, for fee, commission, hire, reward, profit or other consideration furnishes or offers to furnish names of persons or who introduces, furnishes or arranges for persons who may accompany other persons to or about social affairs, entertainments or places of amusements, or who may consort with others about any place of public resort or within any private quarters.

(i) *Lingerie modeling studio* means an establishment wherein a patron directly or indirectly is charged a fee or required to make a purchase in order to view entertainment or activity which consists of persons exhibiting or modeling lingerie or similar undergarments.

*Factory-Built Housing:* An obsolete term used to describe an industrialized home. See: *industrialized home*.

*Family:* One or more persons related by blood, marriage, or by act of law, including up to three additional unrelated individuals, living as a single household unit. A family may also consist of no more than six unrelated individuals living as a single household unit.

*Farm:* Any tract of land which is devoted to agriculture, including, but not limited to, the production of row crops, livestock, fish, fowl, bees, commercial timber and forest products, fruits, grapes, nuts, berries, ornamental flowers and greenhouse products, or lands devoted to soil conservation or forestry management regardless of the quantity or value of production. See *Agriculture*.

*Flag Lot:* A lot, the main portion of which has no frontage on a public road except for a narrow connecting strip of land providing access to the public road.

*Flood Boundary:* The limit of the flood plain consisting of the floodway and the flood fringe area shown

*on the most current edition of the Flood Hazard Boundary Map, published by the Federal Emergency Management Agency (FEMA).*

*Floor Area, Commercial:* The gross leasable floor area for any business or industry based on interior dimensions measured from the inside perimeter of the exterior walls or the centerline of any wall separating two attached buildings or units and without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features.

*Floor Area, Residential:* The total heated area within a dwelling of all floors having floor-to-ceiling height not less than 6 1/2 feet measured from the exterior face of the exterior walls of the dwelling but not including any unoccupied or unheated attic, basement, garage, carport, patio, and open porch.

*Garage or Carport, Private:* A covered space for the storage of one or more motor vehicles belonging to the occupants of the principal building on the lot.

*Garage, Public:* Any garage, other than a private garage, which is used for storage, rental, servicing, washing, adjusting, or equipping of automobiles or other motor vehicles, but not including the storage of wrecked or junked vehicles.

*Garage, Repair:* A public garage intended to be used to make automobile, motorcycle, lawn mower, or other motor vehicle repairs.

*Gasoline Service Station:* A land use where fuel, gasoline, oils, greases, batteries, tires, and general automobile accessories and service may be provided, but where no part of the premises is used for the storage or dismantling of or vehicles or for painting or major repair.

*Green space:* that portion of a tract that is set aside for the protection of sensitive natural features, farmland, scenic views, and other unique features. Green space may be accessible to the residents of the development and/or the public or it may contain areas of conservancy lots that are not accessible to the public. Green space consists of all primary and secondary conservation areas.

*Guest House:* An accessory building subordinate to a principal single family dwelling used as a dwelling only for family members, for the non-commercial boarding of guests or, if on a farm, for full-time workers on that farm.

*Home Occupation:* An occupation for gain or support conducted only by members of a family residing on the premises and entirely within the principal dwelling or within an accessory building as provided in this zoning ordinance. *Hotel:* A facility in which overnight accommodations are provided to the public and which may offer additional services such as restaurants, meeting rooms, and recreation facilities. The term "hotel" includes the terms "motel" and "tourist court."

*HUD:* U.S. Department of Housing and Urban Development.

*Impervious Surface:* means a man-made structure or surface that prevents the infiltration of storm water into the ground below the structure or surface. Examples are buildings, roads, driveways, parking lots, decks swimming pools, or patios.

*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. Industrialized

buildings are regulated and inspected by the Georgia Department of Community Affairs except for all site installation work that is regulated by local government.

*Industrialized Building:* Any structure or component thereof, which is, wholly or substantially, made, fabricated, formed or assembled in manufacturing facilities for 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.

*Industrialized Home:* A dwelling 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. State approved buildings meet the state building and construction codes and bear an insignia of approval issued by the commissioner.

*Inn:* A commercial facility for the housing and feeding of travelers and transient persons containing ten or fewer units for rent.

*Institutional Use:* A nonprofit corporation or quasi-public use or facility such as a church or other place of worship, library, museum, public or private school, hospital or a governmentally-owned or operated building, structure, or land used for public purpose.

*Intermediate Care Home:* A facility that 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 emergencies. It otherwise complies with the rules and regulations contained in Chapter 290-5-9: Intermediate Care Homes (Rules of the Georgia Department of Human Resources).

*Junked Vehicle:* Any wrecked or non-operable automobile, truck, or other vehicle that does not bear a current license plate.

*Junkyard:* Any use involving the parking, storage or disassembly of junked vehicles, or wrecked or non-operable automobiles, machinery, trucks, or other vehicles; storage, bailing, or otherwise dealing in bones, animal hides, used tires, scrap iron and other metals, used paper, used cloth, used plumbing fixtures, old household appliances, and used brick, wood, or other building materials. These uses are considered junkyards whether or not all or part of these operations are conducted inside a building or in connection with, in addition to, or accessory to other uses of the premises.

*Kennel:* Any establishment, other than an animal shelter, where dogs, cats, or other small domestic animals are maintained for boarding, holding, training, or similar purposes for a fee or compensation.

*Landfill, Hazardous Waste:* A disposal site where hazardous wastes are disposed.

*Landfill, Sanitary:* A disposal site where solid wastes, including putrescible wastes other than hazardous wastes, are disposed of on land by placing an earth cover thereon.

*Landfill:* A disposal site where solid wastes, other than putrescible wastes or hazardous wastes, are disposed of on land by placing an earth cover thereon, sometimes referred to as a dry landfill.

*Loading Space:* Space logically and conveniently located for pickup and delivery service, scaled for the delivery vehicles anticipated and accessible to such vehicles at all times.

*Lot Coverage:* That portion of a lot that is covered by buildings, structures, driveways, turnarounds, and/or other impervious surfaces.

*Lot frontage:* the length of the front lot line measured at the street right-of-way line.

*Lot of Record, Legal Non-conforming* A lot legally existing at the time of the enactment of this zoning ordinance or at the time of a subsequent amendment of this ordinance which does not meet the lot area, lot width, or street frontage access requirements of this chapter. *Lot of Record:* A lot which exists as shown on a plat or described in a deed which has been recorded in the Office of the Clerk of the Superior Court of Jasper County, Georgia.

*Lot Remnant:* Any portion or portions of a lot not suitable for building upon because of size or topography and remaining after the transfer of other portions of the lot to adjoining lots.

*Lot Width:* The horizontal distance between side lines of a lot measured along a line parallel to the road at the required front building setback line.

*Lot, Corner:* A lot located at the intersection of two or more streets or located on a curve formed by a single street forming an interior angle of less than 135 degrees.

*Lot, Double Frontage:* A lot, other than a corner lot, which has frontage on two streets.

*Lot, Multiple Frontage:* A lot, other than a corner lot, which has frontage on more than two streets.

*Lot, Reverse Frontage:* A through lot which is not accessible from one of the parallel streets, or which  
*Lot:* A designated parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit.

*Manufactured (Mobile) Home:* A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained herein. There are three classes of manufactured homes: Class A, Class B, and Class C that are regulated by the U. S. Department of Housing and Urban Development (HUD).

*Manufactured Home Space:* An area of land within a planned manufactured home community designed to accommodate one manufactured home.

*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 the Federal Manufactured Home and Standards Act 42 U.S.C. 5401-5445 (the HUD Code, which became effective on June 15, 1976), but does not satisfy the criteria necessary to qualify the unit 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.

*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). *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 industrialized homes. In the context of this ordinance, this term has no specific meaning.

*Mobile Home Park:* An obsolete term used to describe a manufactured home park. In the context of this

ordinance, this term has no specific meaning. See definition of planned manufactured home park.

*Mobile Home:* See: manufactured home.

*Modular Home:* A type of industrialized building that is a factory-fabricated single-family dwelling constructed in one or more sections.

*Multi-Section Home:* An obsolete term used to describe a manufactured home finished in two or more sections. In the context of this ordinance, this term has no specific meaning. See definition of manufactured home.

*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."

*Nonconforming lot:* A lot lawfully existing at the effective date of this ordinance (and not created for the purpose of evading the requirements of this ordinance or the development ordinance) but which fails by reason of the adoption or amendment of the Jasper County zoning ordinance to conform to the present requirements for area, dimensions, or location of the zoning district.

*Nonconforming structure or building:* A structure or building the size, dimensions or location of which was lawful prior to the adoption or amendment of the Jasper County zoning ordinance, but which fails by reason of such adoption or amendment, to conform to the present requirements of the zoning district in which it is located.

*Nonconforming use:* A use or activity which was lawful prior to the adoption or amendment of the Jasper County zoning ordinance, but which fails, by reason of such adoption or amendment, to conform to the present requirements of the zoning district.

*Nursing Home:* A facility which admits patients on medical referral or 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 of the Georgia Department of Human Resources. (Check GA State Regs compare to assisted living)

*Owner of Record:* The owner of property as specified on the deed of the lot of record. *Parking Space:* The storage space for one motor vehicle.

*Parks and Playgrounds:* Public, private or common area land, open spaces, or recreation areas represented on a subdivision plat as dedicated, reserved, or intended to be reserved, for recreational purposes.

*Pedestrian Way:* Crosswalk or other areas designed and marked specifically for pedestrian traffic.

*Percentage of Grade:* The change in elevation as it relates to horizontal distance, usually expressed as vertical change in elevation per one hundred feet of horizontal distance. For streets, it is measured down the street centerline.

*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 ordinance, Personal Care Homes are classified as follows:

1. Family Personal Care Home: A home for adults in a family type residence, non-institutional in character, which offers care to two through six persons.
2. Group Personal Care Home: A home for adult persons in a residence or other type building(s), non-institutional in character, which offers care of seven through 15 persons.
3. Congregate Personal Care Home: A home for adults which offers care to 16 or more persons.

*Plan, Conceptual:* A draft drawing of a proposed development, either residential or non-residential or both, showing the proposed layout in sufficient detail, although not completely computed, to indicate the developer's intent.

*Planned Apartment Community:* A lot used or intended for use as a residential area occupied by multi-family apartment dwellings and conforming to an approved development plan; with appropriate and adequate community services, recreation facilities, utilities, streets, and sidewalks provided by the developer.

*Planned Development:* A coordinated large-scale or comprehensive development designed and constructed according to a development plan that has been approved by the County Commission.

*Planned Manufactured Home Community:* A lot used or intended for use as a residential area occupied by manufactured homes; and conforming to an approved development plan 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.

*Planning Commission:* The Jasper County Planning and Zoning Commission.

*Planning Director:* The official, or his or her authorized representative, whom the County Commission has designated as its agent for the administration of this Ordinance.

*Plat, Final:* A recordable map of a subdivision, meeting all of the requirements of the Development Ordinance and complying with the Georgia Plat Act, which is used to transfer portions of a property to others after development of a property has been completed.

*Plat, Final:* A recordable map of a subdivision, meeting all of the requirements of county ordinances, and complying with the Georgia Plat Act, which is used to transfer portions of a property to others after development has been completed.

*Plat, Preliminary:* A map of a proposed subdivision meeting the requirements of the Jasper County code and showing the proposed layout in sufficient detail to show the intent of the developer.

*Plat, Sketch:* A draft drawing of a proposed subdivision preparatory to the preliminary plat meeting requirements of the Jasper County Code and showing the proposed layout in sufficient detail, although not completely computed, to indicate the developer's intent.

*Plat:* A map, plan, or layout of a county, city, town, section, subdivision, or parcel indicating the location and boundaries of properties.

*Pre-application Review:* An initial and informal stage of subdivision review at which the developer may present the sketch plat and the Planning Director may discuss the applicable subdivision regulations.

*Pre-engineered metal building:* A structure which includes a pre-engineered and shop-fabricated structural steel building frame, metal wall and sloped roof system, and exterior doors and windows, which has been manufactured so as to facilitate erection at a location other than where it was fabricated. This term does not include greenhouses, garden sheds and similar structures not exceeding 150 square feet of floor area.

*Pre-Fabricated Home:* A general term used to describe any home constructed in a factory setting including manufactured homes, modular homes, and industrialized homes. In the context of this ordinance, this term has no specific meaning.

*Prescriptive easement:* A road or right of way jointly or severally owned by the adjacent landowners. In the case of county roads, the county has the right to use and maintain the roadway from ditch to ditch. Subdivision roads are not allowed to exit into county roads that are limited to prescriptive easement rather than dedicated right of way with ownership in the County.

*Prime farmland:* The land best suited to producing food, feed, forage, fiber and oilseed crops as defined in the *Soil Survey of Jasper County Georgia* (published by the USDA and UGA College of Agriculture Experiment Station). Prime farmland can now be in cropland, pastureland, woodland or other land uses but not in urban land, built-up land, or in water areas. It is either currently used for producing food or fiber or is available for these uses.

*Private Driveway:* A non-public, privately owned accessway.

*Private Street:* Any street within a subdivision which meets appropriate public street design standards, but, for purposes of controlled access or privacy, is not dedicated to Jasper County and is not public.

*Professional Office Building:* A building used primarily for conducting the affairs of a business, profession, service, industry or government, or like activity, that may include as accessory uses services for office workers such as a restaurant, coffee shop, newspaper stand or candy stand.

*Protective Covenants:* Private Contracts made between private parties, or conditions recorded with an approved plat and running with the title to the land, specifying the manner in which land may be used, developed, or improved with the intent of protecting and preserving the physical and economic integrity of a given area. .

*Public Hearing:* An official meeting announced and advertised in advance and open to the public, with the public given the opportunity to talk and participate.

*Reserve Strip:* A strip or parcel of land along, around, or between properties for the purpose of restricting access.

*Right-of-Way:* A strip of land designated, reserved, dedicated, or purchased for the purpose of pedestrian or vehicular access or utility line installation.

*Road Classification:* The categories for each street, roadway, highway, and right-of-way in Jasper county based upon their location in the respective zoning districts, their present and estimated future traffic volume and their function as specified in the Jasper County comprehensive plan for the purpose of providing for their development and future improvement. The following are the main classes of roads in

Jasper County:

1. Marginal Access Street: A loop street designed so as to provide secondary access only.
2. Local Street: Street used primarily for access to the abutting properties, serving travel demands in the immediate area, and designated as such on the Jasper County Rural Thoroughfare Network Map.
3. Collector Street: Street which usually serves to either provide direct access to lots or distribute traffic from individual lots to arterial streets. It may also connect neighborhoods with one another. It should be designed to discourage excessive speeds and through traffic. It is designated as such on the Jasper County Street Classification System Map.
4. Arterial Street: A primary road connecting distant cities, towns, or regions designed for higher speeds, greater volumes, and fewer direct access points than collector streets.

*Road, County:* Any street or right-of-way, paved or unpaved, which is owned or maintained by Jasper County.

*SBCCI:* Southern Building Code Congress International.

*Sectional Home:* A general term used to describe any home constructed in a factory setting, especially manufactured homes. In the context of this ordinance, this term has no specific meaning.

*Setback Line:* The line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be erected or placed. See: building line

*Setback:* The shortest distance between a building and any road right-of-way line adjoining the lot on which the building is located.

*Singlewide:* 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 ordinance, this term has no specific meaning. See definition of manufactured home.

*Site-Built Home:* See definition of conventional construction.

*Stable:* any building, structure, pasture, 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.

*Stick-Built Home:* See: *conventional construction*.

*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.

*Stream:* A watercourse having a source and terminus, banks, and channel through which water flows at least periodically.

*Street, Cul-De-Sac:* A local street designed to have one end permanently closed with a turnaround area for vehicles.

*Street:* Any vehicular way which: 1) is an existing state, county, or municipal roadway; or 2) is shown upon a plat approved pursuant to law; or 3) is approved by other official action; or 4) is shown on a plat duly filed and recorded in the office of the county clerk of superior court prior to the appointment of a

planning commission and the grant of subdivision review powers to said commission. It includes the land between the right-of-way lines whether improved or unimproved or if said lines are not established by survey, then it includes the land between the adjoining drainage ditches.

*Structure:* Anything constructed or erected for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

Subdivision, major: All subdivisions not classified as minor subdivisions, including but not limited to subdivisions of four (4) or more lots, or any size subdivision requiring any new street or extensions of local government facilities or the creation of any public improvements.

Subdivision, minor: Any subdivision containing not more than three (3) lots fronting on an existing street, not involving any new street or road, or the extension of local government facilities or the creation of any public improvement, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the comprehensive plan, official map, zoning ordinance, or these regulations.

*Subdivision:* The division of a tract of land into two or more lots, building sites, or other divisions, for the purpose—whether immediate or future—of sale, legacy, or building development. This definition includes all of the following:

- a. All divisions of land involving a new street.
- b. All divisions of land involving a substantial change in existing streets.
- c. Any re-subdivision of land into two or more lots if any lot is smaller than ten (10) acres.

This definition does not include the following:

- a. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards set forth in this Ordinance.
- b. The transfer of unsubdivided land or the transfer of a lot or parcel of land established by deed or plat recorded in the office of the Clerk of the Superior Court of Jasper County prior to the initial effective date of the Jasper County Development Ordinance.
- c. The division of land among heirs by judicial decree.

*Total Tract Area:* the area within the boundaries of any tract of land proposed for development less the area of any water bodies and any rock outcrops.

*Trailer Court:* An obsolete term used to describe a planned manufactured home community. See definition of planned manufactured home community.

*Trailer Park:* An obsolete term used to describe a planned manufactured home community. See definition of planned manufactured home community.

*Trailer:* An obsolete term used to describe a mobile home. In the context of this ordinance, this term has no specific meaning.

*Travel Trailer Park:* A lot on which are parked and used two or more travel trailers for a period of less than 30 days.

*Travel-Trailer:* A vehicle designed as a temporary dwelling for travel or recreational uses, not more than eight feet in width and not more than 30 feet in length.

*Use, Accessory:* A use customarily incidental and subordinate to the principal use, and located on the same lot as the principal use.

*Use, Conditional:* A use which is permitted in a particular zoning district, but only under certain specified conditions.

*Use, Principal:* The main purpose for which a lot is intended and for which it is used.

*Use:* Any purpose for which a building, lot, 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 on a tract of land.

*Variance:* A permit issued by the board of appeals which allows use of a parcel of land in a way that does not meet the literal requirements for the district in which the property is located.

*Yard, Front:* The open space of a lot located between the right-of-way boundary of the abutting street(s) and the front building setback line projected to the side lot lines.

*Yard, Rear:* The open space between the rear property line and the rear building line projected to the side lot lines.

*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

*Yard:* A required open space on a lot that is left unoccupied with structures, except as permitted in this ordinance.

*Zoning Administrator:* the planning director or his authorized designee.

**ARTICLE II. DISTRICT REGULATIONS**

**Establishment of zoning districts**

In order to carry out the intent and purpose of this ordinance, Jasper County, Georgia, is divided into the following zoning districts:

<i>Abbreviation</i>	<i>Name</i>	<i>Density (Minimum Lot Size)</i>
AG	Agricultural	5 acres
R-R	Rural Residential	3 acres
R2	Single-Family Residential - Low Density	2 acres
R1	Single-Family Residential - Medium Density	1.2 acres / 0.5 acres*
RL	Residential Lake District – High Density	5,500 sq. ft.
VP	Village Planned – Mixed Use Residential	4,000 sq. ft.
O-I	Office-Institutional	1.2 acres / 10,000 sq. ft.*
C-1	Neighborhood Commercial	1.2 acres / 5,000 sq. ft.*
C-2	General Commercial	1.2 acres
M	Manufacturing	1.2 acres

**Overlay Districts:**

In addition, overlay districts apply additional standards to specific areas that lie within any of the above districts. Those districts are as follows:

S-2	Sensitive Land - Watershed Protection
S-B	Scenic Byway RESERVED
PRC	Parks, Recreation, Conservation RESERVED

**Zoning district map.**

The boundaries of zoning districts are shown upon the map designated as the "Official Zoning Map of Jasper County" and all the notations, references and other information shown thereon are hereby made a part of this ordinance and have the same force and effect as if the zoning map and all the notations, references and other information shown thereon were all fully set forth or described herein, which zoning map is properly attested and is on file with the planning director of Jasper County, Georgia.

**District boundaries.**

The district boundary lines in general are intended to follow either streets or alleys or lot lines, and where the districts designated on said map are bounded approximately by such street, alley or lot lines, the centerline of the street or alley or the lot lines shall be the boundary of the district

unless such boundary is otherwise indicated on the map. In all other cases the district boundary lines shall be determined by use of the scale appearing on the zoning district map.

**Section 1 Annexed property.**

Any territory hereafter annexed by a municipality in Jasper County shall continue to be subject to the county zoning district classifications and regulations as such territory was subject at the time of annexation until such territory shall have been zoned by the municipality.

**Section 2 Establishment and adoption of comprehensive land use plan.**

The comprehensive land use plan is hereby established as the official policy of Jasper County, Georgia, concerning proposed land uses and how land in the county should be used. The county is hereby divided into the following land use categories:

<b>COMPREHENSIVE PLAN LAND USE CATEGORIES</b>
Agricultural, Forestry, Fishing, and Hunting
Education, Public Administration, Health Care, and Other Institutions
Commercial District
Neighborhood Activity Center
Industrial Workplace
Community Activity Center
Residential Growth
Transportation, Communication, Information, And Utilities
Gateway Corridor
Ocmulgee River Corridor

**Section 3 Comprehensive land use plan distinguished from zoning.**

The comprehensive land use plan does not alter or affect the existing zoning districts in Jasper County, does not effectuate an amendment to the official zoning map, and does not itself permit or prohibit any existing land uses. The comprehensive land use plan does not create any rights or privileges in any land or landowner.

**Section 4 Land use districts.**

The boundaries of the various land use districts are shown upon the map contained in the comprehensive plan designated as the Future Land Use Map. Where uncertainty exists as to the boundaries of any of the land use districts shown on the future land use map, the rules set forth in section 5.3 of this article shall apply. The comprehensive land use plan and all notations, references and other information shown thereon are hereby made a part of this ordinance and have the same force and effect as if the comprehensive land use plan and all the notations, references and other information shown thereon were all fully set forth or described herein,

which comprehensive land use plan is properly attested and is on file with the planning director of Jasper County, Georgia. All other writings concerning the comprehensive land use plan are for guidance and informational purposes only, and are not a part of this ordinance.

**Relationship between land use categories and zoning districts.**

The land use categories established by the comprehensive land use plan shall be implemented by the establishment of appropriate zoning districts within each category. The zoning districts that are permitted within each land use category are restricted to the following:

<i>Land Use categories</i>	<i>Description</i>	<i>Permitted Zoning District(s)</i>
Parks/ Recreation/ Conservation	This category is for land dedicated to passive or active recreational uses. These areas may be either publicly or privately owned and include, but are not limited too, playgrounds, public parks, nature preserves, wildlife management areas, national forests, golf courses, and recreation centers.	All zones
Agricultural, Forestry, Fishing, and Hunting	Defined as lands in a natural, agricultural, or rural character throughout the planning horizon. Generally refers to areas lacking the infrastructure necessary to accommodate suburban growth. Actual uses may include, but are not limited to: farming, raising of livestock, timber production and harvesting, or any other use compatible with the surrounding environment.	AG Agriculture
Education, Public Administration, Health Care, and Other Institutions:	Includes certain state, federal or local government or institutional land uses, including but not limited to city halls and government building complexes, police, fire and emergency medical services stations, libraries, prisons, post offices, schools, military installations colleges, churches, cemeteries, and hospitals. Areas designated as public/institutional reflect the current use. Such future developments are likely to occur within proximity to highly populated areas and should be accommodated within residential districts where appropriate.	O-I Office-Institutional V-P Village Plan C-1 Neighborhood Commercial
Commercial District:	Larger scale commercial development that is more oriented to the automobile traveler and requires major road access and higher visibility. Developed at higher intensities and requires access to supportive infrastructure.	C-2 General Commercial O-I Office-Institutional
Neighborhood Activity Center:	Smaller-scale commercial development that should be compatible with surrounding land uses. Designed to provide limited convenience shopping and services only for surrounding residential areas. Need to be located at intersections of collector roads, or higher functional class, within close proximity to populated residential areas. Less reliant on automobile traffic for customers; may be internally linked with sidewalk networks.	V-P Village Plan C-1 Neighborhood Commercial O-I Office-Institutional
Industrial Workplace:	Includes both light and heavy industrial uses. Light industrial includes, warehousing and distribution, trucking, and small-scale manufacturing. Heavy industrial is generally defined as manufacturing that converts raw materials to finished products, storage of bulk materials, natural resource extraction, or any other process that could produce high levels	M Manufacturing C-2 General Commercial

	of noise, dust, smoke, odors, or other emissions. Heavy industrial uses have adverse impacts on surrounding areas and should be isolated as much as possible within proximity to the required community facilities.	
Community Activity Center:	Area providing a mixture of uses and developed in a traditional neighborhood fashion. Community Centers offer a wide variety of employment opportunities in retail, service, office and professional sectors. Various housing opportunities may be provided within planned developments as well as parks, green space, and other recreation areas. Must be served by supportive infrastructure and have access to major transportation thoroughfares.	V-P Village Plan C-1 Neighborhood Commercial O-I Office-Institutional
Residential Growth:	Areas that are capable of developing as residential neighborhoods. Higher densities may be allowed if supportive infrastructure is available. May be suitable for neighborhood level commercial uses if developed within the character and scale of the neighborhood. These areas are intended to accommodate recreation, education, and civic or religious land uses that support neighborhoods.	R-R Rural Residential R-2 R-1 R-L Residential Lake V-P
Transportation, Communication, Information, And Utilities:	This category includes such uses as power generation plants, radio towers, public transit stations, telephone switching stations, airports, and port facilities as well as all streets, highways, and railroads.	All zones
Gateway Corridor:	The roadways with this designation are scenic byways. Development within the corridor should be in accordance with the design and landscaping requirements set forth in the Scenic Byways corridor management plan.	Scenic Byway Overlay
Ocmulgee River Riparian Zone:	The intent of this designation is to protect the river's water quality by preventing erosion, to provide corridors for wildlife habitat and movement and to preserve scenic views for property owners.	AG

**Section 6 Consistency between land use plan and zoning map amendments.**

No amendment to the zoning map shall be permitted or shall take effect unless the zoning district is permitted within the comprehensive land use category shown in Section 5.9 applicable to the property that is the subject of the proposed map amendment. Nothing in this provision shall prohibit the county commission from amending the comprehensive plan or the future land use map.

## ARTICLE IV. GENERAL PROVISIONS

### Nonconforming Uses in General

A nonconforming use or building shall not be:

1. Changed to another nonconforming use;
2. Reestablished after discontinuance for one year;
3. Extended except in conformity with this ordinance;
4. Rebuilt, altered or repaired if not commenced within one year after damage by fire, windstorm or other disaster when the damage exceeds 75 percent of the fair market sales value of the building immediately prior to the damage.

#### *Intermittent or illegal use.*

The casual, intermittent, temporary or illegal use of land or buildings shall not be sufficient to establish the existence of a nonconforming use, and the existence of a nonconforming use on part of a lot or tract shall not be construed to establish a nonconforming use on the entire lot or tract.

*Existence of a nonconforming use.* Determination of nonconforming use exists shall be a question of fact and shall be decided by the zoning board of appeals after public notice and hearing and in accordance with the rules of the board.

*Buildings nonconforming in height, area or bulk.* A building nonconforming only as to height, area or bulk requirements may be altered or extended, provided such alteration or extension does not increase the degree of nonconformity in any respect.

*Nonconforming uses not validated.* A nonconforming use in violation of a provision of the ordinance, which this ordinance amends or replaces, shall not be validated by the adoption of this ordinance.

*Discontinuance of a nonconforming use.* All nonconforming signs, billboards, junkyards; all nonconforming uses of land where no buildings are employed in connection with such use; or where the only buildings employed are accessory or incidental to such use shall be discontinued and such nonconforming buildings or structures torn down, altered or otherwise made to conform within two years of the date of the adoption of this ordinance.

#### *Restoration of local historic properties or contributing buildings in local historic districts.*

Notwithstanding the limits established in subsection 6.1.1 above, a non-conforming use, structure or building which is designated as a local historic property or which is listed as a contributing structure in a local historic district under the provisions of the Jasper County Code may be rebuilt after damage by fire, windstorm or other disaster regardless of the extent of damage for the purpose restoring the original structure.

### Use of buildings.

No building shall be erected, converted, enlarged, reconstructed, moved, structurally altered or used, except for a use permitted in the district in which such building is located.

### Use of land.

No land shall be used except for a purpose permitted in the district in which it is located.

### Conformity to lot requirements required.

- 1) All lots created after enactment of this chapter shall conform in all respects to the minimum

requirements set forth in the district in which such lot is located, to all other applicable requirements of this chapter, and the requirements of the development ordinance.

- 2) Every building hereafter erected, converted, enlarged, reconstructed, moved or structurally altered shall be located on a lot conforming in all respects to the minimum requirements set forth in the district in which such lot is located except as otherwise provided for in this ordinance.
- 3) In no case shall more than one principal building be located on a lot except as otherwise provided for in this ordinance.

**Height of buildings.**

No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered to exceed the height limit herein established for the district in which such building is located.

**Dimensional regulations.**

No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered except in conformity with the lot area, floor area, and building height regulations of the district in which such building is located.

**Encroachments prohibited.**

The minimum yards, parking spaces and open spaces required by this ordinance for each building existing at the time of passage of this ordinance, or for any building hereafter erected or structurally altered, shall not be encroached upon or considered as part of the yard or parking space or open space required for any other structure.

**Off-street parking and loading.**

No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered except in conformity with the off-street parking and loading regulations of \_\_\_\_.

**Use of accessory structures and buildings.**

No accessory structure shall be located, constructed or moved upon a lot until the construction of the principal building has actually been commenced. No accessory building shall be used unless the principal building is in place.

**Home occupation standards in residential zoning districts.**

No occupation shall be carried on within a dwelling or the curtilage thereof in any residential district unless such occupation and its conduct complies with the definition of "home occupation" as defined in Section \_\_\_\_, above and with the following standards.

- 1) Residents of the dwelling and up to a maximum of four (4) non-resident employees may be engaged in the home occupation.
- 2) The home occupation shall be subordinate and incidental to the residential use of the dwelling and must not change the essentially residential character of the building. No internal or external alteration inconsistent with the residential use of the building is permitted.
- 3) No display of products can be visible from the street.

- 4) The home occupation shall not exceed 25 percent of the principal dwelling.
- 5) No accessory buildings or outside storage can be used in connection with the home occupation.
- 6) Only vehicles designed and used primarily as passenger vehicles (including light pickup trucks) may be used in connection with the conduct of the home occupation.
- 7) Signage is restricted to one non-illuminated sign with a maximum of four square feet in area that shall be attached to the façade of the principal dwelling.
- 8) The person(s) conducting the home occupation shall obtain a business license from Jasper County.

**Home occupation standards in the AG agriculture district.**

Within the AG agricultural zone, properties which conform in all respects to the district zoning standards may conduct a home occupation within the principal dwelling or in an accessory building or both subject to the following limitations and standards.

- 1) Only residents of the dwelling and a maximum of four (4) non-resident employees may be engaged in the home occupation.
- 2) The home occupation shall be subordinate and incidental to the residential and/or agricultural use of the property. No internal or external alteration inconsistent with the residential use of the principal dwelling is permitted.
- 3) Display of products may be visible from the street but are limited to display along no more than 60 feet of the frontage of the lot. No products may be displayed within the public right-of-way.
- 4) The home occupation may occupy up to 25 percent of the floor area of the principal dwelling up to a maximum of 1,000 square feet. If the home occupation is located in an accessory building, the accessory building shall not exceed the area of the ground (first) floor of the principal dwelling or a maximum of 2,000 square feet. A home occupation may be located in both the principal building and one accessory building, but the combined area of the home occupation shall not exceed 2,000 square feet.
- 5) Only vehicles designed and used primarily as passenger or farm vehicles may be used in connection with the conduct of the home occupation.
- 6) Signage is restricted to one non-illuminated sign, maximum eight square feet in area and a maximum of two sides.
- 7) The person(s) conducting the home occupation shall obtain a business license from Jasper County. The applicant shall include information regarding the scope of the business and possible impact on surrounding properties.

**Metal exterior buildings restricted.**

No manufactured home with metal exterior walls and no pre-engineered metal building shall be permitted for use as a principal dwelling or as an accessory dwelling in any residential zoning district. No pre-engineered metal building shall be permitted in any zoning district except the AG agriculture, R-R rural residential, C-2 general commercial and the M manufacturing zoning districts. All pre-engineered metal buildings permitted in a C-2 district shall be modified by the architectural application of wood, stone, brick, ceramic tile, stucco or similar materials to the exterior so that no metal wall is visible on the front elevation of the building.

## ARTICLE V. DISTRICT REGULATIONS

### Agricultural And Residential Districts

#### In General

The following agricultural and residential districts are hereby established: AG, R-R, R-2, R-1, R-L, and V-P. Each of these districts is designed and intended to secure for the persons who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in non-residential districts. Other objectives and purposes of these districts are explained in the following sections. The primary standards for development within each of the following zones are given in Division \_\_\_\_ Table of Standards.

#### **Ag Agricultural district.**

*Purpose.* The purpose of the Agricultural (AG) district is to maintain an area of agricultural use and rural character within Jasper County, to preserve a working agricultural economy and rural landscape in these areas, to conserve environmentally sensitive resources, to stabilize and protect single-family characteristics of the district, and to promote and encourage a suitable environment for family life.

Application of this zone will ensure that the farming, pasture, and forestry uses, and the scenic values associated with these and the single-family residential character of these areas are protected from incompatible development that could result in the degradation of these values. For all major subdivisions of land for residential purposes in this district, conservation design is required leaving large amounts of land in agricultural use or as natural green space protected by conservation easement. Recreational, institutional, and limited commercial uses are also appropriate for these districts as provided below.

#### **R-R Rural residential district.**

*Purpose.* The purpose of R-R Rural residential district is to provide for single-family residential development of low density (not more than one principal dwelling unit per three acres) to achieve and maintain a rural landscape character. The district is intended to accommodate such public buildings, schools, churches, public recreational facilities, accessory uses, and environmental resources as may be necessary or are normally compatible with rural density and low-intensity agriculture. The district is not intended to accommodate intense or industrial-scale agriculture. For all major subdivisions of land for residential purposes in this district, conservation design is required leaving large amounts of land in agricultural use or as natural green space protected by conservation easement. The R-R district is designed to accommodate development in areas not served by public water and sewer utilities.

#### **R-2 single-family residential district.**

*Purpose.* The R-2 single family residential district is intended to provide for single-family residential development at low-intensity (not over one principal dwelling unit per two acres) along with such public buildings, schools, churches, recreational facilities and accessory uses as may be necessary to support such communities and are normally compatible with such surroundings. The R-2 district is designed to accommodate development in areas not served by public water and sewer utilities.

**R-1 Single-Family Residential District.**

*Purpose.* The R-1 single family residential district is intended for single-family residential development at low-intensity (not over one principal dwelling unit per 1.2 acres) along with such public buildings, schools, churches, recreational facilities and accessory uses as may be necessary to support such communities and that are normally compatible with such surroundings. The R-1 district may be applied in areas not served by public water and sewer utilities at a density of one principal dwelling unit per 1.2 acres. This district is also applicable at a maximum density of one dwelling unit per 0.5 acres in areas only if public or private community water and sewer utilities are available to support such density.

**R-L Residential Lake District.**

*Purpose.* The R-L residential lake district is intended for single-family residential development at moderate density (up to one dwelling unit per 0.115 acres or eight units per acre) along with such public buildings, recreational facilities and accessory uses as may be necessary to support such communities and that are normally compatible with such surroundings. The R-L district is designed to accommodate development in areas adjoining Lake Jackson served by public or community water systems but may not be served by public sewer utilities. The district is intended to apply to existing lots and dwellings that may have been developed prior to adoption of county zoning and subdivision regulations in order to apply basic standards for protection of property values and to protect the public health, safety, and welfare while placing most of such properties in a conforming status with respect to zoning. The district is also intended for application only in areas adjacent and in close proximity to major bodies of water where both water and sewer utilities are installed and readily accessible.

*Status of Existing Nonconforming Lots and Utilities in R-L.* All lots lawfully existing and zoned R-L on the date of adoption of this ordinance shall be considered legal nonconforming lots and are not required to have access to public sewer utilities unless such utilities are installed and readily accessible in a public street or easement adjoining any such lot. All lots created after the date of adoption of this ordinance shall have access to water and sewer utilities.

**V-P Village plan mixed-use residential district.**

*Purposes.* The V-P Village plan district is designed and intended to promote development of neighborhoods in the traditional pattern with a mixture of single-family detached dwellings at moderate density (up to 7 units per acre) and attached or multi-family housing at greater density (up to 17 units per acre) along with such limited commercial buildings, public buildings, recreational facilities and accessory uses as may be necessary to support such a complete village community and that are normally compatible with such surroundings.

The V-P district is designed to be applied only in areas identified in the comprehensive plan as neighborhood or town activity centers. All major subdivisions of land in this zoning district require use of the conservation subdivision design method, leaving a portion of the community as natural green space protected by conservation easement. In return for the relatively intense density permitted in this district, all development is intended to be subject to the Jasper County architectural standards to protect and promote the public health, safety, and welfare.

1. To create a distinct physical settlement surrounded by protected green space used for agricultural, silvicultural, recreational, and environmental protection purposes.

2. To develop settlements of modest size and scale that accommodate and promote pedestrian travel rather than motor vehicle trips.
3. To promote design that results in residentially scaled buildings fronting on, and aligned with, streets.
4. To encourage the inclusion of a diversity of household types, age groups, and income levels in Jasper County.
5. To promote traditional village building and site development patterns with an interconnected and generally rectilinear pattern of streets, alleys, and blocks, providing for a balanced mix of pedestrians and automobiles, as typically exists in neighborhoods and towns as shown in the Jasper County architectural design guidelines.
6. To encourage creation of a functionally diverse, but visually unified, community focused on a central square or green.
7. To promote use of neighborhood greens, landscaped streets, boulevards, parkways, and “single-loaded” streets woven into street and block patterns in order to provide neighborhood identity and space for social activity, parks, and visual enjoyment.
8. To provide buildings for common or institutional purposes, such as civic or religious assembly, that act as visual landmarks and symbols of identity.
9. To promote the location of dwellings, shops, and workplaces in close proximity to each other, the scale of which accommodates and promotes pedestrian travel for trips within the community.
10. To preserve green space, scenic vistas, agricultural lands, and natural areas.
11. To promote environmentally sustainable building and development practices.

### **Commercial Districts – Purposes Defined.**

#### **C-1 Neighborhood commercial district.**

The C-1 district is designed to accommodate a limited variety of commerce particularly those firms and services that are pedestrian-oriented or that serve the needs of nearby residential neighborhoods and farms. The C-1 neighborhood commercial district is intended to accommodate smaller scale business firms and commercial services that have a lower impact upon and are compatible with nearby residences in terms of vehicular traffic, noise, odors, lighting, the amount of solid waste produced, and hours of operation.

#### **C-2 General commercial district.**

The C-2 general commercial district is designed to accommodate commercial development on a more intensive scale than the C-1 district. The types of uses permissible in this zone include those kinds of firms and services found in C-1 but also include additional automobile-oriented businesses such as drive-

in banks and restaurants and other uses that require locations on arterial roads. The C-2 zoning district allows shopping centers that served a wider geographic market than adjoining neighborhoods.

**O-I Office institutional district.**

The O-I district is designed to accommodate office and institutional land uses necessary for the residents and business and professional practitioners within the county that are of a scale that is inappropriate for location in neighborhood commercial districts or for uses that need locations along arterial roads. It is intended that this zoning district provide locations for the development of cultural, recreational, educational, and health service facilities for the county and be applied to public or private institutions such as hospitals, schools, and colleges; libraries, museums or theatres that might be developed, and to public fire stations or law enforcement facilities.

**M Manufacturing district.**

The M district is designed to accommodate proper sites for industrial enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning or assembly of goods, merchandise or equipment or enterprises engaged in the extraction of natural resources.

**Development Standards – Agriculture and Residential Districts**

		<b>Ag</b>	<b>R-R</b>	<b>R2</b>	<b>R1</b>	<b>RL</b>	<b>V-P</b>
Minimum Floor Area per dwelling unit:		1,200	1,200	1,800	1,800	1,200	750
Minimum Lot Area-							
	without sewer or water utilities:	5 A.	3 A.	2 A.	1.2 A.	NA	Not permitted
	With Sewer and Water utilities:	5 A.	3 A.	2 A.	0.5 A.	5,000 sf	4,000 sf
Minimum Lot Width:		200'	200'	125'	100'	50'	
Minimum road frontage ***		200'	200'	125'	100'	50'	
Minimum Front Yard-							
	Arterial Roads:	80'	80'	80'	80'	NA	80'
	Major Collector:	80'	80'	80'	80'	20'	10' - storefront area 30' – all others
	Minor Collector:	30'	30'	30'	30'	20'	0 – storefront area 20' – all others
	Local Roads:	30'	30'	30'	30'	20'	0 – storefront area 20' – all others
Minimum Side Yard:		30'	30'	20'	20'	4'	0' or 10'
Minimum Rear Yard:		50'	50'	30'	30'	30'	30'

NA – Not Allowed

**Development Standards – Non-Residential Districts**

	<b>O-I</b>	<b>C-1</b>	<b>C-2</b>	<b>M</b>
Maximum Floor Area per building:	10,000	4,000	60,000	Unlimited

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Minimum Lot Area-					
	Unsewered Area:	1.2 A.	1.2 A.	1.2 A.	1.2 A.
	Sewered or Water:	10,000 sq. ft.	5000 sq. ft.	1.2 A.	1.2 A.
Minimum Lot Width:		40'	40'	80'	100'
Minimum road frontage****		40'	40'	80'	100'
Minimum Front Yard-					
	Arterial Roads:	80'	80'	80'	100'
	Major Collector:	60'	60'	80'	100'
	Minor Collector:	30'	30'	60'	60'
	Local Roads:	20'	20'	50'	50'
Minimum Side Yard:		10'	10'	10'	10'
Minimum Rear Yard:		20'	20'	20'	20'

**Table of permitted uses by zoning district**

The Table of Permitted Uses should be read in close conjunction with the definitions of terms set forth in Section \_\_\_ and the other interpretive provisions set forth in this article.

- 1) All uses not shown as a permitted use or a special use within each district by this section are specifically prohibited in that district.
- 2) All uses shown as an accessory use are specifically permitted only as an accessory to some other lawful principal use. However, not all accessory uses are indicated and omission of a designation as an accessory use does not necessarily prohibit it.

**Table of Permitted Uses**

X=Permitted Use; S=Special Use Permit required; A=Accessory Use only

<i>Use</i>	<i>Ag</i>	<i>R-R</i>	<i>R2</i>	<i>R1</i>	<i>RL</i>	<i>V-P</i>	<i>O-I</i>	<i>C-1</i>	<i>C-2</i>	<i>M</i>
Adult Entertainment Business									S	
Agriculture	X	X								X
Airport, Heliport	S									S
Ambulance/Emergency Service	S									
Animal Hospital	X								S	X
Animal Shelter	X	X								
Antique Shop	A					X		X	X	
Appliance, Hardware Store						X			X	
Armory	S						S			X
Art Studio	A					X	X	X	X	
Auto Auctions									S	
Auto Parts (new) & Tires									X	
Auto Repair & Body Work Garage										X
Auto Sales and Service									X	
Bakery Sales	A					X		X	X	
Baking Establishment	A					X				X
Banks/Financial Institutions						X			X	
Bar (separate from Restaurant) 2,000 sf maximum floor area						S			X	
Bar, Brew Pub						X		X	X	
Beer & Wine Sales						X		X	X	
Bicycle Shop (sales & repair)						X		X	X	
Boarding/Rooming House						X	X			
Bottling/Canning Plant						X				X
Bowling Alley									X	
Building Supply Yard (lumber, electric, plumbing, etc.)										X
Bus terminal, passenger									S	
Business or Commercial School							X			
Cabinet Shop	A								X	X
Campgrounds or Recreational Vehicle Park	S								S	
Car Wash						X			X	
Carnival, Rodeo, Tent Revival, not to exceed 30 days	S						S			X
Carpet, Rug Sales & Storage									X	
Cement/Lime/Gypsum/Plaster Paris Mfg.										S
Cemetery	S						X	S	S	
Central Mixing Plant- Cement, mortar, plaster, asphalt										S
Ceramic Products Mfg. (electric kiln)										S
Chemical Storage and Manufacturing										X
Church, religious institution	S	X	X	X	X	X	X	X	X	
Clinic, public or private						X	X			
Clothing/Dry Goods Store						X		X	X	

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Club or Lodge						X	X		X	
Cold Storage/Ice Plant/Freezer Locker										X
Colleges or Universities	S						X			
Commercial Livestock Processing										S
Commercial Silo/Grain Elevator										S
Concrete, Cement, Clay Products Mfg.										S
Cosmetic & Pharmaceutical Products Mfg.										X
Crematory	S									S
Dairy plant, Ice Cream Mfg.										X
Dance Studio						X	X	X	X	
Day Care/Kindergarten/Nursery School	S	S				X	X			
Department Store									X	
Distribution of Products or Merchandise										X
Drive-in Theater										
Drug Store						X	X	X	X	
Dry Cleaning or Laundering Plant										X
Dwelling Two-family (Duplex)						X	X			
Dwelling, Condominium						X				
Dwelling, Multi-family Apartment						X				
Dwelling, single-family attached						X				
Dwelling, single-family detached	X	X	X	X	X	X				
Education or Training Facility							X		X	X
Electric Repair (Commercial)								X	X	X
Electronic Mfg. & Assembly Plant										X
Experimental Laboratory							S			S
Fabricating Shop (Wood, Upholstery, Sheet Metal)								X	X	X
Farm (with unlimited livestock)	X									
Farm, maximum of 2 head of livestock per acre		X								
Farmers Market						X		X	X	
Feed, Seed, Fertilizer, Retail									X	X
Feed/Grain/Fertilizer storage	X									S
Florist						X		X	X	
Food Processing Plant										S
Foundry or Forging Plant										S
Freight Express Office						X			X	
Funeral Home								X	X	
Furniture Store						X		X	X	
Furniture Upholstery Shop								X	X	
Game Room, Arcade						X			X	
Gasoline service station						X		X	X	
Go-Cart/Motor-bike Track										X
Golf Course	S	S								
Golf Course, Miniature								X	X	
Greenhouse, Commercial	X								X	
Guest house, 750 sf maximum	A	A								
Gunsmith								X	X	
Health/Athletic Club						X			X	
Heavy Agricultural Equip. Sales & Repair									X	X
Home occupation	A	A	A	A	A	A				
Homeowners' recreation area	X	X	X	X	X	X				
Hospital							X			
Hotel							X		X	
Ice, mfg. & sales										X
Industrialized Home	X	X	X	X	X	X	X	X	X	X
Intermediate Care Home						X	X			
Jewelry Store						X		X	X	
Junkyard										S
Kennel, commercial	S								S	
Liquor Store										

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Live Bait Sales	X	A						X	X	
Local/State/Fed. Government Bldg.	X	X	X	X	X	X	X	X	X	X
Locksmith						X		X	X	
Machine Shop									X	X
Manufactured Home-Class A	X	X								
Manufactured Home-Class A, with New Urban Guild Seal of Approval					X	X				
Manufactured home- temporary construction office	X	X	X	X	X	X				
Manufacturing										X
Mini Storage Warehouse										X
Mining/Quarry										S
Motorcycle Shop, sales and repair									X	
Motion Picture or other Theater						X	X	X	X	
Museum							X	X	X	
Music Teaching Studio						X	X	X	X	
Newspaper or Printing Plant										X
Nursing Home							X			
Off-street parking lot/garage						X			X	X
Office Equipment sales/service									X	X
Pawn Shop									X	
Pers. Service (beauty, shoe repair, laundry drop, etc.)								X	X	
Personal Care Home-Congregate							X			
Personal Care Home-Family	X	X				X	X			
Personal Care Home-Group						X	X			
Pest Control									X	X
Petroleum Refinery or Bulk Storage Distributor										S
Photography Studio						X		X	X	
Pipelines										
Planing or Sawmill	X									S
Planned Apt. Home Community										
Planned Manufactured Home Community						X				
Poultry Houses, Hog Parlors, Feed Lots	X									S
Printing, Copying Shop									X	
Professional Office Bldg.							X		X	
Public Storage Garage										X
Public park or recreation area	X	X	X	X	X	X	X			
Radio/TV Station									X	
Railroad Passenger Station							S		S	X
Railroad Spur Tracks										X
Railroad Yard										X
Recycling Center										S
Research Lab, commercial										X
Manufactured Home Sales and display									X	X
Restaurant						X		X	X	
Restaurant, Delicatessen or sandwich shop						X	A	X	X	
Restaurant, Drive-In									X	
Retail Food Stores						X		X	X	
Roadside stand	X					X				
Rock/Sand/Gravel (Distrib./Storage)										S
Sanitary Landfill										S
School, Private - elementary, middle, high	S	S	S	S		S	X			
Sign Painting & Fabricating Shop						S			X	X
Skating Rink (Roller, Ice)									X	
Small Motor Repair Shops									X	
Souvenir/Curio Shop						X		X	X	
Specialty Shop (Gift, Jewelry, etc.)						X	A	X	X	
Storage Tank (above ground) gas										S
Storage Tanks (Agricultural, non-flammable)	X									S

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Tailor						X	A	X	X	
Taxi Station									X	
Taxidermist									X	
Textile Mfg. Plant										X
Trailer, or truck rental									X	
Transmission Tower	S									S
Truck Terminal				X	X					X
Utility Substation	X	X	X	X	X	X	X	X	X	X
Warehousing, not premise sales										X
Washateria								X	X	
Welding Shop										X

**V-P village plan district development standards**

**Applicability.**

This zoning district is applicable only within Community Activity centers or Neighborhood Activity Centers designated on the map entitled “Future Land Use – 2025 Jasper County, Georgia” contained in the comprehensive plan. The standards of this zoning district are applicable only in areas served either by municipal sewer systems or by community sewer systems that are approved by the Jasper County Health Department.

**Standards Applicable to Village as a Whole.**

1. Villages are intended to provide for a range of complementary uses and may consist of up to four areas: Storefront Area, Central Residential Area, Village Residential Area, and Village Green space Area.
2. All villages shall contain both a Village Residential Area and a Village Green space Area.
3. In villages containing more than 100 dwelling units, at least 20 percent of the dwelling units shall be other than single-family detached.
4. In villages containing more than 100 dwelling units, a Storefront Area suitable in size shall be reserved.
5. A minimum of 20 percent of the Total Tract Area shall be permanently protected as Green Space.
6. All villages shall reserve and develop land uses in the following proportions:

<i>Land Use Area</i>	<i>Minimum</i>	<i>Maximum</i>
Storefront Area	0%	10%*
Central Residential	0%	40%
Village Residential	40%	80%
Green Space	20%	60%

\* maximum allowed if incentives are invoked

**Storefront Area.**

1. *Purpose.* The Storefront Area, which is optional, serves as the village core. All nonresidential uses shall be located within the Storefront Area. This area shall provide a variety of retail shops and services complemented by other compatible business, civic, institutional and upper-story residential uses in buildings consistent in scale with a small downtown or central market place in the community. Upper story dwelling units above nonresidential uses are specifically encouraged. Residential uses on the first-floor are prohibited.
2. *Maximum Size.* The Storefront Area, including parking, shall be limited to 6 percent of the Total tract area of the entire village. This limit may be increased as follows:

- a. Commercial buildings and their associated parking areas may occupy up to 8 percent of the Total tract area if they include second-story non-retail uses above at least 50 percent of the commercial building coverage.
  - b. Commercial buildings and their associated parking areas may occupy up to 10 percent of the Total tract area if they include second-story residential units, provided that at least half of the new commercial building coverage is two stories, and at least 50 percent of the second-story space is designed for residential uses.
4. *Uses Permitted in the Storefront Area.* The following uses are permitted by right:
- a. Retail uses, professional offices and personal or professional services occupying 2,400 square feet or less in one-and-one-half-story buildings, and up to 4,800 square feet in buildings of two or more stories.
  - b. Civic and institutional uses such as schools, libraries, and places of worship.
  - c. Governmental or public uses, excluding storage of materials, trucking or repair facilities, private or municipal sanitary landfills.
  - d. Bed-and-breakfast establishments and inns limited to 10 rooms or units for guests.
  - e. Day-care centers.
  - f. Upper-story dwelling units in addition to the base residential density otherwise permitted, provided the total number of dwelling units in a development shall not be increased by more than 10 dwelling units or 10 percent, whichever is greater. Shared parking arrangements shall be permitted.
  - g. Home occupations.
  - h. Live/work units for artisans, professionals, and service providers.
  - i. Gasoline stations along major minor arterial and collector roads.
  - j. Active recreation.
  - k. Farmers market.
  - l. Parking structures.

**Central Residential Area.**

- 1. *Purpose.* The Central Residential Area, which is optional, provides a wide variety of housing types and greater density in close proximity to the Storefront Area when the village contains commercial uses.
- 2. *Uses Permitted in the Central Residential Area.* The following uses are permitted by right:
  - a. Single-family detached dwellings.
  - b. Two-family, three-family, four-family, and five-family dwellings.
  - c. Multifamily apartment dwellings limited to twelve (12) dwellings in a single building.
  - d. Industrialized homes meeting the architectural design standards.
  - e. Accessory dwelling units that are architecturally integrated with the primary structure or accessory buildings in accordance with Section \_\_\_\_.
  - f. Home occupations.
  - g. Uses accessory to residential uses.
- 3. *Mix of Residential Uses.* The Central Residential Area shall consist of at least two dwelling types, with a maximum of 40 percent single-family detached units.

**Village Residential Area.**

1. Purpose. The Village Residential Area, required in all villages, is located outside the Central Residential Area and contains primarily single-family detached dwelling units, but may include some two, three, four or five-family units, and accessory dwelling units.
2. Uses Permitted in the Village Residential Area. The following uses are permitted by right:
  - a. Single-family detached dwellings.
  - b. Two- through five-family dwellings.
  - c. Accessory dwelling units that are architecturally integrated with the primary structure or accessory buildings in accordance with Section 203.E.5.
  - d. Home occupations.
  - e. Uses accessory to residential uses.
3. Mix of Residential Uses. Village Residential Areas shall consist of at least 80 percent single-family detached units, except that village developments containing fewer than 100 dwelling units may consist of 100 percent single-family detached units.

**Village Green Space Area.**

1. Purpose. The Village Green Space Area consists of all the green space required in the Village. Green space shall consist of Primary Conservation Areas and Secondary Conservation Areas. At least 15 percent of the minimum required green space shall consist of multiple greens, commons, squares, or parks.
2. Uses Permitted in the Village Green Space Area. The following uses are permitted by right:
  - a. Conservation of open land in its or natural or managed state (for example, woodland, fallow field, or meadow).
  - b. Agricultural and horticultural uses, including raising crops or livestock, wholesale nurseries, associated buildings, excluding residences needed to support an active, viable agricultural or horticultural operation. Specifically excluded are commercial livestock operations involving swine, poultry, mink, and other animals likely to produce highly offensive odors.
  - c. Pastureland for horses and other grazing livestock used solely for recreational purposes. Equestrian facilities, including commercial facilities, shall be permitted but may not consume more than half of the minimum required green space. Indoor or outdoor riding arenas are permitted, excluding seating areas and facilities for audiences. Rodeo facilities are specifically excluded.
  - d. Silviculture, in keeping with established standards for selective harvesting and sustained yield forestry.
  - e. Neighborhood green space uses such as village greens, commons, picnic areas, community gardens, trails, and similar low-impact passive recreational uses

- specifically excluding motorized off-road vehicles, rifle ranges, and other uses similar in character and potential impact as determined by the county commission.
- f. Active noncommercial recreation areas, such as playing fields, playgrounds, courts, and bikeways, provided such areas do not consume more than half of the minimum required green space or ten acres, whichever is less. Parking facilities for the same shall also be permitted, provided they shall not be included in the required green space.
  - g. Golf courses may comprise up to 50 percent of the minimum required green space, but shall not include driving ranges or miniature golf. Golf course parking areas and any associated structures shall not count toward the minimum required area of green space.
  - h. Water supply facilities, sewage disposal systems, and stormwater infiltration areas provided that such areas do not occupy more than 25 percent of the required green space. Excluded from this permission are mounded septic systems, storage lagoons, and detention and retention basins.
  - i. Easements for drainage, access, sewer or water lines, or other public purposes.
  - j. Underground utility rights-of-way.
  - k. Above-ground utility and street rights-of-way may traverse, but shall not count toward the minimum required area of green space.
  - l. Single-family detached dwellings and their accessory units located on conservancy lots of at least 10 acres in area.
  - m. Existing impoundments of water and all state waters may satisfy up to 25 percent of the required green space.

**Village Size and Separation.**

Village plan districts shall be located in conformity with the comprehensive plan in areas designated as Community Activity Centers or Neighborhood Activity Centers designated on the map entitled “Future Land Use – 2025 Jasper County, Georgia” as amended. The land area of any single village plan district shall not exceed 250 acres and the minimum size shall not be less than 5 acres.

**Density and Green Space Determination.**

1. Residential Density. The maximum number of dwelling units to be permitted shall be the sum of the following components:

<b>Determined in Section Number</b>	<b>Component</b>	<b>No. of Units</b>
	Standard density	
	Density Bonuses to Further Certain Public Objectives a. Public Use of green space b. Endowment for green space Maintenance c. Affordable Housing Development d. LEED Certification	
	Storefront Area Dwelling Units Constructed above Commercial Uses	
	<b>Maximum Number of Permitted Dwelling Units =</b>	

2. Determination of Standard Density.

Determination of the maximum number of permitted dwelling units shall be based on the Total Tract Area of the site. Standard density shall equal the Total Tract Area times the density factor. The standard residential density factor for V-P zone shall be two (2) dwelling units per acre.

Formula: standard density = Total Tract Area x Density Factor

Total Tract Area                    \_\_\_\_\_ acres

Density Factor                    X    2 units per acre

Base Density                        =    \_\_\_\_\_ dwelling units

3. Density Bonuses to Further Certain Public Objectives. Village residential density may be increased beyond standard density when certain public objectives pertaining to public land dedication, and conservation land endowments are achieved. The additional dwelling units shall be cumulative, provided that the total additional number of dwelling units under this section shall not exceed 25 percent of the standard density.

a. Public Use of Green Space. A density increase may be granted at the discretion of the county commission where the proposal provides for the dedication of green space for public use (including active and passive recreation areas, municipal sanitary sewerage land application systems, municipal buildings, school sites, etc.) in accordance with the following standards:

1) The increase in density shall be computed on the basis of one dwelling unit per five acres of natural resource land including, but not limited to: woodlands, pastures, conservation meadows, farm fields; or per one acre of land improved for

active recreation (such as ball fields) or per half-mile of trail that becomes publicly accessible. The density shall not exceed 10 percent increase over the standard density.

2) The decision whether to accept an applicant's offer to dedicate land to public usage within a proposed village development shall be at the discretion of the county commission, which shall be guided by the recommendations contained in the green space/recreation element of the comprehensive plan.

b. Endowment for Green Space Maintenance.

1) A density increase may be granted at the discretion of the county commission when green space is to be donated to a land trust or to Jasper County or another public entity, up to a maximum of 10 percent over standard density, to generate additional income to the recipient for the sole purpose of endowing a permanent fund to offset continuing costs of maintaining the green space, including costs associated with active or passive recreation facilities. Spending from this fund shall be restricted to expenditure of interest so that the principal may be preserved. The estimate of maintenance costs shall be prepared by an agency, firm, or organization acceptable to the county commission, and with experience in managing green space and recreational facilities. The density shall not exceed a maximum 10 percent increase over the standard density.

2) Because additional dwellings, beyond the maximum that would ordinarily be permitted, may reasonably be considered to be net of development costs and represent true profit, 75 percent of the net selling price of the endowment lots shall be donated by the applicant to the green space Maintenance Endowment Fund for maintenance of the lands to be conserved within the subdivision. This fund shall be transferred by the developer to the designated entity with ownership and maintenance responsibilities.

When estimating the projected maintenance costs of the green space, any area that is not accessible to the subdivision residents for their common enjoyment shall not be included in these calculations. Such inaccessible lands shall include areas designated on the Final Plan as “country properties” and other non-common acreage.

c. Affordable Housing Development. A density increase may be granted where the proposal provides housing opportunities for low- or moderate-income households. For each affordable housing unit, one additional building lot or dwelling unit shall be permitted, up to a maximum 15 percent increase over the standard density.

d. LEED Certification. A density increase may be granted where the proposal provides for houses, commercial or mixed-use buildings meeting LEED Green Building certification up to a maximum of 20 percent increase over the standard density. The increased density may be expressed in terms of the number residential dwelling units permitted or in additional commercial floor area if LEED standards are met for commercial mixed-use buildings. The increases considered shall be as follows:

<i>LEED Level Achieved</i>	<i>Density Bonus</i>
Certification	5%
Silver	10%
Gold	15%
Platinum	20%

e. Implementation. For each of the public purposes described above, dwellings resulting from density bonuses may be accommodated by reducing the amount of required green space acreage by up to 10 percent, reducing the minimum lot area requirements by up to 20 percent, or by a combination of these approaches, provided that county commission is satisfied that the public purpose objectives are being achieved.

5. Minimum Required Green Space. The minimum amount of green space required shall equal 50 percent of Total Tract Area except as otherwise provided in this ordinance. The green space shall be composed of all constrained lands within the Total Tract Area and any additional lands necessary to reach 50 percent of the Total Tract Area according to the following formulas.

Formula: Required Green Space = 50% of Total Tract Area

(50% x Total Tract Area)

– All Constrained Land

= \_\_\_\_\_ Additional Conservation land required

**Lot Area and Dimensional Standards.**

Proposed lots and buildings in the Central Residential, Village Residential and Storefront Areas shall meet the area and dimensional standards in the following Table.

	Lot Area		Lot Width		Setbacks			
	Min.	Max.	At Street Line <sup>1</sup>	At Building Line	Front Yard		Rear Yard Min.	Side Yard Min. <sup>2</sup>
					Min.	Max.		
<b>Central Residential Area</b> Single-family detached dwelling	5,500 SF		20 ft	30 ft	15	20		
with accessory dwelling	8,500 SF		20 ft	30 ft				
Two to four-family dwellings	3,630 SF/du	4,000 SF/du			15	20		
Multi-family dwellings	3,630 SF/du	4,000 SF/du			3	15		
Principal Dwelling					-0-	20 ft <sup>3</sup>	20 ft	5 ft
Accessory Building							10 ft <sup>4</sup>	5 ft
Front Loading Garage					35 ft			
<b>Village Residential Area</b> Single-family detached dwelling --with accessory dwelling	5,500 SF 8,500 SF							
Two to four-family units	2,500 SF/du	4,000 SF/du	30 ft	30 ft				
Principal Dwelling Open Front Porches and Steps Screened Front Porches Front Porches Enclosed by Windows					12 ft <sup>5</sup> 6 ft 10 ft 15 ft		30 ft	Note <sup>6</sup>
Accessory Building (excluding garages)							5 ft	5 ft
Detached Front Loading Garage Attached Side Loading Garage Attached Front Loading Garage Rear Loading Garage					40 ft 10 ft 10 ft <sup>7</sup>		10 ft	
<b>Storefront Area</b>								
Principal Building					-0-	10ft <sup>2</sup>	20 ft	5 ft
Accessory Building							5 ft <sup>3</sup>	5 ft

1 Residential lots shall have frontage on a street, rear lane or alley. Dwellings served by rear lanes or alleys may front directly onto parks or greens.

2 Side yards may be modified in accordance with Section 205.B.

3 Not applicable to interior buildings in courtyard designs.

4 From edge of pavement of alley.

5 Dwellings on opposite sides of the street shall be located at least 70 feet and no more than 90 feet across from one another, except along boulevards and when buildings front onto greens, commons or other Green space.

6 Min. 20 foot building separation between principal buildings on adjacent lots.

7 Behind the plane of the front facade of the principal building.

**Green Space Dimensional Standards.**

1. Greens, Commons, Squares and Parks.
  - a. At least 15 percent of the minimum required green space shall consist of multiple greens, commons, squares or parks.
  - b. Active recreation facilities located in greens, commons, squares or parks shall be set back a minimum of 100 feet from adjoining residential lot lines.
  
2. Conservancy Lots. In districts where the density is one dwelling unit per two acres or lower, required green space may, at the discretion of the county commission, take the form of Conservancy Lots provided that:
  - a. The total required green space within the proposed village shall meet the requirements in Section 204.B.
  - b. The area occupied by Conservancy Lots shall not exceed 80 percent of the total required green space.
  - c. Conservancy Lots shall have a minimum lot size of 10 acres.
  - d. Green space on Conservancy Lots shall not include buildings, other than those traditionally associated with greenway uses, such as barns, stables and other similar outbuildings.
  - e. Country properties shall be protected from further subdivision through conservation easements running with the chain of title and recorded in the office of the Clerk of the Superior Court.
  - f. Up to two accessory dwelling units may be built on Country Properties in accordance with Section 204.B.4 below and the following requirements:
    - 1) The gross floor area in the first accessory dwelling unit shall not exceed 900 square feet.
    - 2) The gross floor area in the second accessory dwelling unit shall not exceed 750 square feet, except that, on lots exceeding 15 acres, the second accessory dwelling unit may take the form of a tenant house containing up to a maximum of 2,000 square feet of gross floor area.
    - 3) Existing historic structures, including historic accessory buildings, more than 75 years old, that exceed these floor area limits may be permitted by the county commission to be used as accessory dwelling units without having to meet the dimensional setback requirements of this ordinance.
  - h. Country Properties shall meet the following dimensional standards:
    - 1) Minimum road frontage: 50 feet.
    - 2) Minimum lot width at building line: 200 feet.
    - 3) Minimum front yard: 100 feet.
    - 4) Minimum side yard: 100 feet.
    - 5) Minimum rear yard: 100 feet.
    - 6) Maximum building height: 2.5 stories or 35 feet, except as provided in Section
    - 7) Maximum impervious coverage: 5 percent.

**Additional Standards Applicable in All Village Areas.**

1. Lot Area. Area contained within a lot shall be exclusive of 100-year floodplains, wetlands and slopes exceeding 25 percent, with the exception of Country Properties in green space.
2. Flag Lots. Flag lots shall have at least 20 feet of frontage on a street. No more than two contiguous flag lots shall be created, and flag lots shall not comprise more than 10 percent of all lots within a village. The "pole" end of such lots shall not exceed 150 feet in length measured to the street right-of-way, except for Country Properties for which there is no such restriction.
3. Height.
  - a. Building height shall be between 1.5 and 2.5 stories above grade at the front elevation, with a maximum height of 35 feet, except as provided below.
  - b. In the Central Residential Area the maximum height of residential dwelling units with a roof pitch of 7:12 or greater may be increased to 40 feet.
4. Maximum Impervious Cover.

	<i>Impervious Cover (max.)</i>
Central Residential Area Lots 4,000-6,000 SF in area Lots greater than 6,000 SF in area	75 % 50%
Village Residential Area	60%
Storefront Area	80%
Village green space Area	5%

5. Accessory Dwelling Units.
  - 1) No more than 15 percent of all the residential lots within a village may have accessory dwelling units.
  - 2) Accessory dwelling units are not counted toward maximum village density.
  - 3) Accessory dwelling units shall be limited to one per lot.
  - 4) Accessory dwelling units shall be limited in size to a maximum of 900 square feet.
  - 5) Either the principal or the accessory dwelling unit shall be owner-occupied.

**DESIGN STANDARDS FOR VILLAGE DEVELOPMENT AND GREENWAY AREAS.**

1. Overall Form.
  - a. New village development shall be generally compact with a well-defined edge between new developed areas of the village and adjacent rural, undeveloped lands, and when

extending the geographical boundaries of an existing village. This shall not apply in the case of infill parcels within an existing village.

b. Areas of new construction shall be located to best preserve natural resources, cultural features, and scenic vistas. Modification of existing topography shall be minimized to the greatest extent possible.

2. Block Design.

a. Villages shall be designed in a generally rectilinear pattern of blocks and interconnecting streets and rear lanes, defined by buildings, landscaping, pedestrian ways, sidewalks and street furniture. To avoid the monotony of a rigid grid layout and to better conform to the natural terrain, streets may include frequent gentle curves.

b. The maximum length of a block shall be 500 feet. This length may be extended up to 800 feet when mid-block footpaths are provided.

c. Rectilinear blocks of the dimensions required above may be reshaped at the discretion of [the municipal governing body] when topography, existing vegetation, or hydrology considerations influence block shape and size.

d. In the Storefront Area, at least one pedestrian pathway, a minimum of eight feet wide, shall be provided for every 250 feet of street frontage, connecting with rear parking lots.

e. Each block that includes storefronts and/or townhouse lots less than 40 feet wide shall be designed to include a rear alley serving parking areas or garages in the rear.

f. Local access streets shall be configured using a design speed of 25 mph. Traffic calming techniques shall include “T” intersections, traffic islands, circles, loops or crescents, roundabouts, three-way and four-way stop signs. Speed bumps shall be avoided. At least 25 percent of local access streets shall terminate in “T” intersections. The distance between “T” intersections shall not exceed three blocks or 1,500 linear feet, which ever is less. “T” intersections shall meet the offset requirements from other intersections set forth in the [municipal subdivision and land development ordinance].

3. Locational Considerations for Village Uses.

a. Residential uses, excluding upper story dwelling units in the Storefront Area, shall not be located within 500 feet of an arterial highway having four or more lanes.

b. Use Transitions.

1) Similar land uses shall face one another across a street, while dissimilar land uses shall abut along alleys or rear parking areas.

2) Where feasible, a village green shall be used to separate residential blocks from mixed-use blocks.

c. All dwelling units shall be no more than 1,500 feet from the Storefront Area.

d. Nonresidential uses projected to generate more than 800 trips per day shall be located to permit vehicular access from outside the village without passing through residential streets. This part of the village shall be located close to streets having a functional class designation of collector or higher.

**Design Standards for green space.**

1. Green space shall be delineated in accordance with the standards in Sections \_\_\_ of the Development Ordinance, setting forth the Four-Step Design Process, the prioritized list of resources to be conserved, and additional design considerations.
2. Green space shall consist of two types: natural and formal.
  - a. Natural green space consists of, but is not limited to: meadows, woodlands, large specimen trees, hedgerows, wetlands, floodplain and steep slopes.
  - b. Formal green space consists of: greens, commons, squares and parks that are defined by building walls, streets and street trees.
3. Greens, Commons, Squares and Parks.
  - a. Greens, commons, squares, and parks shall serve a variety of outdoor leisure and assembly needs of village residents and enhance the form and appearance of the village.
  - b. Greens, commons, squares and parks shall be distributed throughout the village in the Village Residential Area, the Central Residential Area and, when included, the Storefront Area.
  - c. When a Storefront Area is proposed, a main village green shall be required, which shall be:
    - 1) Located within 200 feet of the outer perimeter of the Storefront Area. These locational requirements may be adjusted by reason of topography or natural resources to be preserved, at the discretion of the county commission.
    - 2) Of pedestrian scale, approximately one-half to one acre in area, and shall be no longer or wider than 300 feet.
  - d. Additional, smaller greens, commons and squares, no less than 8,000 square feet in size, shall be dispersed throughout the village in such a way that no lot is more than 1,250 feet from a green, common or square.
  - e. All greens shall be planted with shade trees along their edges, at intervals not greater than 40 feet.
  - f. The views of greens, commons and squares shall be maximized by locating green space in “terminal vista” locations as often as possible, such as the ends of streets at three-way intersections, and/or along the outer edges of curving streets.
  - g. Commercial areas shall surround, be located adjacent to, or be across the street from a public green, common or square at least 10,000 square feet in area.
4. Accessory Dwelling Units. On Conservancy Lots, accessory dwelling units in principal residences or in new traditional outbuildings, such as barns, stables, carriage houses, and springhouses, shall be designed as shown in for the Jasper County architectural design guidelines.

**Design Standards for Storefront Area.**

1. Design Considerations along an Existing Major Arterial Street.

When the Storefront Area is located along an existing major arterial street the following provisions shall apply:

  - a. The buildings shall be designed with display windows and signage facing the major arterial street.
  - b. Canopy trees shall be planted at intervals not greater than 40 feet along the major arterial street.
  - c. The Storefront Area shall not parallel the major arterial street for a distance greater than 600 feet, unless the storefronts are located behind a landscaped buffer area providing visual screening in all seasons of the year, or on the opposite side of a village green extending the full length of the

Storefront Area as it parallels the major arterial street. If berms are used within the buffer they shall be no taller than two feet and shall taper gradually into the landscape with slopes not exceeding 1:5.

2. Architectural Design Guidelines.  
All buildings and structures located in the Storefront Area shall comply with the Jasper County architectural design guidelines.
3. Landscaping of Commercial Buildings. In addition to the requirements of Section \_\_\_ in the Development Ordinance, the following regulations shall apply:
  - a. To reduce maintenance, ensure longevity, and reinforce the indigenous materials of the area, landscaping around commercial buildings and their parking lots shall emphasize native species trees, shrubs, and flowers. Species shall be selected to provide visual interest at different times of the year, with relatively low maintenance needs.
  - b. The facades of storefront buildings may be separated from the sidewalk by a landscaped strip no greater in depth than three feet, except as necessary to accommodate outdoor eating establishments, or in courtyard designs.
4. Street Furniture.
  - a. At least one public trash receptacle of a design and color approved by the county commission shall be provided in each block on each side of the street.
  - b. Public benches of a design and color approved by the county commission shall be provided at bus stops and at intervals no greater than 100 feet on each block; and in greens, commons, squares and parks at a rate of one bench per 5,000 square feet.
  - c. At least one bicycle rack adjacent to the sidewalk shall be provided on each block, with a paved pad designed to accommodate it.
5. Signs.  
In addition to the requirements in Section \_\_\_\_\_, signs shall conform to the following regulations:
  - a. Signs shall not be freestanding and shall be affixed to a building facade, canopy, or arcade.
  - b. The top of signs (except window signs) shall be located no higher than the sills of second-story windows.
  - c. Signs shall be constructed of wood, metal or synthetic material, provided that the typeface and logos have a dimensional rather than flat quality.
  - d. Sign colors shall be dark background colors with light-colored lettering.
  - e. Signs may be illuminated from external light sources only; lighting shall conform to the regulations contained in Section [*reference to lighting standards section of ordinance*]. Flashing and moving lighting is prohibited.
  - f. Moving signs and signs with moving elements are prohibited.
  - g. External neon signs are prohibited. Non-flashing neon signs may be displayed inside windows provided they occupy no more than 15 percent of the glass area of the window in which they are displayed.

### **Residential Design Standards for Central Residential and Village Residential Areas.**

1. Architecture. Housing styles, shapes, and materials shall be varied, within the overall theme of traditional village dwellings as shown in Jasper County architectural design guidelines.
  - a. Single-family detached dwellings, excluding those on country properties, shall be designed so that:
    - 1) At least two-thirds shall be oriented with their gable-ends facing the street.

- 2) At least 35 percent shall have a covered front entry porch, raised a minimum of 18 inches above ground level.
  - b. Two, three, and four-family dwellings shall be designed to emulate traditional buildings of this nature in [name of jurisdiction] historic settlements or to resemble large single-family residences as shown in [name of reference for design guidelines].
  - c. Roof Pitch. Pitched roofs shall have slopes between 8:12 and 12:12.
2. Building Materials. Materials for the external façades of the buildings shall conform to the architectural design guidelines.
  3. Accessory Dwelling Units.
    - a. The design of accessory dwelling units shall comply with the following regulations:
      1. Accessory dwellings or outbuildings shall be designed according to the principles shown in the architectural design standards.
      2. Exterior fire escapes are prohibited on any side of accessory dwelling units except at the rear.
      3. All off-street parking for accessory dwelling units shall be located to the side or rear of the accessory dwelling if not contained in an enclosed garage below the accessory dwelling (a garage apartment).
    - b. Issuance of permits for accessory units shall be contingent upon County Health Department approval for any on-site septic sewage disposal systems needed.

## **Modifications**

The following modifications are permitted under the terms and specifications herein:

### **A. Height.**

The height limitations of this ordinance shall not apply to chimneys, spires, gables, cupolas, standpipes, flagpoles, monuments, transmission towers, radio or television antennas, cables, water tanks and similar structures and necessary mechanical appurtenances for the village district, provided that no such exception shall cover at any level more than 10 percent of the area of the building's roof or the ground on which it is located. Such architectural features on institutional or civic buildings may equal the height of the building.

### **B. Side Yard.**

Residential side yards may be reduced to zero ("zero lot line") in the Central Residential Area and the Village Residential Area, when a dwelling has either no side windows, or when the side window sills are located at least 64 inches above the finished floor elevation.

## **ARTICLE VI. OVERLAY DISTRICT REGULATIONS**

### **Overlay districts generally.**

There are hereby established two overlay district as described in the following sections. The overlay districts are intended to apply additional regulations and standards to supplement the underlying zoning districts when the location and proposed land uses require such regulation to promote the public interest. Overlay districts apply to all land, structures, and land uses that either:

- a) Fall within the boundaries of the overlay zone shown on the official zoning maps; or,
- b) Meet the criteria defined in this ordinance.

### **S-2 Sensitive Land - Watershed Protection Overlay Zone**

- A. The purpose of this district is to protect watersheds, which are vital to public water supplies and therefore have a unique environmental importance to Jasper County; to prevent development from contaminating water sources to a point where they cannot be treated to meet drinking water standards. The S-2 district is intended to maintain a high level of quality for all surface water (rivers, creeks, streams, and springs) and underground water, and to help assure that a high quality of water is maintained in the future. The district is intended to provide for certain permitted uses, and to protect the area from the polluting effects of more intense development and from encroachments of those uses that are not compatible with a protected watershed.
- B. The S-2 Watershed Protection overlay zone applies additional standards to defined watershed areas that may lie within any other zoning district. In each zoning district located within the boundaries of the S-2 district, both the regulations of that underlying district and the regulations of the S-2 overlay district apply. However, the more restrictive standard shall govern.

### **Applicability and boundaries of S-2 Districts.**

Areas that lie within watersheds, which are vital to area public water supplies and have a unique environmental importance to Jasper County are included within the S-2 district. S-2 districts and their boundaries are delineated on the "S-2 Sensitive Land - Watershed Protection Map," which is made a part of this ordinance by reference.

### **Prohibited and Restricted Uses.**

A. Each zoning district of this ordinance specifies a list of permitted principal uses, and accessory uses. That list of permitted uses given for each primary zoning district must be adhered to on land to which the S-2 overlay district is also applied. However the list of prohibited uses given in paragraph C below of this section applies to all S-2 land, regardless in which primary zoning district it lies.

- B. Prohibited Uses: The following uses are specifically prohibited within the S-2 district:
  1. Sewage treatment facility.

2. Commercial business, which causes, sells, stores, or maintains, any toxic chemicals, toxic wastes, or toxic products.
3. Agricultural activity that does not strictly comply with Georgia Pesticide Act of 1976, Georgia Pesticide Use and Application Act of 1976, and Georgia Laws 1982, House Bill 1780 (O.C.G.A. [§] 2-1-4).
4. Industry, business or facility which uses, makes or creates as a product or by-product any toxic wastes, heavy materials, grease, animal fat, or organic loading.
5. Dumping, discharging, releasing, spraying, distributing any toxic or other harmful products onto the land, into the atmosphere, or in a stream or body of water.
6. Livestock feedlots.

**Development Standards for S-2 Districts.**

A. The S-2 overlay district applies additional standards to specific areas that may lie within any zoning district. If required development standards are specified for the same item in both district Articles, the more stringent standard governs.

B. The developer/owner must comply with the Jasper County Soil Erosion and Sedimentation Control Ordinance, as well as any other applicable development regulations.

C. Any setback measurements stated in this section are measured from and are used only on the side abutting the outer edge of any river, creek, stream, spring, or body of water that is located with the S-2 district--or the outer property line of any property owned, operated, managed, or maintained by any government agency in Jasper County as an existing reservoir or designated by a government agency in Jasper County as a future reservoir.

D. For any property located within 1,000 feet of any property owned, managed, maintained, or operated by any government in Jasper County as a reservoir or designated by a government agency in Jasper County as a future reservoir, the following development standards are required:

Agricultural Uses:		
a.	Minimum Lot Area:	Five acres.
b.	Minimum Front Yard:	100 feet.
c.	Minimum Side Yard:	250 feet.
d.	Minimum Rear Yard:	250 feet.
e.	Minimum Setback from a Reservoir for Cultivation:	250 feet.
Residential Uses:		
a.	Minimum Lot Area:	Three acres.

	b.	Minimum Front Yard:	100 feet.
	c.	Minimum Side Yard:	50 feet
	d.	Minimum Rear Yard:	250 feet.
Commercial Uses:			
	a.	None Permitted.	
Industrial Uses:			
	a.	None Permitted.	

E. For other properties located within the S-2 district, but not located within 1,000 feet of any property owned, managed, maintained, or operated by any government in Jasper County as an existing reservoir or designated by a government agency in Jasper County as a future reservoir, the following development standards are required:

Agricultural Uses:		
a.	Minimum Lot Area:	Three acres.
b.	Minimum Front Yard:	100 feet.
c.	Minimum Side Yard:	50 feet.
d.	Minimum Rear Yard:	100 feet.
e.	Minimum Setback for Cultivation:	100 feet.
Residential Uses:		
a.	Minimum Lot Area:	-1.2 acres for single-family dwellings, unless served by public sewer; - 30,000 square feet per two-family dwelling (must be served by public sewer); - 4,356 square feet per dwelling unit for multi-family dwellings (must be served by public sewer).
b.	Minimum Front Yard:	50 feet.
c.	Minimum Side Yard:	25 feet.
d.	Minimum Rear Yard:	100 feet.
e.	Minimum Setback for Nitrification Lines:	50 feet.
Commercial Uses:		
a.	Minimum Lot Area:	1.2 acres.
b.	Minimum Front Yard:	50 feet.
c.	Minimum Side Yard:	50 feet.
d.	Minimum Rear Yard:	100 feet.

F. No principal or accessory buildings may be constructed any lower than the maximum flood elevation for a distance of one mile downstream from any existing or designated planned reservoir dam.

G. Should the owner of a lot, parcel or tract of land included in the S-2 district propose to subdivide any portion of such property, the owner or his authorized agent must submit to the administrative officer a plat or drawing to scale showing the exact location of any surface water

that is located on or within 250 feet of the subject property prior to a request for rezoning or for any permit.

H. Variances may be considered by the board of appeals as to lot sizes and yards provided that sewage generated by the facility located on the property is serviced by an approved public sewage facility. However, variances may not be made as to any residential, commercial, agricultural, or industrial facilities which use, make, or create as a product or a by-product any toxic substance or waste.

I. All other yard requirements of the primary zoning district in which a specific parcel of property lies must be complied with where they are either more restrictive than or not addressed by S-2 development standards.

**S-B Scenic Byway Overlay RESERVED**

**PRC Parks, Recreational, Conservation Overlay RESERVED**

## ARTICLE VII. OFF-STREET PARKING AND LOADING REQUIREMENTS

### Application of parking requirements.

1. As a minimum, an "off-street parking space" shall consist of 180 square feet (nine feet by 20 feet) of storage space for one automobile, plus adequate space for maneuvering and parking one automobile. Adequate space for maneuvering and parking one automobile shall mean the following: Two-way aisles between parking spaces shall be at least 24 feet in width. One-way aisles between parking spaces shall be at least 14 feet in width for 45-degree angle parking, at least 18 feet, six inches in width for 60-degree parking, and at least 24 feet in width for 90-degree angle parking.
2. Parking spaces for one-family dwellings, two-family dwellings and townhouse dwellings shall be on the same lot as the building to be served except as otherwise provided in this article. No parking space shall be permitted between the front building line and the front property line except on a bona fide paved or graveled driveway leading to a garage, carport or other permanent parking space located to the rear of the front building line. However, garages and carports may be located in front of the dwelling if attached to the principal building and if their parking bay entrances are perpendicular to the public road fronting the dwelling. In all non-residential zones, paved parking areas will not be permitted between the front building line and the front property line except where a variance permitting such parking has been approved by the zoning board of appeals according to the requirements of the zoning ordinance.
3. Parking spaces for multiple-family dwelling shall be located on the same lot as the building to be served and not more than 150 feet from each dwelling unit along the nearest pedestrian way.
4. Parking spaces for nonresidential buildings shall be located on the same lot as the building to be served except where additional spaces are required by enlargement of use or, where facilities are provided and maintained collectively, the required spaces may be located no more than 300 feet from each building served. No more than 50 percent of the parking requirements for uses in commercial and industrial zoning districts may be provided in off-site public or private parking facilities located not more than 300 feet from principal entrances to buildings where uses are located.
5. No more than 50 percent of the parking requirements for theaters, auditoriums, restaurants or similar uses may be provided and used jointly by office and retail uses not normally open for business during the same hours. Up to 100 percent of the parking requirements for churches and other places of worship may be provided by and used jointly with office and retail uses not normally open for business during the hours of religious and similar services.
6. Parking requirements for uses in institutional districts may be provided in common parking areas that shall be approved by condition of zoning approval or as part of the institution's comprehensive site development plan.
7. Parking requirements for developments with more than one use shall be determined by adding the parking requirements for the different uses within the development.
8. No more than 25 percent of the parking spaces required for multiple-family residential, institutional, commercial, and industrial uses may be designed for the use of compact vehicles. Parking spaces for compact vehicles shall be clearly designated by signs or other special markings for the exclusive use of such vehicles.
9. In all Village Plan zoning districts, one of the required parking spaces per unit must be enclosed within a structure attached to, adjacent to or enclosed within the structure of each dwelling unit. The other required spaces may be provided in driveways, carports or turning courts, on streets or common drives.
10. Parking spaces for use by handicapped persons shall be provided as required by the state handicapped accessibility law (O.C.G.A. § 30-3-1 et seq.).

11. Required parking for personal storage facilities, "mini-warehouse" and similar temporary storage facilities shall not be permitted in aisles and driveways between storage buildings and facilities, but shall be located in a separate parking area on the same property as the facility to be served. Use of aisles and driveways shall be limited to driving, standing, loading and unloading.

12. Except for spaces designated for handicapped persons, parking and loading shall not be permitted within any front yard for nonresidential buildings when located on the same lot as the building to be served. Parking shall not be permitted within the front yard of any agricultural or residential districts, except upon a driveway or within a carport or garage that is part of the principal building.

**Minimum requirements for off-street parking.**

1. Single-family dwellings, in general: Two parking space per dwelling unit.
2. Single-family dwellings, townhouses (VP districts): One and one-half spaces per dwelling unit.
3. Two-family dwellings: One and one-half spaces per dwelling unit.
4. Multiple-family dwellings, in general: One and one-half spaces per dwelling unit.
6. Rooming, lodging and boarding houses: One space per each two bedrooms.
7. Personal care homes: One space per each two beds.
8. Churches and other places of worship: One space per each eight seats in the sanctuary or meeting room where seating is fixed or one space per 50 square feet of gross floor area of sanctuary or meeting room where seating is not fixed.
9. Schools, public or private, elementary and middle: Two spaces per classroom, plus one space per each eight seats in auditorium or assembly area where seating is fixed or one space per 50 square feet of gross floor area of auditorium or assembly area where seating is not fixed.
10. Hotel[s], motels, tourist homes: One and one-quarter spaces per guestroom. Conference and meeting facilities associated with a hotel or similar place of lodging: One space per 40 square feet of floor area of largest assembly room where seating is not fixed.
11. Fraternity and sorority houses: One space per bed.
12. Homes for the elderly: One space per 2 1/4 dwelling units.
13. Clubs, social organizations and fraternal lodges: One space per 100 square feet of gross floor area.
14. Government and business offices; office buildings: One space per 400 square feet of gross floor area.
5. Retail sales and service establishments: One space per 200 square feet of gross floor area.
16. Restaurants, nightclubs, taverns and similar establishments serving food and beverages: One space per 100 square feet of gross floor area.
17. Theaters, auditoriums, funeral homes, community centers and other places of assembly: One space per each four seats where seating is fixed; one space per 25 square feet of gross floor area of assembly area where seating is not fixed.
18. Nursery schools, kindergartens, day care centers: Two spaces per classroom.
19. Hospitals, sanitariums, nursing homes, convalescent homes, and similar uses: One space per two beds.
20. Bowling alleys: Five spaces per alley.
21. Manufacturing, warehousing, and storage facilities; distribution centers; wholesale facilities: One space per 600 square feet of gross floor area.

- 22. Vehicle repair garages, paint and body shops, welding shops, and similar establishments: One space per 200 square feet of gross floor area.
- 23. Vehicle service stations: Three spaces per service bay.

**Application of loading requirements.**

Where required, one or more off-street loading berths or spaces shall be provided on the same or adjoining lot with the facility it serves, either inside or outside a building. A loading berth shall have minimum dimensions of 12 feet by 35 feet by 14 feet overhead clearance. A loading space need not be a full berth but shall be sufficient to allow normal loading operations appropriate to the property served. The zoning administrator shall determine the sufficiency of the space, but in no case shall this space or its use hinder the free movement of vehicles and pedestrians over a street or sidewalk.

**Minimum requirements for off-street loading.**

- 1. Retail operations, including restaurants within hotels and office buildings, with a total gross floor area of 20,000 square feet devoted to these purposes: One loading space for every 20,000 square feet of gross floor area or fraction thereof; one loading berth for every 40,000 square feet of gross floor area or fraction thereof.
- 2. Retail operations and all first floor nonresidential uses with a gross floor area of less than 20,000 square feet; all wholesale and light industrial operations with a gross floor area that [is less than] 10,000 square feet: One loading space.
- 3. Office buildings and hotels: One loading berth for every 100,000 square feet of floor area or fraction thereof.
- 4. Industrial and wholesale operations with a gross floor area of 10,000 square feet or more shall meet the requirements in the following table:

<i>Size of facility (gross floor area)</i>	<i>Required loading berths</i>
10,000-- 40,000 square feet	1
40,000--100,000 square feet	2
100,000--160,000 square feet	3
160,000--240,000 square feet	4
240,000--320,000 square feet	5
320,000--400,000 square feet	6
Each 100,000 square feet over 400,000	1

## ARTICLE VIII. SUPPLEMENTAL REGULATIONS AND MODIFICATIONS

### **Scope.**

The regulations set forth in this article supplement or modify the district regulations appearing elsewhere in this ordinance.

### **Use modifications.**

Temporary buildings used in conjunction with construction work only may be permitted in any district but shall be removed immediately upon completion of the construction work.

### **Height modifications.**

*Height limit exceptions.* The height limitations of this ordinance shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy, monuments, water towers, observation towers, transmission towers, chimneys, smokestacks, radio towers, television towers, masts and aerials.

### **Area modifications for lots of record.**

Where a lot of record at the time of the effective date of this ordinance had less area or less width than herein required for the district in which it is located, said lot may nonetheless be used for a single-family dwelling, provided that all yard and other requirements of the district are complied with. If two or more adjoining and vacant lots with continuous frontage are in a single ownership at any time after the adoption of this ordinance and such lots individually are less than the lot width requirements for the district in which they are located, such groups of lots shall be combined and recorded as a single lot of conforming size and the lot or lots in one ownership shall be subject to the requirements of this ordinance.

### **General yard modifications.**

- A. Every part of a required yard shall be open to the sky and unobstructed except for the ordinary projections of sills, belt courses, cornices, eaves, chimneys, buttresses and other ornamental and architectural features; provided, however, that such features do not project more than 1 1/2 feet into any required yard.
- B. An open, unroofed porch may project into a required side yard to a point not closer than five feet from any side lot line.
- C. More than one multiple dwelling, institutional, commercial or industrial building may be located upon a lot or tract, but such buildings shall not encroach upon the front, side and rear yards required by the district regulations and for multiple dwellings the open space between buildings measured at the closest point shall not be less than 20 feet for one-story buildings, 30 feet when one or both are less than 20 feet for one-story buildings, 30 feet when one or both are two-story buildings, and 40 feet when one or both are three- or more story buildings.
- D. Where an open space is more than 50 percent surrounded by a residential or institutional building, the minimum width of the open space shall be at least 20 feet for one-story buildings, 30 feet for two-story buildings and 40 feet for three- or more story buildings.
- E. In a residential district, no required yard except the rear yard shall be used for the location of a private swimming pool, and no mechanical appurtenance or pool shall be within ten feet of any lot line.
- F. Wherever yards are provided between commercial or industrial structures, they shall have a minimum width of not less than ten (10) feet.

- G. For a property with an existing single-family dwelling that does not meet the present minimum side yard requirement, the zoning administrator is authorized to allow the enlargement or extension of the dwelling under the following conditions: a. The enlargement or extension does not encroach in the side yard to any greater degree than the existing dwelling. b. The enlargement or extension does not encroach into any required front or rear yard. c. There is a minimum distance of ten feet between the dwelling and the principal building on the adjacent property.

### **Front yard modifications.**

The required front yards heretofore established shall be modified in the following cases:

Where 40 percent or more of the frontage on the same side of a street between two intersecting streets is presently developed with buildings that have (with a variation of five feet or less) a front yard greater or lesser in depth than therein required, new buildings shall not be erected closer to the street than the average front yard so established by the existing buildings.

Where 40 percent or more of the frontage on one side of a street between two intersecting streets is presently developed or may hereafter be developed with buildings that do not have a front yard as described above, then: a. Where a building is to be erected on a parcel of land that is within 100 feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the two closest front corners of the adjacent buildings; or b. Where a building is to be erected on a parcel of land that is within 100 feet of an existing building on one side only, such building may be erected as close to the street as the existing adjacent building.

Double frontage lots shall provide the required front yard on both streets. 10.6.4. Corner lots shall provide a front yard on each street side; provided, however, that the buildable width of a lot of record at the time of the passage of this ordinance need not be reduced to less than 25 feet.

Permitted signs may extend into a front yard or the required yard abutting a side street not to exceed 18 inches.

Service station pumps and pump islands may be located within a required front yard provided they are at least 15 feet from any right-of-way.

Accessory buildings. In residential zoning districts, a detached accessory building shall not be located closer to the street right-of-way line than the principal building to which it is accessory.

### **Rear yard modifications and regulations.**

The rear yards heretofore established shall be modified in the following cases:

An unenclosed balcony, porch steps or fire escape may project into a rear yard for a distance not exceeding ten feet.

Accessory buildings shall be located in a rear yard and shall not occupy more than 30 percent of the required rear yard. They shall not be nearer than three feet to any side or rear lot line, except that when a garage is entered from an alley it shall be located at a distance either of five feet to the alley line (allowing no parking outside the garage) or at 18 feet from the alley line to facilitate parking outside the garage that does not interfere with alley traffic.

On corner lots, accessory buildings shall not be located closer to the side street right-of-way line than the principal buildings to which it is accessory or closer to the rear lot line than the side setback requirements for principal buildings located on adjoining lots with side yards contiguous to said rear lot line.

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

Satellite dish antennas are permitted as accessory structures in residential zoning districts and may be no greater than 3.5 feet in diameter.

**Walls, fences and planting.**

Walls and fences and ornamental trees and shrubs may be located within the yards except as provided herein:

No wall or fence in a front yard shall exceed a height of four (4) feet except in AG zones where five (5) feet in height shall be permitted.

No wall or fence in a rear or side yard shall exceed a height of eight feet.

In all districts, no fence, wall, shrubbery, sign, marquee, or other obstruction to vision between the heights of three feet and 15 feet shall be permitted within 20 feet of the intersection of the right-of-way lines of two streets or of a street intersection with a railroad right-of-way line.

**Residential and institutional districts.**

Churches and other places of worship, clubs, sororities and fraternities shall comply with the following regulations in all residential zoning districts:

1. Shall comply with the minimum front and rear yard requirements for the zoning district in which they are located and shall have a 25-foot side yard in all residential zoning districts.
2. No front yard shall be used for the purpose of parking.
3. Coverage of property shall be limited to 50 percent. In addition to coverage by buildings, coverage by parking areas, drives, walkways and other paved or graveled surfaces shall be included in determining the percentage of coverage.

In R-1 districts, side yards may be reduced to seven feet for portion abutting a carport or garage.

Following conditions apply to hospitals, sanitariums and nursing homes in all districts permitting such uses:

1. Shall not include facilities for long term custodial care of the mentally ill.
2. Shall have prior approval of the county health department.
3. Shall provide a visually solid fence or dense planted buffer on any side abutting residential use.
4. Shall be supplied with secure source of emergency electrical power so as to provide electricity for all hospital services for no less than 48 hours in the event of an interruption in the power supplied by the electric utility company.

No front yard for multiple-family dwellings shall be used for the purpose of parking or loading.

Within any residential district, not more than twenty-five (25) percent of the total area between the street right-of-way line and the front of the principal building shall be paved.

**Commercial and industrial districts.**

A visually dense planting screen with a minimum height of eight feet shall be provided along any property line of a commercial or industrial use that adjoins a residential district.

No required yard in C-1, C-2, and O-I districts shall be used for the purpose of parking or loading.

Animal hospitals. Such uses shall be operated so as to prevent objectionable odors. Any boarding and kennel space shall be contained within the building and is limited to no more than 25 percent of the total building area of the hospital. No pens, cages or other area for the overnight confinement of animals shall be permitted outside the building or buildings. Any areas used for boarding shall be adequately soundproofed and located at least 50 feet from any off-site residence.

**All districts.**

Standards for nursery schools, kindergartens and day care centers. Nursery schools, kindergartens and day care centers shall comply with the appropriate rules and regulations of the State of Georgia Department of Human Resources. When such a facility is to be located in a zoning district where such facility requires a public hearing by the planning and zoning commission and approval of the board of commissioners, the following items shall be considered in determining whether the facility shall be approved:

1. The suitability of the proposed facility in view of the use and development of adjacent and nearby properties.
2. The impact that the proposed facility will have on the public safety, traffic on the public streets, transportation facilities, utilities, and other public services.
3. The impact that the proposed facility will have on established property values and on the health, safety, comfort and general welfare of the residents of Jasper County.

Supplemental regulations and modifications applicable to homes for the elderly:

1. Lot shall have a minimum width of 100 feet and a minimum depth of 150 feet.
2. Minimum floor area, one-bedroom apartment: 550 square feet. Minimum floor area, efficiency apartment: 350 square feet.
3. Maximum building coverage shall not exceed 60 percent of total land area.
4. One parking space shall be provided for each 2 1/4 dwelling units.

Evidence of separate dwelling unit. The equipment of an accessory building or equipment of part of a principal building with one or more of the following or similar items, systems or equipment shall be considered prima facie evidence that such accessory building or such part of the principal building is a separate and distinct dwelling unit and is subject to the regulations of the zoning district in which it is located: utility services; utility meters; mailboxes; kitchen equipment such as sink, stove, oven, and/or cabinets.

**Personal care homes.**

Personal care homes may be established and operated in Jasper County in accordance with the following policies and procedures:

1. Personal care homes shall be operated only in zoning districts in which such homes are allowed as permitted uses as described in article VII, district regulations.
2. Persons seeking [to] operate a personal care home in Jasper County must file a permit application with the development department along with any fees established by the board of commissioners. Each permit application shall include an affidavit that the applicant either has applied for or will immediately apply for the corresponding permit or authorization for the operation of a personal care home from the State of Georgia department of human resources in accordance with its rules and regulations and the affidavit shall also certify that the proposed personal care home will meet and be operated in conformance with all applicable state and federal laws and regulations and with all codes and regulations of Jasper County. All application forms and information submitted to the State of Georgia department of human resources or any amendment thereto shall be submitted with the county permit application. The development director may require clarification or additional information from the applicant that is deemed necessary to determine whether operation of the proposed home will meet applicable laws, regulations and development standards.

3. If the planning director determines that an application to operate a personal care home is [in] compliance with the applicable requirements, the director shall approve the application for a permit, but the permit for operation shall not be issued until the applicant has obtained the corresponding permit or authorization for operation of such a home from the State of Georgia department of human resources.
4. No permit for the operation of a personal care home shall be transferable.
5. No personal care home shall be operated without both a valid permit from Jasper County and a valid license from the State of Georgia department of human resources.

**Standards for approval of residential uses and personal care homes.**

When a residential use or personal care home is to be located in a zoning district where such use or personal care home requires a public hearing by the planning and zoning commission and approval of the board of commissioners, the following items shall be considered in determining whether the residential use or personal care home shall be approved:

1. The suitability of the proposed residential use or personal care home in view of the use and development of adjacent and nearby properties.
2. The impact that the proposed residential use or personal care home will have on the public safety, traffic on the public streets, transportation facilities, utilities, and other public services.
3. The impact that the proposed residential use or personal care home will have on established property values and on the health, safety, comfort and general welfare of the residents of Jasper County.

**Required buffer areas.**

Buffer areas shall be established and maintained by the property owner under the following provisions:

1. A 40-foot wide buffer area which provides visual screening and may be required to provide a screening fence or wall on the interior edge of the buffer shall be established and maintained by the owner in any required side or rear yard when a development in a C-1, C-2 or M district adjoins RR, R-2, R-1, or V-P zoning district. Minimum fence or wall height shall be six feet.
2. The requirements for a fence or wall may be waived by the planning director upon presentation of field survey analysis prepared by a licensed architect, landscape architect, or engineer demonstrating that construction of the fence or wall would destroy existing vegetation which, in itself, provides visual screening between the development and the adjoining residential district.
3. Required buffer areas shall be maintained as a planted area, using existing vegetation or, when required, additional plantings as provided in this section.
4. Required buffer areas shall be appropriately landscaped with trees and shrubs and may be enhanced with flowers, grass, stone, rocks and other natural landscaping materials.
5. Required buffer areas shall not be used for parking or a structure other than a fence or drainage improvements required by the county. However, a buffer area may be used for vehicular access and utility easements if these are constructed approximately perpendicular to the greater distance of the buffer area. Buffers may also contain drainage improvements required by the county based upon competent engineering studies showing the improvements to be necessary, if approved by the county engineer.
6. Except as otherwise provided, the natural topography of the land shall be preserved and natural growth shall not be disturbed beyond that which is necessary to prevent a nuisance, to thin natural growth where too dense for normal growth, or to remove diseased, misshapen or dangerous and decayed timbers. However, a slope easement may be cleared and graded where required to prevent soil erosion upon approval of the public works director; this easement may cover no more than 20 percent of the required buffer space, and shall be immediately replanted upon completion of easement improvements.

7. Where the conditions described in paragraph 6 of this section cannot be met by reason of the topography of the land or of the prior removal of or lack of vegetation and foliage, the owner of the buffer area may install a permanent screen of evergreen plantings, so designed and developed to provide visual screening between the property described herein. These plantings shall consist of evergreen trees or shrubs not less than six feet in height, or trees or shrubs which will, in normal growth, attain a height of six feet within three years. The following plants shall be approved for this purpose but shall not be exclusive of other plants which may be suitable, provided that they can form a hardy screen, dense enough and high enough both to interrupt vision and to diffuse the transmission of sound: *Magnolia grandiflora* (southern magnolia). *Pinus strobus* (white pine). *Prunus caroliniana* (cherry laurel). *Ligustrum lucidum* (glossy ligustrum). *Ilex burfordi* (burford holly). *Elaeagnus pungens* (elaeagnus).

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

9. Required buffer areas shall be designated on each plat and recorded as a permanent easement.

### **Communications towers and antennas.**

Communications towers and antennas may be erected and operated in Jasper County as permitted in the district regulations and in accordance with the policies and procedures described in this section. Except in the AG-agricultural district, and unless otherwise exempt, no communication tower or antenna shall be erected in or within 300 yards of a residential zoning district.

#### *A. Development standards.*

1. *All districts.* Towers shall be located no closer to any existing off-site dwelling than a distance equal to the height of the tower or 100 feet, whichever is greater. On properties located adjacent to any residentially zoned property, towers shall be located no closer to the residentially zoned property than a distance equal to the height of the tower or 200 feet, whichever is greater. Cables and structures designed to anchor towers and antennas shall be set back a minimum of 20 feet from all property lines.

2. *Antennas in O-I - Institutional Districts, C-1 Neighborhood Commercial Districts, C-2 General Commercial Districts, and in M-manufacturing district.* Antennas may be located on existing structures, including but not limited to buildings, light poles, water towers, communications towers or other freestanding structures, provided that the existing structure is at least 50 feet in height and the antenna is no more than 20 feet higher than the highest point of the existing structure.

3. *Exemptions.* These regulations shall not apply to the following: a. Towers and/or antennas less than 70 feet in height and owned and operated by a federally licensed amateur radio operator. b. Receive-only antennas. c. Satellite dish antennas as regulated by section 10.7.5. d. Towers and antennas operated by local, state or federal government.

*B. Standards for approval of communications towers.* When a communications tower is to be located in a zoning district where a tower requires a public hearing by the planning and zoning commission and approval of the board of commissioners, the following standards shall be considered in determining whether the tower shall be approved:

1. Is the proposed tower suitable in view of the use and development of adjacent and nearby property?

2. Does the proposed tower adversely affect the existing use, usability, or unreasonably reduce the value of adjacent or nearby property?

3. Does the proposed tower result in impacts that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or other public facilities?

4. Are there other existing or changing conditions that, because of their impact on the public health, safety, morality and general welfare of the community, give supporting grounds for either approval or disapproval of the proposed tower?
5. Communications towers may be approved subject to such reasonable conditions necessary to mitigate impacts that may be expected without the imposition of such conditions.

**Private elementary, middle and secondary schools.**

The purpose of this regulation is to provide standards for private elementary, middle and secondary schools in residential zoning districts.

*10.20.1 Development standards.*

1. Minimum lot area: Elementary schools: Two acres. Middle or junior high schools: Four acres. High schools: 10 acres.
2. Minimum frontage: 100 feet.
3. Minimum building setbacks from property lines from adjoining residential uses: 50 feet.
4. Minimum setbacks from property lines for parking areas and driveways: 25 feet.

An exception to any of these minimum development standards may be approved as part of the school's comprehensive site development plan after consideration of the standards for approval described in section 10.17.

*10.20.2. Supplemental standards for approval.* In addition to the standards described in section 10.17, the following standards shall be considered in determining whether the proposed development shall be approved:

1. *Adequacy of site.* Is the site adequate for the proposed development and use?
2. *Buildings.* Are the scale and size of the proposed buildings appropriate in relation to the site and the adjacent and nearby properties?
3. *Vehicular access, circulation and off-street parking and loading.* Is the public street on which the proposed development is to be located adequate to allow estimated traffic? Is ingress and egress to the proposed development adequate so as to minimize traffic congestion? Is parking located to the rear of the proposed development and effectively screened? Is there adequate access for fire and other emergency vehicles?
4. *Buffers.* Are buffers and other screening measures adequate to protect adjacent residential uses from noise, lighting and other impacts?
5. *Solid waste disposal.* Are garbage disposal and refuse collection areas adequate? Are they located and screened to minimize impacts on adjacent residential properties?

*10.20.3. Standards for approval; conditional zoning.* The standards described in section 10.17 shall be considered in determining whether the proposed use shall be approved. Such use may be approved subject to such conditions as may be imposed in order to mitigate impacts which may be expected without the imposition of conditions and may be regulated in the same manner as provided in section 13.5, conditional zoning.

*10.20.4. Supplemental application requirements.* Each application shall be accompanied by plans that shall include the following:

1. Written description of the proposed development. At a minimum, such description shall provide a summary of the scope and main features of the proposed development, including hours and manner of operation, and shall address standards for approval described in sections 10.20.2 and 10.20.3. 2.
2. Comprehensive site development plan. At a minimum, such plan shall include all existing and proposed buildings and structures and their location on the property, heights of proposed buildings, proposed use of each building, all driveways, parking areas and loading areas, location of garbage disposal facilities and proposed buffers.

**Manufactured Homes**

All manufactured homes must be installed in accordance with ANSI A225.1. Manufactured homes are prohibited for use as storage buildings.

## **ARTICLE VI. BOARD OF APPEALS.**

### **Establishment and Membership**

- A. A zoning board of appeals is hereby established. The word "board," when used in this ordinance, shall be construed to mean the zoning board of appeals of Jasper County, Georgia. The board shall consist of not more than five members nor less than three members each appointed by majority vote of the board of commissioners. All members shall be citizens of Jasper County and no member shall be a member of the board of commissioners or an employee of Jasper County.
- B. The term of office of each member shall be three years except that of the three members first appointed, one shall be appointed for a term of one year, one for a term of two years, and one for a term of three years. Thereafter, as each term expires, the appointment shall be for three years except that a vacancy occurring in an unexpired term shall be filled by appointment for the unexpired portion of that term. The board of commissioners by majority vote shall have the authority to remove any member of the zoning board of appeals but only for cause and upon written charges and after public hearing.
- C. At its first meeting of the calendar year, the board shall elect a chairman and a vice-chairman, appoint a secretary, and adopt rules governing the conduct of its affairs. Copies of the rules shall be made available to the public. The planning director shall be the secretary to the board and maintain all minutes and records of actions taken by the zoning board of appeals.

### **Meetings, procedure and records.**

Meetings of the board shall be held at such times as the board may determine or upon call of the chairman. Such chairman or, in his or her absence, the vice-chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such facts, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

### **Appeals.**

An appeal from a decision of the zoning administrator may be taken to the board by any person aggrieved, or by any officer, department, board or agency of Jasper County affected by such decision. Such appeal shall be taken within a reasonable time by filing with the zoning administrator and with the board a notice of appeal specifying the grounds thereof.

The zoning administrator shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from unless the zoning administrator certified to the board, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board or by a court of record on application on notice to the zoning administrator and on due cause shown.

### **Hearings.**

The board shall fix a date for the hearing of an appeal within the time specified by its rules, give public notice thereof, and decide the same within a reasonable time. It shall be the duty of the zoning administrator to post notices of the time and place of the hearing in a newspaper of general circulation and by placard on or within 300 feet of the property as measured along the street right-of-way line. Upon the hearing of such appeal, any party may appear in person, or by agent or attorney.

**Powers and duties.**

The board shall have the following powers and duties:

*Appeals.* To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made of the zoning administrator in the enforcement of this ordinance.

*Variances.* To authorize upon appeal in specific cases a variance from the terms of this ordinance such as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship, but where the spirit of the ordinance shall be observed and substantial justice done. Such special conditions shall be limited to exceptional narrowness, shallowness or shape of a specific piece of property existing at the time of the enactment of this ordinance, or exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property as would result in peculiar, extraordinary and practical difficulties. No variance shall be authorized unless the board finds that all of the following conditions exist:

1. That the special circumstances or conditions applying to the building or land in question are peculiar to such premises and do not apply generally to other land or buildings in the vicinity.
2. That the granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.
3. That the condition from which relief or a variance is sought did not result from action by the applicant.
4. That the authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of Jasper County.
5. That the granting of the variance will be in harmony with the general purpose and intent of the Comprehensive Plan.
6. That the granting of the variance will not allow a structure or use in a district restricted against such structure or use.

*Conditional approval.*

In approving a variance or an appeal, the board may impose special conditions that it deems necessary in order to mitigate impacts, which may be expected without the imposition of those conditions.

Such conditions may consist of a variety of requirements, including, but not limited to, setbacks from any lot line; specified or prohibited locations for buildings, parking, loading or storage areas or other land uses; restrictions in the location of driveways and curb cuts; maximum building heights and other dimensions; landscaping requirements which may include location, type and maintenance of plant materials, fences, walls, earth berms or other buffer provisions; screening or other protective measures; preservation of existing trees and other vegetation; special measures to alleviate undesirable views, light, glare, noise, dust or odor; permitted hours of operation; a requirement that the existing building(s) be retained; a requirement that development take place according to a site plan, development plan and/or building plan; a limitation on exterior modifications to existing buildings; public facility improvements by the owner; a time limit within which the property must either be used as allowed by the variance, special exception or other appeal; or any other requirement deemed appropriate and necessary as a condition of approval.

Requirements imposed as a condition of approval shall be required of the property owner and all subsequent owners as a condition of the use of the property and continuously enforced by the zoning administrator.

## ARTICLE VII. AMENDMENTS

### **Initiation.**

Amendments to the zoning map or to the comprehensive land use plan may be initiated by majority vote of the board of commissioners, by majority vote of the planning and zoning commission or by application by the owner of the property which is the subject of the proposed amendment or by the owner's authorized agent, such authorization to be notarized and attached to the application.

Amendments to the text of the zoning ordinance may be initiated by: a) any member of the board of commissioners, b) by majority vote of the planning and zoning commission or c) by application by any citizen of the county who files an application and pays the required fee. Whenever a county commissioner, initiates an amendment by the board of commissioners or by the planning and zoning commission, the required fee shall be waived.

### **Procedure for zoning amendments.**

An application for an amendment to this ordinance shall be filed with the zoning administrator at least 30 days prior to the date on which it is to be heard by the planning and zoning commission.

Applications shall be submitted in compliance with the following:

1. Text amendment applications shall include the following: a. Name and address of applicant. b. Current provisions of the text to be affected by the proposed amendment. c. Proposed wording of the text amendment. d. Statement of reasons for the proposed text amendment.

2. Comprehensive land use plan amendment applications shall include the following:

a. A map identifying the geographic area of Jasper County that is to have a revised land use under the applicant's proposal.

b. All permitted land uses for the subject area under the exiting comprehensive land use plan.

c. All changes to existing land use designations that are proposed by the application.

d. All land uses immediately adjacent to the subject area under the existing comprehensive land use plan.

e. All reasons for the proposed amendment.

f. Names and addresses of the owners of land affected by the proposed amendment and their agents, if any, authorized to apply for an amendment.

g. A written answer and explanation for each of the following standards:

1. Does the proposed amendment permit uses that are suitable in view of the use and development of adjacent and nearby property?

2. Does the proposed amendment adversely affect the existing use or usability of adjacent or nearby property?

3. Will the proposed amendment result in uses that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?

4. Are there other existing or changing conditions affecting the use and development of the property which, because of their impact on the public health, safety, morality and general welfare of the community, give supporting grounds for either approval or disapproval of the proposed amendment?

3. Zoning map amendments shall include the following:

- a. The names and addresses of the owners of the property subject to the zoning map amendment and their agents, if any, authorized to apply for the amendment.
- b. The present and proposed zoning classifications for the subject property.
- c. The present and proposed uses for the property.
- d. A plat of the subject property containing the following information:
  - 1) All property lines with dimensions.
  - 2) Locations of buildings or other structures, floodplains, drainage ways, and easements.
  - 3) Proposed street right-of-way lines.
  - 4) A comprehensive concept plan of the proposed use of the property.
  - 5) North arrow, scale, land lot, block and lot numbers.
- e. A written report providing an answer and analysis for each of the following standards:
  1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?
  2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?
  3. Does the property to be affected by the zoning proposal have a reasonable economic use as currently zoned?
  4. Does the zoning proposal result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?
  5. Does the zoning proposal conform to the policy and intent of the comprehensive land use plan?
  6. Are there other existing or changing conditions affecting the use and development of the property which, because of their impact on the public health, safety, morality and general welfare of the community, give supporting grounds for either approval or disapproval of the zoning proposal?

4. *Public hearings.* Public hearings shall be held regarding proposed amendments to the text of the zoning ordinance, the comprehensive land use plan or the zoning map, as follows:

a. Prior to decision by the Board of Commissioners of Jasper County which results in the adoption of a zoning ordinance, a comprehensive land use plan, or a zoning map, the adoption of an amendment to a zoning ordinance which changes the text of the zoning ordinance, the adoption of an amendment to the comprehensive land use plan, or the adoption of an amendment to the official zoning map which rezones property from one zoning classification to another, the Jasper County planning and zoning commission and the Board of Commissioners of Jasper County shall hold public hearings on the proposed action.

b. At least 15 but not more than 45 days prior to the date of the public hearing by the Jasper County planning and zoning commission a notice of the public hearings will be placed in a newspaper of general circulation within the territorial boundaries of Jasper County. The notice shall state the time, place and purpose of the public hearings and, if the zoning decision to be considered is for an amendment to the comprehensive land use plan or the rezoning of property and the amendment to the comprehensive land use plan or the rezoning is initiated by a party other than Jasper County, the notice shall also include the location of the property, the present land use category or zoning classification of the property and the proposed land use category or zoning classification of the property.

c. If the zoning decision to be considered is for an amendment to the comprehensive land use plan or the rezoning of property and the amendment to the comprehensive land use plan or the rezoning is initiated by a party other than Jasper County, at least 15 days prior to the date of the public hearing by the Jasper

County planning and zoning commission, a sign giving notice of the public hearings shall be placed in a conspicuous location on the property. The sign shall state the time, place and purpose of the public hearings and shall include the present land use category or zoning classification of the property and the proposed land use category or zoning classification of the property. d. In cases involving an amendment of the zoning map or the comprehensive land use plan, the zoning administrator shall post signs described in paragraph c. of this subsection on or within 300 feet as measured along the street right-of-way line of properties affected by the amendment. For multiple amendments, posting of properties shall not be required.

**Action by planning and zoning commission.**

The planning and zoning commission shall have 45 days following the date of public hearing within which to submit its report to the board of commissioners. If the planning and zoning commission fails to submit a report within a 45-day period, it shall be deemed to have approved the change. Applicants may submit to the zoning administrator any conditions, alterations, changes, or amendments to an application for approval of an amendment to the zoning map, the comprehensive land use plan or to the text of the zoning ordinance up to seven days prior to the date at which the application is to be considered by the planning and zoning commission. If such conditions, alterations, changes or amendments have not been submitted as required by this subsection, the planning and zoning commission may, at its discretion, defer action on the application until its next regular meeting.

**Action by the board of commissioners.**

The board of commissioners, after receiving the recommendation of the planning and zoning commission, shall take appropriate action on the application at a regularly scheduled meeting of the commission.

**Conditional zoning.**

In approving an amendment to the zoning map, the planning and zoning commission may recommend and the board of commissioners may impose special conditions that it deems necessary in order to mitigate impacts that may be expected without the imposition of those conditions. Such conditions may consist of a variety of requirements, including, but not limited to, setbacks from any lot line; specified or prohibited locations for buildings, parking, loading or storage areas or other land uses; restrictions in the location of driveways and curb cuts; restrictions regarding what land uses or other activities may be permitted; maximum building heights and other dimensions; landscaping requirements which may include location, type and maintenance of plant materials, fences, walls, earth berms or other buffer provisions; screening or other protective measures; preservation of existing trees and other vegetation; special measures to alleviate undesirable views, light, glare, noise, dust or odor; permitted hours of operation; architectural style; a requirement that the existing building(s) be retained; a requirement that development take place according to a site plan; a limitation on exterior modifications to existing buildings; public facility improvements by the owner; a time limit within which the property must either be used as rezoned or revert to the prior or other appropriate zoning status; or any other requirement deemed appropriate and necessary as a condition of rezoning.

1. Requirements imposed as a condition to rezoning shall be required of the property owner and all subsequent owners as a condition of the use of the property as rezoned.
2. Requirements imposed as a condition to rezoning shall be interpreted and continuously enforced by the zoning administrator in the same manner as any other provision of the zoning ordinance.
3. A conditional zoning shall be noted on the zoning map by adding the suffix "C" to the zoning district designation for the property so zoned.

**Fee required.**

Each application for an amendment to zoning map, to the comprehensive land use plan or to the text of the zoning ordinance shall be accompanied by a fee of \$200.00. Under no condition shall said fees or any part thereof be refunded for failure of proposed amendments to map or text to be enacted into law. An application for an amendment to the zoning map affecting the same property shall not be accepted more than once every 12 months, said interval to begin with the date of a final decision by the board of commissioners. The 12-month interval shall not apply to applications initiated by the board of commissioners or the planning and zoning commission.

**Order of amendments.**

The permitted order in which amendments may be made to the text of the zoning ordinance, the comprehensive land use plan and the zoning map is as follows:

*13.7.1.* The text of the zoning ordinance may be amended without prior or subsequent amendment to comprehensive land use plan or the zoning map.

*13.7.2.* The zoning map may be amended without an amendment to the comprehensive land use plan if the proposed amendment would permit a use that is permitted by the comprehensive land use plan.

*13.7.3.* If a proposed amendment to the zoning map would permit a use that is not authorized within the land use category of the subject property as shown on the comprehensive land use plan, then the applicant must obtain an appropriate amendment to the comprehensive land use plan before applying for the rezoning, or the applicant may apply for an appropriate amendment to the comprehensive land use plan and at the same time apply for a zoning map amendment.

*13.7.4.* The comprehensive land use plan may be amended regardless of the zoning district in which the subject property is located.

*13.7.5.* Where an application to amend the comprehensive land use plan and an application to amend the zoning map each affect the same property and are scheduled to be heard at the same hearing, the application to amend the comprehensive land use plan shall be heard first and action authorized by this ordinance taken before the application to amend the zoning map is heard and action taken with respect thereto.

**Periodic review of the comprehensive land use plan.**

The comprehensive land use plan shall be reviewed periodically, and shall be reviewed annually by the planning and zoning commission, which shall recommend to the board of commissioners such changes as may be necessary or appropriate.

**General standards for approval of special uses.**

Any use shown in the Table of Permitted Uses as requiring a special use permit in any district may be permitted after a hearing by the planning and zoning commission and approval of the board of commissioners. The hearing shall follow all procedures required in Section 13.2 above for zoning amendments. The following standards shall be considered in determining whether the special use permit shall be approved:

1. Is the proposed use suitable in view of the use and development of adjacent and nearby property?
2. Does the proposed use adversely affect the existing use or usability of adjacent or nearby property?
3. Will the proposed use likely cause an excessive or burdensome use of existing streets, transportation facilities, utilities or other public facilities?

4. Is the subject site itself suitable for the proposed use in terms of area, topography, natural conditions, or existing land uses on the site?
5. Is the proposed use suitable in terms of the natural environment on the site and on adjacent and nearby property?
6. Are there other existing or changing conditions which, because of their impact on the public health, safety, morality and general welfare of the community, give supporting grounds for either approval or disapproval of the proposed use?
7. The proposed use may be approved subject to such conditions as may be imposed in order to mitigate impacts which may be expected without the imposition of conditions, and may be regulated in the same manner as provided in section 13.5, conditional zoning.

## **ARTICLE VIII. ADMINISTRATION, ENFORCEMENT, PENALTIES, AND REMEDIES**

### **Enforcement.**

The duties related to administration and enforcement of this ordinance are hereby conferred upon the zoning administrator. It shall also be the duty and responsibility of each officer and employee of Jasper County and especially of each member of the police and fire departments to assist to the zoning administrator by reporting to him new construction and reconstruction of buildings, new land uses and apparent violations of this ordinance.

### **Building permit applications.**

All applications for building permits for the construction of any building or for the alteration of any building where such alteration will cause an increase in the land coverage of such building shall be accompanied by an acceptable drawing or plat in duplicate drawn to scale showing the lot plan, the location of the building on the lot as constructed or altered, accurate dimensions of the building and lot and such other information as may be necessary to enable the zoning administrator to determine that the proposed structure and use of land will conform to the provisions of this ordinance. Such plat shall be in accord with and accompanied by a boundary line survey made by a qualified surveyor duly registered to practice in the State of Georgia. The original copy of such applications and plats shall be kept in the office of the zoning administrator and the duplicate copy shall be kept with the building permit at the building at all times during construction. In addition to the requirements stated above, plats and drawings accompanying an application for a building permit for construction or alteration in HDSF districts shall show location, dimensions and identification of all existing and proposed structures, recreation areas, common open areas, landscaping, buffer areas, walls; walkways and similar features; location, layout, dimensions and turning radii of all streets, driveways, maneuver areas and parking areas; and any other information necessary to adequately portray proposed vehicular circulation, parking and other significant features of the development.

### **Application for variance, interpretation or other appeals.**

An application for a variance, interpretation or other appeal shall be filed with the office of the zoning administrator at least 15 days prior to the meeting of the board of appeals at which it is to be heard. Each application shall be accompanied by a plat drawn to scale containing the following information: a. All property lines with dimensions. b. Location of buildings and other structures, creeks and easements

referenced to property lines. c. North arrow, scale, lot and block numbers and land lot. d. Topographic and drainage information if pertinent.

Each application for a variance, interpretation or other appeal shall be accompanied by a remittance of a fee of \$50.00 to partially cover the cost of advertising, field investigation and other expenses involved in processing the application.

After review and recording by the zoning administrator, the application for variance, interpretation or other appeal shall be processed in accordance with appeals procedure, article XII of this ordinance.

When action is unfavorable on an application for variance, interpretation or other appeal or where appellant withdraws the application prior to final action by the board, the application may not be resubmitted at lesser intervals than one year.

### **Certificate of zoning compliance.**

No building permit shall be issued for any construction, reconstruction or alteration of a structure unless the zoning administrator has issued a certificate of zoning compliance for such construction, reconstruction or alteration. Such certificate shall be issued only when such use complies with all provisions of this ordinance.

No existing structure or plot of land may be used or occupied for any purpose or use for which it is not presently being used unless a certificate of compliance shall have been applied for and issued by the zoning administrator. Such certificate shall be issued only when such proposed change of use complies with all provisions of this ordinance.

No fee shall be charged for an original certificate of zoning compliance as required herein. For each copy of an original certificate there shall be a charge of \$1.00 which shall be remitted to the county Clerk of Jasper County.

### **Violation and Penalties**

Any person, firm or corporation violating any provision of this ordinance or who shall fail to do anything required by this ordinance shall be deemed guilty of an offense and upon conviction in magistrate's court shall be punished by fine of up to \$500 or by confinement in the county jail as provided by law. Where any violation continues, each day's continuance of a violation shall be considered a separate offense.

### **Remedies.**

In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is or is proposed to be used in violation of any provision of this ordinance, the zoning administrator, county attorney or other appropriate authority of the county or any adjacent or neighboring property owner who would be especially damaged by such violation may, in addition to other remedy, institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use or to correct or abate such violation, or to prevent the occupancy of such building, structure or land. Where a violation of these regulations exists with respect to a structure or land, the planning and zoning commission may, in addition to other remedies, notify all public utilities and county service departments of such violation and request that service be withheld therefrom until such time as the structure or premises are no longer in violation of these regulations.

### **Cumulative remedy.**

The remedies herein provided shall not be exclusive but shall be cumulative of all other remedies provided by law.

## **ARTICLE IX. LEGAL STATUS PROVISIONS**

### **Interpretation, purpose and conflict.**

In interpreting and applying the provisions of this ordinance, they shall be considered as the minimum requirements for the promotion of the public safety, health, morals and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this ordinance imposes a greater restriction upon the use of property or premises or upon the height of buildings, or requires greater space than is imposed or required by other resolutions, rules or regulations, or by easements, covenants or agreements, the provisions of this ordinance shall govern.

### **Validity.**

Should any article, section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such action shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid, each article, clause and provision hereof being declared severable.

### **Conflicting ordinances.**

This is intended to be the comprehensive zoning ordinance for the entire incorporated area of Jasper County and all other zoning ordinances are hereby repealed, provided that nothing herein shall be construed as repealing or modifying the conditions of operation or conditions of site development accompanying those zoning approvals or use permits issued under previous zoning ordinances; however, modification or repeal of these past conditions of approval may be accomplished through application to the planning and zoning commission.

### **Effective date.**

The effective date of this ordinance shall be the date of passage by the Board of Commissioners of Jasper County, Georgia.