

*APPENDIX A – UNIFIED DEVELOPMENT CODE*

**Pike County Unified  
Development Code**

**UDC**

**DRAFT 10-17-2023**

## **TABLE OF CONTENT**

- ARTICLE 1. GENERAL
- ARTICLE 2. DEFINITIONS OF TERMS
- ARTICLE 3. ESTABLISHMENT OF DISTRICTS
- ARTICLE 4. GENERAL PROCEDURES
- ARTICLE 5. A-R AGRICULTURAL AND RESIDENTIAL
- ARTICLE 6. RR RURAL RESIDENTIAL
- ARTICLE 7. R-1 SINGLE-FAMILY RESIDENTIAL
- ARTICLE 8. R-2 SINGLE-FAMILY RESIDENTIAL
- ARTICLE 9. LIMITED LODGING AND VACATION RENTALS
- ARTICLE 10. P-I PROFESSIONAL AND INSTITUTIONAL
- ARTICLE 11. C-1 NEIGHBORHOOD COMMERCIAL
- ARTICLE 12. C-2 GENERAL COMMERCIAL
- ARTICLE 13. C-3 HEAVY COMMERCIAL
- ARTICLE 14. M-1 MANUFACTURING-LIGHT
- ARTICLE 15. M-2 MANUFACTURING-HEAVY
- ARTICLE 16. US 19 AND US 41 OVERLAY DISTRICT
- ARTICLE 17. S-1 SENSITIVE LAND-FLOOD DAMAGE PROTECTION
- ARTICLE 18. S-2 SENSITIVE LAND-WATERSHED PROTECTION DISTRICT
- ARTICLE 19. S-3 SENSITIVE LAND-GROUNDWATER RECHARGE AREA
- ARTICLE 20. S-4 SENSITIVE LAND-WETLAND PROTECTION
- ARTICLE 21. SUBDIVISION DESIGN STANDARDS
- ARTICLE 22. MISCELLANEOUS PROVISIONS
- ARTICLE 23. OFFICIAL ZONING MAP
- ARTICLE 24. POWERS AND DUTIES OF VARIOUS OFFICIALS CONCERNING THIS UDC
- ARTICLE 25. SIGN REGULATIONS
- ARTICLE 26. LANDSCAPING AND BUFFER REQUIREMENTS
- ARTICLE 27. OFF-STREET PARKING REQUIREMENTS

## **ARTICLE 1. GENERAL**

### **Sec. 101. Short title.**

This document is entitled "Unified Development Code of Pike County, Georgia." It may also be known by and cited by the short title of "UDC."

### **Sec. 102. Authority.**

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

### **Sec. 103. Jurisdiction.**

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

### **Sec. 104. Purposes.**

- A. The UDC of Pike County, Georgia seeks to encourage the development of desirable land use patterns within Pike County in accordance with the Pike County Comprehensive Plan. The promotion of sound land use patterns is intended to reduce or eliminate the occurrence of certain conditions that can threaten the general health, safety, and welfare of the residents of Pike County. This ordinance should serve the following purposes:
1. Reduce the occurrence of hazardous traffic patterns and general congestion.
  2. Secure safety from fire, panic, and other dangers.
  3. Assure that adequate light and air are provided.
  4. Prevent the overcrowding of land and undue concentration of population.
  5. Facilitate the adequate provision of public utilities and facilities.
  6. Promote adequate living conditions and sustained suitability of neighborhoods.
  7. Protect property against blight and depreciation.
- B. Additional benefits to the public interest that can accrue from the development of sound land use patterns are as follows:
1. Efficient development and use of community utility networks.
  2. Economy in governmental expenditures.
  3. A higher level of convenience, order, prosperity, and aesthetics.

### **Sec. 105. Content.**

This ordinance provides for the following:

- A. Defines certain terms used in this ordinance.

- 
- B. Establishes certain land use districts and specifies the boundaries of those districts.
  - C. Provides procedures for administering and amending the ordinance.
  - D. Regulates the erection, alteration, and use of buildings and structures.
  - E. Provides penalties for violation of this ordinance.
  - F. Defines the power and duties, as they relate to this ordinance, of the board of commissioners, as well as such administrative officers, bodies, and agencies as the board of commissioners may establish for the efficient exercise of the zoning powers of Pike County under provisions specified in the Zoning Procedures Law (Ga. Code 1981, Section 36-66-1, enacted by Ga. L. 1985, p 1139, 1.), Paragraph 2-(b)(1). This includes at a minimum the zoning administrator, the planning and zoning board.
  - G. Provides Development regulations related to subdivisions, landscaping, buffers, off-street parking and signs.
  - H. Repeals conflicting ordinances.

### **Sec. 106. Related uniform development ordinances.**

- A. *Uniform Development Standards Adopted by Reference:* The Georgia State Minimum Standard Building Codes, as adopted and amended by the Georgia Department of Community Affairs, are to be enforced in Pike County. The following uniform development standards are referred to frequently in the Pike County Zoning Ordinance and are adopted by reference as part of this Ordinance:
  - 1. International Building Code, with Georgia Amendments.
  - 2. International Fuel Gas Code, with Georgia Amendments.
  - 3. International Mechanical Code, with Georgia Amendments.
  - 4. International Fire Code, with Georgia Amendments.
  - 5. International Plumbing Code, with Georgia Amendments.
  - 6. National Electric Code, with Georgia Amendments.
  - 7. International Residential Code, with Georgia Amendments.
  - 8. International Energy Conservation Code, or ASHRAE 90.1, with Georgia Supplements and Amendments.
  - 9. Manual for Erosion & Sediment Control in Georgia, GSWCC.
  - 10. International Swimming Pool and Spa Code, with Georgia Amendments.
  - 11. Georgia Stormwater Management Manual, Volume 1 and Volume 2, latest edition.
  - 12. The latest edition of the Life Safety Code (NFPA 101), as adopted and amended by the Georgia State Fire Marshal's Office.

Copies of the above publications are available for public inspections in the [Community Development Planning and Zoning Development](#) Office.

### **Sec. 107. Conversion of previous zoning districts.**

- A. Zoning districts as were established under the previous zoning ordinance of Pike County are hereby renamed to the following zoning district names and designations under this UDC, as shown in Table 107(A). All regulations, requirements, and provisions of this UDC applicable to a zoning district established under this section shall apply to the previously named zoning district as now named, as shown in Table 107(A).

- B. All special conditions and special stipulations imposed as conditions of rezoning of property prior to adoption of this UDC are hereby retained and reaffirmed and shall continue in full force and effect until such time as the property is rezoned or the prior zoning action of the board of commissioners is amended through the rezoning process established by this UDC.

Table 107(A): Conversion of Previous Zoning Districts

Previous Zoning District Designation	Zoning District Designation under this UDC
Residential Zoning Districts	
A-R	A-R
N/A	RR
R-6, DR-6, R-11, R-15, R-18	R-1
R-20	R-1
PRD	R-2
Commercial, Office and Institution Zoning Districts	
P-1	P-1
C-1	C-1
C-2	C-2
C-3	C-3
Industrial Zoning Districts	
M-1	M-1
M-2A	M-1
M-2B	M-2
M-2C	M-2

## **ARTICLE 2. DEFINITIONS OF TERMS USED**

### **Sec. 201. Interpretation of certain common terms.**

When used in this ordinance, the following words and phrases have the meaning as defined in this article. Terms not defined here have the same meaning as is found in most dictionaries, where consistent with the context. The terms "must," "will," and "shall" are mandatory in nature, indicating that an action has to be done. The term "may" is permissive and allows discretion regarding an action. When consistent with the context, words used in the singular number include the plural, and those used in the plural number include the singular. Words used in the present tense include the future. 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 in its meaning the words "intended," "arranged," or "designed," "to be used" or "occupied."

All terms not defined herein shall be defined as elsewhere in the Pike County Code. Terms not found in the Pike County Code shall be defined as in the Official Code of Georgia Annotated. Terms not found in the Official Code of Georgia Annotated shall be defined by the APA Planners Dictionary or Websters Dictionary.

### **Sec. 202. General definitions.**

- A. **Administrative officer:** The person, officer or official or his/her authorized representative, whom the county manager of Pike County has designated as its agent for the administration of these regulations. Unless otherwise specifically designated by the County Manager, the Planning and Development Director shall be the Administrative Officer.
- B. **Agriculture:** The raising of soil crops, livestock, fish, fowl, and commercial timber in a customary manner on tracts of land at least five (5) acres in size, including all associated activities. Retail selling of products raised on the premises is permitted provided that space necessary for the parking of customers' vehicles is provided off the public right-of-way.
- C. **Agriculture-tourism or agritourism enterprise:** An entity that owns or operates a farm (as that term is defined in section 202, subject to the limitations contained in this article) which offers to the public the opportunity to participate, observe or otherwise engage, for the purposes of recreation, education, or active involvement, in the farm's operation. An agriculture-tourism enterprise may engage in and conduct all those uses (whether primary or accessory or permitted as a matter of right or as a special use permit) in the agriculture-residential zoning district.
- D. **Agritourism:** The business or practice of offering to the general public the opportunity to visit a farm for recreation, education, entertainment, events or active involvement and participation in the operation and activities (other than as a contractor or employee) of the farm.
- E. **Airport:** A transportation terminal facility where aircraft take off and land.
- F. **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.
- G. **Alley:** A secondary way that affords access to the side or rear of abutting property.
- H. **Alteration:** Any change in the supporting members of a building, any modification or change in construction, any addition that 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.

- 
- I. **Antenna:**
- a. Any exterior apparatus designed for telephone, radio or television communication through the sending and/or receiving of electromagnetic waves;
  - b. Communications equipment that transmits, received, or transmits and received electromagnetic radio frequency signals used in the provision of wireless services or other wireless communications; or
  - c. Communications equipment similar to equipment described in subparagraph (b) of this section used for the transmission, reception or transmission and reception of surface waves.
  - d. Antennas designed for television broadcasts, amateur radio use, or satellite dishes for residential or household purposes are not included within this definition.
- J. **Antenna, domestic:** Any antenna, as defined in section 202, used primarily for residential purposes and which does not exceed eighteen (18) feet in height. In addition, thereto, this definition shall include any exterior apparatus (of whatever diameter) affixed to an amateur radio tower owned and operated by a federally licensed amateur radio station operator.
- K. **Automobile service station:** A land use where gasoline, oils, greases, batteries, tires, and general automobile accessories may be provided, but where no part of the premises is used for the storage or dismantling of wrecked or junked vehicles.
- L. **Bathroom:** A room, with a door that closes and locks, which must contain a sink, toilet and tub or shower.
- M. **Bed and breakfast:** A building other than a hotel, used for overnight accommodation for compensation, provided that:
- (1) Guests normally stay no longer than seven (7) days;
  - (2) Breakfast is the only meal served, if any, on the premises;
  - (3) The building is not to be used for residential occupancy any length of time, other than by the owner of the bed and breakfast and his family.
- N. **Berm:** A man-made earth mound of definite height and width maintained for landscaping and obscuring purposes. Berms are stabilized with grass or other approved groundcovers.
- O. **Block:** A piece or parcel of land entirely surrounded by public highways or streets, other than alleys.
- P. **Board of commissioners:** The Board of Commissioners of Pike County.
- Q. **Boarding or rooming house:** A building designed for residential occupancy which has a common feeding area and which is used as a place to lodge three (3) or more persons for compensation.
- R. **Buffer:** That portion of a lot established for open space purposes and intended to separate properties with different and possibly incompatible types of use. A buffer shall not be occupied with structures and facilities except for septic tank drain fields and as permitted by this ordinance. Where encroachment of the buffer is allowed, vegetation disturbance shall be kept to the minimum required for the installation and vegetation that is removed during the process shall be replaced with suitable landscape material that provides the same quality of screening.
- S. **Buffer, Conservation:** Any land in permanent vegetation, designed to intercept pollutants, stabilize stream banks and other riparian areas and manage other environmental concerns. Conservation buffers include: riparian buffers, filter strips, grassed waterways, shelter belts, windbreaks, living snow fences, contour grass strips, cross-wind trap strips, shallow water areas for wildlife, field borders, herbaceous
-

---

wind barriers, and vegetative barriers. Conservation buffers may be either undisturbed or artificially enhanced, depending on the situation.

- T. **Buffer, Landscaping:** Any trees, shrubs, groundcovers, walls, fences, berms, space, or related landscaping features required by Ordinance on private lots, and privately maintained, for buffering lots from adjacent properties or public rights-of-way for the purpose of increasing visual or other aspects of privacy and aesthetics. The term 'landscaping buffer' shall be synonymous with the terms 'vegetative buffer', 'vegetated buffer', 'landscape buffer', and 'planted buffer' found throughout the Pike County Unified Development Code
- U. **Buffer, Undisturbed:** Any existing vegetation, trees, shrubs, and/or groundcovers, on private lots, and privately maintained, for buffering lots from adjacent properties or public rights-of-way for the purpose of maintaining visual or other aspects of privacy and aesthetics.
- V. **Building:** Any structure having a roof and intended for shelter, housing, or enclosure of persons, animals, or property of any kind.
- W. **Building, accessory:** A structure used for a purpose that is customarily incidental and subordinate to the principal use or structure, and located on the same lot as such a principal use or structure.
- X. **Building, principal:** The building on a lot in which the principal use of the lot is conducted.
- Y. **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.
- Z. **Building setback line:** The line that represents the distance a building must be set back from the boundary line of a lot, measured at the foundation of the building.
- AA. **Building official:** One of the persons, officers or officials or his authorized representative, whom the county manager has appointed to administer and enforce the building code. Unless otherwise specifically designated by the County Manager, the Planning and Development Director shall be the Building Official.
- BB. **Campground, religious:** A retreat or meeting place used for the conduct of religious worship, discussion and consultation, which may include recreational activities of an outdoor nature and overnight accommodations. A church as defined in section 202 may be included within the use, incidental to the primary function of said property as a campground. Any congregation, congregation being defined as two or more persons meeting together for religious purposes, meeting for regularly scheduled services, may meet no more than twelve (12) consecutive months from the date of the first meeting.
- CC. **Cemetery:** Land either already reserved for burial plots 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.
- DD. **Center line, street:** That line surveyed and monumented by the governing authority as the center line of a street, or if such a center line has not been surveyed, it is the line running midway between the outside curbs or ditches of the street.
- EE. **Church:** A building in which persons regularly assemble for religious worship, which is used only for such purpose, along with any accessory activities as are customarily associated therewith.
- FF. **Clinic:** An establishment where medical or dental patients are admitted for examination and treatment, but where there is no overnight lodging.



- 
- GG. **Club or lodge:** An incorporated or unincorporated association for civic, social, cultural, religious, fraternal, literary, political, recreation, or like activities, operated for the benefit of its members and not open to the general public.
- HH. **Conservation subdivision:** Any division of real property designed to preserve greenspace and undeveloped land which meets the development and design requirements of Article 21 of the Pike County Unified Development Code (UDC), and which is approved by Pike County pursuant to the procedures as set forth therein.
- II. **Curb cut:** The point at which vehicular access is provided to an adjoining street from a lot.
- JJ. **Density:** The number of dwelling units per acre of land used for residential purposes. Unless otherwise stated, density figures are to be in terms of net acres, or the land devoted to residential use exclusive of streets, rights-of-way, public lands, wetlands, or other exclusions listed in specific zoning districts. See below for breakdown of different density designations:
1. **Low density residential** – A potential development that has individual lot areas of 5 acres and above or a maximum density of one unit per 5 acres.
  2. **Low to Medium density residential** – A potential development that has individual lot areas of 3 acres and above or a maximum density of one unit per 3 acres.
  3. **Medium density residential** - A potential development that has individual lot areas of 2 acres and above or a maximum density of one unit per 2 acres.
  4. **High density residential** – A potential development that has individual lot areas of 1 acre and above or a maximum density of one unit per acre.
- KK. **Domestic animal:** An animal that is accustomed to living in or about the habitation of humans, such as dogs, cats, birds, rabbits, hamster, turtles and the like. This definition does not include livestock.
- LL. **Drug abuse treatment and education program:** "Drug abuse treatment and education program" or "program" means any system of treatment or therapeutic advice or counsel provided for the rehabilitation of drug dependent persons and shall include programs offered in residential and/or non-residential settings. It otherwise complies with Chapter 290-4-2: Drug Treatment Program (Rules of the Department of Human Resources).
- MM. **Easement:** The right or privilege of using another's property, for purposes such as constructing and maintaining sanitary sewers, water mains, electric lines, telephone lines, storm sewers, gas lines, bicycle paths, pedestrian ways.
- NN. **Elevation, front:** The view of a building or group of buildings as seen from directly in front of the structure.
- OO. **Employee, full-time:** A person who works or is scheduled to work forty (40) hours per week for one (1) employer.
- PP. **Equipment, heavy:** Any equipment which has a gross vehicle weight, including the weight of the vehicle and its load, of more than fifty-six thousand (56,000) pounds.
- QQ. **Event center, rural:** A venue typically located in a rural setting, with or without permanent structures, at which private social events not open to the general public are conducted, including but not limited to, dances, meetings, parties, picnics, receptions, retreats, reunions, weddings, wedding rehearsals, wedding parties, or similar events, with or without live entertainment, where food and drink may be consumed on premises. ~~but which provides no overnight accommodations.~~
-

- 
- RR. **Family:** One (1) or more persons related by blood, marriage, or adoption, living together as a single housekeeping unit. A family may also consist of no more than 4 unrelated people living together as a single housekeeping unit.
- SS. **Farm:** Any tract or parcel of land containing three (3) or more acres that is devoted to the raising of agricultural products, including, but not limited to, soil crops, livestock, fish, fowl, and commercial timber regardless of the quantity or value of production.
- TT. **Fence:** A barrier erected upon, or immediately adjacent to, a property line for the purpose of separating properties, or for screening, enclosing, and/or protecting the property within its perimeter.
- UU. **Fence, Farm:** A fence, usually wood or wire, associated with active agricultural practices occurring on parcels not less than 5 acres in size.
- VV. **Fence, Living:** A continuous hedgerow of living, quality plant material planted and maintained for the purpose of enclosing or screening an area.
- WW. **Fence, Municipal:** A fence occurring on property owned by or under the jurisdiction of Pike County, Georgia government and/or its Boards and Authorities.
- XX. **Fence, Privacy:** An opaque fence constructed of wood, vinyl or other similar materials that blocks vision for the purpose of obscuring or screening an area from public view.
- YY. **Fence, Security:** A fence consisting of wood, vinyl, chain-link, or other similar materials that blocks access to potentially valuable or dangerous areas within a private or public property parcel.
- ZZ. **Fence, Silt:** A temporary fence for erosion and sediment control purposes on a property undergoing land disturbance. Silt fence materials, construction, and installation must be in accordance with standards set in the latest edition of the "Manual for Erosion and Sediment Control in Georgia" provided by the Georgia Soil and Water Conservation Commission.
- AAA. **Fence, Temporary:** A fence briefly used for protection and stability of existing trees, structures, etc. during activity on a property parcel. The fence, usually composed of silt fence material or orange mesh, is removed upon full site stabilization.
- BBB. **Flea market:** A retail market located in commercial districts is usually held outdoors where antiques, used household goods, and curios are sold.
- CCC. **Flood boundary:** That area threatened by possible flood under normal to severe circumstance; determined as shown on the Flood Insurance Rate Map, published by the Federal Emergency Management Agency (FEMA), September 11, 2009.
- DDD. **Floor area:** The area of a dwelling exclusive of attic, basement, garage, carport, patios, and open porches measured from the exterior face of the exterior walls of a dwelling. Also, the gross leasable floor area for any business or industry based on interior dimensions.
- EEE. **Foster care child facilities:** A building or group of buildings, a facility or place in which is provided one (1) or more beds and other facilities and services - including rooms, meals and personal care for minors under the age of nineteen (19) years which complies with the rules and regulations contained in Chapter 290-2-5 (Rules and Regulations for Child Caring Institutions, Georgia Department of Human Resources). For the purposes of this ordinance, foster care child facilities are classified as follows:
-

- 
1. *Foster home*: A private home where the foster parent(s) live which has been approved by the Georgia Department of Human Resources to provide twenty-four-hour care, lodging, supervision and maintenance for no more than six (6) children under the age of nineteen (19).
  2. *Child caring institution*: A child-welfare agency that is any institution, society, agency or facility (whether incorporated or not) which either primarily or incidentally provides full-time care for children through eighteen (18) years of age outside of their own homes which has been approved by the Georgia Department of Human Resources to provide room, board, lodging, supervision and maintenance for six (6) or more children.

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

GGG. **Garage, repair**: A public garage intended to be used to make major commercial automobile, motorcycle, lawn mower, or other motor vehicle repairs; such a use should meet the following development standards as well as all other applicable regulations:

1. All body work and painting must be conducted within a fully enclosed building.
2. No open storage of junk, wrecked vehicles, dismantled parts, or supplies visible beyond the premises is permitted.

HHH. **Garage or carport, private**: A covered space for the storage of one (1) or more motor vehicles belonging to the occupants of the lot and ancillary to the principal residential use on the lot. No business occupation or service may be conducted for profit within the private garage except a home occupation under conditions specified in section 202.

III. **Garage or carport, private, double**: A garage or carport, private as defined in section 202 for the storage of at least, but no more than, two (2) motor vehicles and having a minimum width of nineteen (19) feet.

JJJ. **Group development**: A group of buildings constructed on a plot of land not subdivided into customary streets and lots and which will not be so subdivided, intended to be operated under one (1) management or under a condominium type ownership arrangements, known herein as a group development project.

KKK. **Group home, transitional**: A residence where two (2) or more unrelated persons live that is under the supervision of a resident manager. Homes providing extended shelter and supportive services for individuals and/or families with the goal of helping them live independently and transition into permanent housing. Group homes shall not provide treatment of drug or alcohol dependency, or provide an alternative to incarceration.

LLL. **Home occupation, minor**: An occupation for gain or support conducted by resident(s) on the premises meeting the following criteria:

1. The home is being used solely for the purpose of maintaining a business address, with no work being performed on the premises, or the home is being used solely for the purpose of office administration, record keeping and other clerical work;
  2. No employees or customers may come to the home as a business site; and
  3. Use of the principal and/or accessory building(s) for the home occupation shall not exceed twenty-five (25) percent of the combined gross floor area of the principal and accessory buildings.
  4. Only vehicles designed and used primarily as passenger vehicles (including pickup trucks) shall be used
-

---

MMM. **Home occupation, general:** An occupation for gain or support conducted by residents on the premises, ancillary and accessory to the main agricultural or residential use on the property, meeting the following criteria:

1. No home occupation shall employ more than two (2) persons who work on the premises but who do not reside in the dwelling located on the premises.
2. The home occupation must be incidental and subordinate to the residential use of the dwelling and must not change the residential character of the property.
3. No display of products shall be visible from the street.
4. Use of the principal and/or accessory building(s) for the home occupation shall not exceed twenty-five (25) percent of the combined gross floor area of the principal and accessory buildings.
5. No internal or external alterations shall be permitted which would change the fire rating for the structure.
6. No continuous unenclosed outside storage of materials or supplies used in connection with the home occupation shall be permitted, provided that this restriction shall not preclude the conduct of minor outside home gardening activities in conjunction with a home occupation.
7. All parking for the home occupation shall be located on the property and only in the side or rear yards.
8. Only vehicles designed and used primarily as passenger vehicles (including pickup trucks) shall be used

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

OOO. **Hotel:** A building in which overnight accommodations, without separate cooking facilities, are provided to the public. The term "hotel" includes the terms "motel" and "tourist court."

PPP. **Industrialized building:** Any structure or component thereof, which is, wholly or in substantial part, made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof; and which bears the insignia of approval issued by the Commissioner of the Georgia Department of Community Affairs.

QQQ. **Institution:** A non-profit corporation, establishment, or entity; for public or semi-public use.

RRR. **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).

SSS. **Junkyard:** Any use involving the parking, storage or disassembly of three (3) or more junked vehicles, or wrecked or non-operable automobiles, trucks, or other vehicles; storage, bailing, or otherwise dealing in scrap iron and other metals, used plumbing fixtures, old stoves, old refrigerators, and other 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.

- 
- TTT. **Junked or abandoned motor vehicle:** Any wrecked or non-operable automobile, truck, or other vehicle that does not bear a current license plate. Any junked motor vehicle or parts thereof shall be stored in such a manner as to fully and completely enclose the junked motor vehicle or parts thereof to prevent it from being seen from any public street or from any other private property owned by anyone other than the owner of the junked motor vehicle or parts thereof.
- UUU. **Kennel:** The housing for four (4) or more dogs, cats or other domesticated animals for the purpose of providing an income or revenue. For purposes of this definition, any domesticated animal over the age of six (6) months shall be included.
- VVV. **Limited Lodging:** An owner-occupied accessory use of all or part of a residential dwelling unit by rental for temporary occupancy of no more than fourteen (14) consecutive days, and no longer than a total of forty-five (45) days per calendar year. The arrangement of such rental by the owner may be conducted through a booking agent.
- WWW. **Livestock:** Domesticated cattle, horses, sheep, goats, pigs, cervidae animals, capradae animals, animal of the genus llama, flightless birds (ratites), fowl, ~~enclosed domesticated rabbits or hares~~ and any other animal specifically raised for food or fiber.
- XXX. **Loading space:** Space logically and conveniently located for pickup and delivery service, scaled to the vehicles expected to be used, and accessible to such vehicles at all time.
- YYY. **Local Street.** A street used primarily to serve the abutting property and not part of the Pike County Thoroughfare Plan.
- ZZZ. **Legal Lot of Record.** A nonconforming lot or parcel that was legally permitted or created under prior ordinances. Any lot legally created under the ordinances in effect prior to the adoption of this Ordinance.
- AAAA. **Lot:** A parcel of land under single ownership occupied or capable of being occupied by one or more buildings and customarily incidental accessory buildings or uses, including such open spaces as are required by this ordinance.
- BBBB. **Lot, corner:** A lot located at the intersection of two (2) or more streets.
- CCCC. **Lot, double frontage:** A lot, other than a corner lot, which has frontage on more than one (1) street.
- DDDD. **Lot, frontage width:** The distance between side lot lines measured at the common boundary of the lot and a public road.
- EEEE. **Lot, flag or panhandle:** Any lot for which the frontage width is less than the minimum required in the applicable zoning district.
- FFFF. **Lot width:** The distance between side lot lines measured at the front building line. If a corner lot, the distance between lot lines measured along the front building line that parallels or more nearly parallels the rear lot line.
- GGGG. **Master development plan:** A written and graphic submission for a planned development which represents a tract of land, proposed subdivision, the location and bulk of buildings and other structures, density of development, public and private streets, parking facilities, common open space, public facilities and all covenants relating to use thereof. The master development plan is submitted in conjunction with a rezoning application for the planned development district.
- HHHH. **Major Thoroughfare.** A street designed and built to move traffic at high speeds over long distances; such streets are designated as Major Thoroughfare in the Thoroughfare Plan. All U.S. highways are Major Thoroughfare.
-

- 
- IIII. **Marginal Access Street.** A local street parallel and adjacent to a major or minor thoroughfare which provides access to abutting properties with protection from through traffic.
- JJJJ. **Minor Thoroughfare.** A street designed and built to take traffic to and from major thoroughfares and to move traffic from one part of the county to another and designated as a Minor Thoroughfare in the Thoroughfare Plan. All state highways that are not also U.S. highways are Minor Thoroughfare unless shown on the Thoroughfare Plan as major thoroughfares.
- KKKK. **Mini-warehouse/self-storage facility:** A structure or group of structures containing separate spaces or stalls which are leased for the storage of goods and personal property. An area for common storage of boats, travel trailers or other vehicles may be included.
- LLLL. **Net buildable area:** The net buildable area is calculated by subtracting the floodplain and wetland acreage from the total project tract acreage. The resulting acreage is the net buildable area.
- MMMM. **Mobile food service unit, Temporary:** A mobile food service unit is a motorized, wheeled vehicle designed and utilized for the preparation and sale of food and non-alcoholic beverage items to the general public, and whose operations are self-contained within the confines of the vehicle. Such vehicles shall operate in accordance with the laws of the State of Georgia, the rules, regulations and policies of the Georgia Department of Public Health for Mobile Food Services/Food Trucks, and the rules and regulations for food service of Pike County and the Pike County Health Department. Temporary mobile food service units cannot be located on the same lot for more than three (3) consecutive days.
- NNNN. **Nursing home:** A facility that admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision. It maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental supervision of the home. It otherwise complies with the rules and regulations contained in Chapter 290-5-8: Nursing Homes (Rules of the Georgia Department of Human Resources).
- OOOO. **Official map:** The map entitled "The Official Zoning Map of Pike County, Georgia," indicating the locations of zoning district boundaries in Pike County.
- PPPP. **Open space:** Undeveloped land set aside permanently for common use. Conventional swimming pools, tennis courts, and associated parking areas are not considered open space for the purposes of this ordinance. Open space may include trails, picnic areas, park, gazebos, etc.
- QQQQ. **Overall development density:** Overall development density is calculated by dividing the net buildable area by the total number of proposed building lots.
- RRRR. **Parking space:** The storage space for one (1) motor vehicle. (See Standard Building Code of SBCCI for dimension standards required of standard parking spaces and those accessible to handicapped persons.)
- SSSS. **Personal care home:** Any dwelling, whether operated for profit or not which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services (including, but not limited to, individual assistance with or supervision of self-administered medication, assistance with ambulation and transfer and essential activities of daily living such as eating, bathing, grooming, dressing and toileting) for two (2) or more adults who are not related to the owner or administrator by blood or marriage and permitted by the Department of Community Health pursuant to Georgia Rules and Regulations Chapter 111-8-62.
- TTTT. **Pet:** See domestic animal definition.
-

---

UUUU. **Planned industrial development:** An area within a planned development project designed for industrial uses with streets, utilities and common architectural controls regulated by a master development plan and restrictive covenants.

VVVV. **Planned shopping center:** An area within a planned development which contains a group of commercial establishments having a building composition that is an architectural unit and is not a miscellaneous assemblage of stores; and is planned, developed, analyzed as a unit, related in location, size and type of shops to the trade area that the unit serves, and provides on-site parking in relation to the types and size of stores.

WWWW. **Planning and Zoning Board:** The Pike County Planning and Zoning Board.

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

YYYY. **Public water:** Water service provided by Pike County Water and Sewerage Authority.

ZZZZ. **Public sewer:** Sanitary sewer service provided or approved by Pike County and which does not constitute an "on-site sewage management system" as defined in O.C.G.A. § 31-2-7 and the Rules and Regulations of the Georgia Department of Human Resources, Public Health Division Section 290-5-26.02(gg).

AAAAA. **Recycling center:** A facility which may be held in public and/or private ownership and which is designated to sort and process materials (aluminum cans, glass, newspaper, tin, HPDE and PET plastics), which have been separated from waste normally discharged into sanitary landfills and sold for re-use in other markets.

BBBBB. **Right-of-way:** A strip of land designed, reserved, dedicated, or purchased for the purpose of pedestrian or vehicular access or utility line installation and owned by a county or municipality.

CCCCC. **Senior independent living facility:** A multiple family residential facility for persons over the age of fifty-five (55) that can live without daily assistance, but for which services and amenities may be provided within the building at the option of the resident, such as meals, socialization and recreation.

DDDDD. **Shipping container:** A single rigid, reusable, metal (generally, corrugated) box (regardless of size or dimensions) the original purpose of which is to ship, transport, or store goods, regardless of whether it (1) is used on a temporary or permanent basis; (2) is used for its original or another purpose; (3) is or is not a building or structure; and (4) is referred to as a freight, cargo, International Standards Organization ("ISO"), intermodal, shipping, sea, ocean, storage, or Conex container, box or can or other name.

EEEE. **Shipping container, temporary:** A shipping container (including, PODS® or other similar containers) temporarily located on a parcel for the purpose of moving, (re)construction, remodeling, temporary storage, or the like, meeting the following criteria:

- (1) Be located on the parcel for no more than ninety (90) days. The above temporary requirement may be varied by the Pike County Planning and Zoning Board for good cause shown; provided however, that such a variance shall be explicitly limited to the time required for effectuation of the limited purpose for which the shipping container was or is sought to be placed on the parcel.
- (2) Have signage posted thereon providing (a) the name, address and telephone number of the company or person who owns (or otherwise has a property interest in) the same; (b) the name, address and telephone number of the person who caused the same to be placed upon the parcel; (c) the date the same was placed on the parcel; and (d) the date it is scheduled to be removed.

---

(3) No more than one (1) temporary storage container or pod may be located on any one (1) parcel without the written authorization of the administrative officer.

FFFFF. **Shooting range, indoor:** An indoor facility for the safe shooting of firearms that complies with the technical and operation standards of The 2012 National Rifle Association ("NRA") Range Source Book, regardless of whether the facility is open to the general public or open only to private membership.

GGGGG. **Storage, continuous unenclosed outside:** Any on-premises storage of either raw materials or finished product located outside of a building and which is present or required by the ordinary use to which the parcel or tract is placed.

HHHHH. **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.

IIIII. **Story, first:** The lowest story of any dwelling that is not a basement or half story.

JJJJJ. **Story, half:** Any portion of a story of a dwelling with a heated floor area less than two-thirds of the square footage of the entire footprint of the dwelling.

KKKKK. **Street or road, arterial:** A road that is on the Georgia State Highway System and is designated by a State Route number. Such a street primarily serves the purpose of moving traffic through the county. Connecting roads and access to adjacent property should be kept to a minimum on an arterial road, as these interfere with traffic flow, adversely affecting the capacity and safety of the road. (See Functional Classification of Thoroughfares in the Pike County Comprehensive Plan.)

LLLLL. **Street or road, collector:** A road that is not on the Georgia State Highway System. Such a road would usually serve to distribute traffic from individual lots to arterial streets or roads. They may also connect neighborhoods with one another. (See Functional Classification of Thoroughfares in the Pike County Comprehensive Plan.)

MMMMM. **Street or road, local:** A road that serves adjacent property by providing access to the road network. A local street or road is characterized by short trips, low speeds, and small traffic volumes. The design of this type of road should be toward eliminating through traffic. (See Functional Classification of Thoroughfares in the Pike County Comprehensive Plan.)

NNNNN. **Street, Private.** A road or street that has not been accepted for maintenance by Pike County, and that is not owned and maintained by a state, county, city, or another public entity.

OOOOO. **Street vendor:** Retail businesses licensed to operate without permanent facilities which include roadside stands, tents, carts and tables, or vehicle used for the purpose of retail sales of goods.

PPPPP. **Structure:** Anything constructed or erected that requires a fixed location on the ground **or which is attached to something having a fixed location on the ground.**

QQQQQ. **Subdivision, minor:** A division of land into ~~four~~three (34) or fewer parcels which does not include the development of a new street or road.

RRRRR. **Subdivision, Major:**

1. The division of a tract or parcel of land into ~~five~~four (45) or more lots which may or may not involve the construction of a new public or private street. A major subdivision shall also include any minor subdivision that includes interior improvements such as interior streets or interior utility system(s) and related infrastructure or requires the alteration of existing public streets.
2. 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 resulting lots are at least equal to standards set forth in this ordinance.
  - b. The division of land among heirs by judicial decree.
- SSSS. **Tower:** Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas, including but not limited to, self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers and the like. This definition does not include a tower, domestic, as defined in section 202.
- TTTT. **Tower, domestic:** Any tower, as defined in section 202 used primarily for the purpose of supporting an antenna, domestic, and which does not exceed ten (10) feet in height. In addition thereto, the definition of tower, domestic, includes any amateur radio tower owned or operated by a federally licensed amateur radio station operator which is not greater than one hundred (100) feet in height.
- UUUU. **Use:** Any purpose for which a building or tract of land may be designed, arranged, intended, maintained, or occupied; or any activity, occupation, business, or operation carried on, or intended to be carried on, in a building or structure or a tract of land.
- VVVV. **Use, accessory:** A use or structure customarily incidental and subordinate to the principal use or structure, and located on the same lot as the principal use or structure.
- WWWW. **Use, non-conforming:** Use of land and/or buildings that does not conform to the regulations and standards of the district in which it is located, which lawfully existed at the time of adoption of this ordinance and is allowed to continue under the provisions for non-conforming uses.
- XXXX. **Use, principal:** The main purpose for which a lot is intended or for which it is used.
- YYYY. **Utility substation:** Any public or private utility facility which is designed for the purposes of switching, storage, transfer, rebroadcast or other transmission or re-transmission purposes, exclusive of individual transmission line, which provides services including (but not limited to) cable television, telephone, gas and electricity
- ZZZZ. **Vacation Rental, Short-term:** The ~~primary~~ use of all or part of an ~~accessory-residential~~ dwelling unit/~~Guest quarters for the-by rental purposes of for~~ temporary occupancy ~~for dwelling~~, sleeping or lodging of no more than ~~thirty-fourteen (14)30~~ consecutive days. Vacation rentals include the arrangement of such rental by the owner through a booking agent. Short-term vacation rentals require an approved special use permit and are subject to all regulations related to hotel and motel taxes. This is not to be considered limited lodging or a vacation home as defined herein.
- AAAAA. **Variance:** A permit issued by the Planning and Zoning Board that allows use of a parcel of land in a way that varies from the requirements for the district in which the property is located. See Article 4 for further details.
- BBBBB. **Wall:** A solid, usually opaque, barrier erected upon a property for the purpose of separating properties, screening, enclosure, protection, and reconciling significant elevation differences. For the purpose of this Ordinance, ‘wall’ shall not refer to any load-bearing walls that are part of a building. For the purposes of this Ordinance, there are six general types of walls:
- a. **Wall, Decorative.** A low, freestanding wall consisting of brick, stone, block, timbers, or similar materials and constructed with a design that includes specific pattern elements or ornamentation. Decorative walls are usually not security or privacy walls and are often located well within the interior of a property parcel, such as a low, garden wall.
-

- 
- b. **Wall, Municipal.** A wall occurring on property owned by or under the jurisdiction of Pike County, Georgia government and/or its Boards and Authorities.
  - c. **Wall, Privacy.** A freestanding wall constructed of brick, stone, block, timbers, or other similar materials that blocks vision for the purpose of obscuring or screening an area from public view.
  - d. **Wall, Retaining.** A wall constructed of brick, stone, block, timbers, or other similar materials that quickly allows for necessary grade changes where horizontal space on a property may be limited. Also a wall constructed to hold back soil or rock from a building, structure, or a wall constructed to prevent the erosion of soil on steep slopes.
  - e. **Wall, Security:** A freestanding wall constructed of brick, stone, block, timbers, or other similar materials that blocks access to potentially valuable or dangerous areas within a private or public property parcel.
  - f. **Wall, Unsafe:** A wall deemed unsafe by the Director of Planning and Development.

CCCCC. **Wireless facility, small:** Radio transceivers; surface wave couplers; antennas; coaxial, fiber optic or other cabling; power supply; backup batteries; and comparable and associated equipment, regardless of technological configuration, at a fixed location or fixed locations that enable communication or surface wave communication between user equipment and a communications network and the meet both of that following qualifications:

1. Each wireless provider's antenna will fit within an enclosure of no more than six (6) cubic feet in volume; and
2. All other wireless equipment associated with the facility is cumulatively no more than twenty-eight (28) cubic feet in volume, measured based upon the exterior dimensions of height by width by depth of any enclosure that may be used. The following types of associated ancillary equipment are not included in the calculation of the volume of all other wireless equipment associated with any such facility:
  - a. Electric meters;
  - b. Concealment elements;
  - c. Telecommunications demarcation boxes;
  - d. Grounding equipment;
  - e. Power transfer switches;
  - f. Cut-off switches; and
  - g. Vertical cable runs for connection of power and other services.
3. This term does not include a pole, decorative pole, or support structure on, under or within which the equipment is located or collocated or to which the equipment is attached and shall not include any wireline backhaul facilities or coaxial, fiber optic or other cabling that is between small wireless facilities, poles, decorative poles, or support structures or that is not otherwise immediately adjacent to or directly associated with a particular antenna.

DDDDDD. **Yard:** The open space on a lot that is left unoccupied with structures and facilities, except as permitted by this ordinance. A yard includes the area required for by this ordinance for a setback.

- 
- EEEEEE. **Yard, front:** The open space on a lot located between the right-of-way boundary of the abutting street and the front most line or portion of an existing structure as extended to the lot lines to either side. Any yard lying between an abutting street and the building lines is considered a front yard. For example, in the case of a corner lot which is abutted on two (2) sides by streets, both yards abutting the streets would be front yards; setbacks and other development standards for front yards would apply to both of these yards.
- FFFFFF. **Yard, rear:** The open space located between the rear property line and the rear most line or portion of an existing structure as extended to the side lot lines.
- GGGGGG. **Yard, side:** The open space located between the side property line and the side most line or portion of an existing structure as extended to the front and rear lot lines.
- HHHHHH. **Zoning Administrator:** The person, officer or official or his/her authorized representative, whom the county manager of Pike County has designated as its agent for the administration of these regulations. Unless otherwise specifically designated by the County Manager, the Planning and Development Director shall be the zoning administrator.
- IIIIII. **Zoning district:** One (1) or more sections of Pike County, Georgia as delineated and designated on the official map, within which the zoning regulations are uniform.

### Sec. 203. Housing definitions.

- A. **Conventional construction:** A dwelling unit constructed on the building site from basic materials delivered to the site; and which is constructed in accordance with the Standard Building Code of the Southern Building Code Congress International (SBCCI), and meeting the following development standards:
1. The home has a minimum width in excess of sixteen (16) feet.
  2. The pitch of the dwelling unit's roof has a minimum vertical rise of four (4) feet for each twelve (12) feet of horizontal run, except that any such dwelling unit for which a building permit was applied prior to the adoption of this ordinance may be extended, enlarged or repaired as otherwise provided by this ordinance with the same roof pitch as that allowed by the aforesaid building permit.
  3. For purposes of this definition, a unit of conventional construction constructed outside the boundaries of Pike County may not be brought into Pike County and used as a dwelling if such home was constructed more than five (5) years from date application is requested.
  4. For purposes of this definition, no manufactured home (as defined in section 203(S—U)) may be attached to any conventionally constructed dwelling unit by means of breezeway, corridor or hallway.
- B. **DCA:** Georgia Department of Community Affairs of the State of Georgia.
- C. **Doublewide:** An obsolete term used to describe a mobile home or manufactured home having a width of generally between twenty (20) and twenty-eight (28) feet.
- D. **Dwelling:** A building or portion thereof designed, arranged, or used principally for residential occupancy, not including motels, hotels, boarding houses, or rooming houses.
- E. **Dwelling, barndominium or barn house:** A non-traditional single structure constructed with a common roof which includes:
-

- 
1. A dwelling, single-family detached, with heated floor area, minimum which must separately meet the requirement for the zoning district in which it is located; and
  2. A barn, garage or carport, private, workshop or storage space the square footage of which is not included in the calculation of the heated floor area, minimum of the dwelling, single-family detached, but which shall not exceed the heated floor area, minimum of the dwelling by a factor of three.

A barn (or other structure) detached from the dwelling is not included within this definition. Photographs of examples of barndominium or barn house exterior designs which meet this definition are available from the department of [community development planning and zoning](#) and are available upon request. The design of any proposed barndominium or barn house shall substantially comply therewith.

- F. **Dwelling, cluster:** One (1) of a series of attached and/or detached single-family residences individually owned
- G. **Dwelling, infill:** A single-family residential dwelling of conventional construction located on a lot of record within a platted subdivision constructed with a minimum heated floor area which equals or exceeds the average heated floor area of existing single-family residential dwellings located within the platted subdivision, provided each dwelling, infill shall have a minimum heated square footage of one thousand two hundred fifty (1,250) square feet. The dwelling shall utilize the setbacks consisting of the average of the adjoining lots.
- H. **Dwelling, loft residential:** Part of a mixed-use development featuring multi-family (owner or renter
- I. **Dwelling, single-family detached:** A single residential detached building designed for or containing one (1) dwelling unit.
- J. **Factory-built housing:** An obsolete term used to describe an industrialized home. See definition of industrialized home.
- K. **Heated floor area, minimum:** The finished portion of a dwelling that is primarily intended and ready for human habitation and everyday use. A portion of a dwelling shall be deemed "finished" when:
  - a. It is heated;
  - b. Its walls and floors are covered with a finished covering; and
  - c. It is served by electricity with fixtures operated by functional outlets and switches which have been installed in compliance with any and all applicable building codes for occupancy.

For purposes of this definition, the following portions of a dwelling shall not be considered "finished" even if served by utilities: crawlspace, attic, garage, carport, unfinished basement.

- L. **HUD:** U.S. Department of Housing and Urban Development.
- M. **Industrialized home:** A residential structure which is (either wholly or in substantial part) made, fabricated, formed or assembled in one (1) or more factory built sections or panels in manufacturing facilities for assembly and installation on a building site. An industrialized home is 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, when completed, meets or exceeds the requirements of any and all development standards for conventionally constructed site built housing. Any industrialized home must be designed to be permanently connected to a site-built foundation. No industrialized home shall be constructed with a chassis, as defined in 24 C.F.R. § 3280.902(a). It is the intent of this definition to include structures or components which are included within O.C.G.A. § 8-2-111(3) and 7 C.F.R. § 3550.10 or which are approved pursuant to the Rules and Regulations of the Department of Community Affairs of the State of Georgia and which bear an insignia of approval issued by the commissioner thereof.

In addition, any industrialized home shall meet the following standards:

- 
- (1) The home has a minimum width in excess of twenty (20) feet.
  - (2) The pitch of the home's roof has a minimum vertical rise of four (4) feet for each twelve (12) feet of horizontal run, and the roof is finished with a type of material that is commonly used in conventional residential construction, except that any such home for which a building permit was applied prior to the adoption of this ordinance may be extended, enlarged or repaired as otherwise provided by this ordinance with the same roof pitch as that allowed by the issued building permit.
  - (3) The exterior siding consists of wood, hardboard, vinyl, brick, masonry, or aluminum (vinyl-covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance and durability to the exterior siding commonly used in conventional residential construction.
  - (4) The home, if constructed outside of the boundaries of Pike County, may not be brought into Pike County and used as a dwelling if such home was constructed more than five (5) years from the date on which the application is requested.
  - (5) Any person desiring to locate or place an industrialized home within Pike County shall comply with the requirements of section 408 and section 419 of this ordinance.
  - (6) For purposes of this definition, no manufactured home as defined in section 203 may be attached to any industrialized home by means of breezeway, corridor or hallway.

**N. *Manufactured home, Class A:***

1. 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), and meeting the following development standards:
    - a. Minimum width in excess of sixteen (16) feet.
    - b. The pitch of the home's roof has a minimum vertical rise of four (4) feet for each twelve (12) feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in conventional residential construction, except that any such home for which a building permit was applied prior to the adoption of this ordinance may be extended, enlarged or repaired as otherwise provided by this ordinance with the same roof pitch as that allowed by the aforesaid building permit.
    - c. The exterior siding consists of wood, hardboard, vinyl, brick, masonry, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in conventional residential construction.
    - d. Piers/footings must be a minimum of twenty-four (24) inches by twenty-four (24) inches and six (6) inches deep.
    - e. A curtain wall, un-pierced except for required ventilation and access and constructed of masonry, is installed so that it encloses the area located under the home to the ground level. Such a wall shall have a minimum thickness of four (4) inches.
    - f. The tongue, axles, transporting lights, and towing apparatus are removed after placement on the lot and before occupancy.
    - g. A minimum three (3) foot by three (3) foot attached porch on front and back of home.
    - h. For purposes of this definition, no manufactured home as defined in Section 203 may be attached to any other Manufactured Home, Class A by means of breezeway, corridor or hallway. (#A-00-18, 10-16-00)
-

- 
2. All manufactured homes must be installed in accordance with O.C.G.A. § 8-2-160 et seq.
  3. Landings of the requisite composition and size as per Section 1113 of the Standard Building Code of the Southern Building Code Congress International, with said provisions being expressly incorporated by reference herein as part of this requirement.
  4. Manufactured homes are not permitted to be used as storage buildings.
- O. **Manufactured home, Class B.** A dwelling unit fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with Federal Manufactured Home Construction and Safety Standards Act 42 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 8-2-160, et seq. of the Official Code of Georgia Annotated. Manufactured homes are not permitted to be used as storage buildings.
- P. **Manufactured home, Class C. Any** manufactured home that does not meet the definitional criteria of a Class A or Class B manufactured home (not constructed to the HUD Code). All manufactured homes must be installed in accordance with 8-2-160, et seq. of the Official Code of Georgia Annotated. Class C manufactured homes must meet the construction standards specified in ANSI A119.1. Compliance with ANSI A119.1 may be determined by any of the following procedures:
1. For Class C manufactured homes, which are proposed to be located within Pike County for the first time or which are proposed to be relocated within Pike County, the Pike County administrative officer must inspect the unit and determine what (if anything) is needed to bring the unit up to the standards of ANSI 119.1. Upon determining that the unit meets ANSI 119.1 standards and that the provisions of all other applicable Pike County ordinances are met by the proposed placement of the manufactured home, the administrative officer will issue the permit for placement of the manufactured home.
- Q. **Manufactured home space:** An area of land within a planned manufactured home community designed to accommodate one (1) manufactured home.
- R. **Manufactured housing:** A general term used to describe a type of housing that is produced, either completely or partially in a factory, including manufactured homes, modular homes, and industrialized homes.
- S. **Mobile home:** An obsolete term used to describe a manufactured home.
- T. **Mobile home park:** An obsolete term used to describe a planned manufactured home park. See definition of planned manufactured home community.
- U. **Modular home:** A factory-fabricated single-family dwelling that is constructed in one (1) or more sections and complies with the definition of industrialized home.
- V. **Mother-in-law suite/Guest Quarters:** An accessory structure to a dwelling, single-family detached that meets the following development standards:
1. Shall be located in the rear yard only, unless on a parcel larger than 10 acres.
  2. There shall be no minimum heated floor area on lots over five (5) acres, and a maximum heated floor area of ~~800~~ 1500 square feet on lots less than five (5) acres.
  3. Only one mother-in-law suite/guest quarters is allowed per parcel.
  4. Shall not be rented.
  5. Shall utilize its own independent septic system.
  6. Shall be ancillary to an existing principle dwelling and built after or during construction of the principle dwelling.
-

- 
- W. **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."
  - X. **Pre-fabricated home:** A general term used to describe any home constructed in a factory setting including manufactured homes, modular homes, and industrialized homes.
  - Y. **Recreational vehicle:** A vehicle designed as a temporary dwelling for travel or recreational uses. Also referred to as, camping trailers, travel trailers, camper pick-up coaches, and motorized homes.
  - Z. **Residential occupancy:** Stay at a dwelling, for any length of time, when such dwelling is the occupant's primary address of domicile.
  - AA. **SBCCI:** Southern Building Code Congress International.
  - BB. **Sectional home:** A general term used to describe any home constructed in a factory setting, especially manufactured homes.
  - CC. **Single-wide:** An obsolete term used to describe a mobile home or manufactured home having a width of between eight (8) and sixteen (16) feet.
  - DD. **Site-built home:** See definition of conventional construction.
  - EE. **Stick-built home:** See definition of conventional construction.
  - FF. **Trailer:** An obsolete term used to describe a manufactured home.
  - GG. **Trailer court:** An obsolete term used to describe a planned manufactured home community. See definition of planned manufactured home community.
  - HH. **Trailer park:** An obsolete term used to describe a planned manufactured home community. See definition of planned manufactured home community.
  - II. **Travel trailer:** A vehicle designed as a temporary dwelling for travel or recreational uses, not more than eight (8) feet in width and not more than thirty (30) feet in length.
  - JJ. **Travel trailer park:** A lot on which are parked two (2) or more travel trailers for a period of less than thirty (30) days.
  - KK. **Wall, curtain:** A nonbearing wall between columns or piers and which is not supported by girders or beams, but is supported on the ground.

#### **Sec. 204. Sign definitions.**

- A. **Abandoned Sign:** Any sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, or unkempt, and for which no person accepts maintenance responsibility.
  - B. **Audible Sign:** Any sign which emits a sound which is audible or emits a signal which can be converted into audible sounds, whether by radio or other means.
  - C. **Awning/Canopy Sign:** Any sign that is a part of, or attached to, an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
  - D. **Banner:** A sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, or fabric that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners.
-

- 
- E. **Beacon:** Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move. A Beacon is considered a prohibited sign unless otherwise required by Federal and/or State law, rule or regulation.
  - F. **Changeable Copy Sign:** Any sign that incorporates changing lights, lettering, or images to form a sign message or messages, whether such changes are accomplished electronically or manually.
  - G. **Electronic Sign:** Any sign that, through computer programming, may exhibit illuminated changeable copy, flashing and /or scrolling elements, and /or illuminated, changeable graphics on a fixed display surface.
  - H. **Flag:** Any fabric or bunting containing colors, patterns, or symbol used as a symbol of a government or other entity or organization.
  - I. **Flashing Sign:** A sign, the illumination of which is not kept constant in intensity at all times when in use and which exhibits marked changes in lighting effects.
  - J. **Marquee Sign:** Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather. A marquee sign is prohibited. See Section 158.10
  - K. **Obscene:** Material is obscene if to the average person, applying contemporary community standards, taken as a whole, it predominantly appeals to the prurient interest, that is, a shameful or morbid interest in nudity, sex or excretion; the material taken as a whole lacks serious literary, artistic, political or scientific value; and the material depicts or describes, in a patently offensive way, sexual conduct specifically defined as:
    - a. acts of sexual intercourse, heterosexual or homosexual, normal or perverted, actual or simulated;
    - b. acts of masturbation;
    - c. acts involving excretory functions or lewd exhibition of the genitals;
    - d. acts of bestiality or the fondling of sex organs of animals; or (e) sexual acts of flagellation, torture, or other violence indicating a sadomasochistic sexual relationship.
  - L. **Out-of-Store Marketing Device:** Any facility or equipment which is located outside of a primary building on a site zoned for non-residential uses, which is used for the primary purpose of providing a product or service without the owner's or agent's immediate presence, and which is manufactured to include a color, form, graphic, illumination, symbol, and/or writing thereon to communicate information regarding the product or service provided thereby to the public. Examples of out-of-store marketing devices include: fuel pumps, bank ATM units, vending machines, newspaper racks, drink machines, ice boxes, and phone booths. Where such out-of-store marketing devices are too small to be legible to the traveling public on neighboring rights-of-way and are otherwise non-removable without damage to the equipment's surface, they do not require a permit and are not subject to overall sign limitations for the lot on which they appear.
  - M. **Pennant; Streamer:** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.
  - N. **Portable Sign:** A sign which is not permanently affixed to the ground or to a structure, including but not limited to signs on trailers or signs mounted or painted on vehicles which are parked in such a manner as to serve the purpose of a sign.
-



- 
- O. **Public Sign:** Any sign erected by a governmental entity.
  - P. **Roof Sign:** Any sign erected and constructed wholly on and over the roof of a building or supported by the roof structure.
  - Q. **Sign:** A sign is an object, device, display, or structure thereof, displayed outdoors or visible from a public way, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location; or to express a point of view, by any means including words, letters, figures, designs, symbols, advertising flags, fixtures, colors, illuminations or projected images. Each substantially different face of a sign shall constitute a separate sign.
  - R. **Sign Area:**
    - 1. The area of the smallest rectangle within which all elements of a flat sign are contained (a flat sign being one with two display surfaces facing exactly opposite directions, or one display surface if against the wall of a building); or the maximum projected surface area (projected in one direction) of any other sign.
    - 2. Supporting structures for signs shall not be counted in the sign area, provided such supporting structures consist of posts, hangers, or brackets of the minimum number and size necessary to support the sign. A wall or fence on which a sign is mounted shall not be counted in the sign area, provided it serves primarily to enclose, divide, or protect an area.
  - S. **Sign, Free Standing:** A sign that is not mounted on a principal building.
  - T. **Sign, Non-Conforming:** Any sign that does not conform to the provisions of this Chapter at the effective date of this Chapter, or any amendment thereto.
  - U. **Sign, Traffic Control:** A sign to regulate the safe and ordered flow of vehicular and pedestrian traffic.
  - V. **Sign, Wall:** A sign which is mounted parallel on the exterior surface of a building in which the activity advertised by the sign is located.
  - W. **Window Sign:** Any sign that is placed inside a window or upon the window panes or glass, either inside or outside the building, and is visible from the exterior of the structure.

## **ARTICLE 3. ESTABLISHMENT OF DISTRICTS**

### **Sec. 301. Districts established.**

- A. *Districts:* For the purposes of this ordinance, Pike County is divided into districts for the purpose of establishing zoning regulations as follows:
1. A-R Agricultural and residential
  2. RR Rural residential
  3. R-1 Single-family residential
  4. R-2 Single-family residential
  5. P-I Professional Institutional
  6. C-1 Highway commercial
  7. C-2 Neighborhood commercial
  8. C-3 Heavy commercial
  9. M-1 Manufacturing Light
  10. M-2 Manufacturing Heavy
- B. *Overlay districts:* In addition, overlay districts apply additional standards to specific areas which may lie within any of the above districts. Those districts are as follows:
1. S-1 Sensitive land—Flood damage prevention
  2. S-2 Sensitive land—Watershed protection
  3. S-3 Sensitive land—Groundwater recharge protection
  4. S-4 Sensitive land—Wetlands
  5. S-5 Sensitive land—Flint River Corridor Protection Area
  6. Highway 19 and 41 Overlay district

### **Sec. 302. Districts explained.**

- A. Districts are areas of land within Pike County to which different development requirements and standards are applied. These differences are intended to promote the separation of incompatible uses, encourage sound land use patterns, and retain the character of the community. Although this ordinance establishes the locations of districts as indicated on the official map, a district may be changed in the future in order to meet changing needs.
- B. In making the decision to change a district, the points contained in section 410, [as well as Table 107 \(A\): Conversion of Previous Zoning Districts](#) must be considered by the planning and zoning board as well as the board of commissioners.

## **ARTICLE 4. GENERAL PROCEDURES**

### **Sec. 401. Initial information.**

- A. Article 4 outlines the procedures to be followed in order to comply with the requirements of this ordinance. Initial information about the ordinance may be obtained from the zoning administrator.
- B. The zoning administrator will provide and maintain copies of the ordinance for review and/or sale.

### **Sec. 402. Compliance with zoning ordinance required.**

- A. No building is to be erected, used, occupied, moved, or altered in a manner that does not conform to the requirements specified for the district in which it is located.
- B. The only exception to this requirement is that all buildings or uses which lawfully existed at a particular location at the time this ordinance was adopted may be continued but only, as provided in section 403, "Continuance of non-conforming uses."

### **Sec. 403. Continuance of non-conforming uses.**

Invariably, at the time a land use and development control ordinance is adopted or amended, certain uses which lawfully existed prior to the adoption or amendment will not conform to the regulations and standards for the districts in which they are located. These are known as non-conforming uses, and in order to feasibly adopt the ordinance and so as not to cause undue economic hardship on owners of non-conforming uses, these uses are allowed to continue under special conditions as outlined in the following parts of this section:

- A. Where a non-conforming use of a building or lot has ceased for more than twelve (12) consecutive months and any part of that twelve-month period occurs after the adoption of this ordinance or where a nonconforming use has changed to a permitted or conforming use, further use of the building or lot shall be in conformance with the standards and requirements for the district in which it is located.
- B. A non-conforming use shall not be extended or altered unless the extension or alteration is in conformance with the requirements of this ordinance.
- C. A non-conforming use which is altered or extended shall meet applicable Pike County building codes and development regulations. When an applicant seeks a building permit for the extension or alteration of a nonconforming use, the zoning administrator or their designee will inspect the unit and determine what (if anything) is needed to bring the unit into conformance with applicable building codes and development regulations. Upon determining that the unit meets applicable building codes and development regulations, he will issue the building permit for the non-conforming use.
- D. A non-conforming structure may be repaired, maintained and, in case of destruction, replaced, so long as any such repair, maintenance or replacement does not in any way increase its nonconformity, and it remains otherwise lawful.

---

**Sec. 404. Height of fences and walls in a residential and commercial zoning district.**

- A. No fence shall exceed six (6) feet in height above the adjoining ground level in any residential zoning district. Fences in the front yard are only allowed in the A-R and RR zoning districts.
- B. No fence shall exceed eight (8) feet in height above the adjoining ground level in any non-residential zoning district.
- C. No fence shall encroach into the public right-of-way.
- D. Barbed wire or other sharp, pointed fence material shall be allowed on property zoned A-R for the purpose of livestock constraint.
- E. Barbed wire or other sharp, pointed fence material shall be allowed at the top of fences on property zoned C-3, M-1, and M-2.
- F. A fence a minimum of four (4) feet in height shall be required for all swimming pools with a minimum of 24 inches of water. (See ICC requirements for pool enclosures)

**Sec. 405. Building permit required.**

- A. The developer or other person wishing to do any of the following must first apply to the building official for a building permit:
  - 1. Excavation or filling of a lot for the construction of a building.
  - 2. Erection, movement or demolition of a building, greater than one hundred twenty (120) square feet gross floor area.
  - 3. Enlargement or other work on an existing building where it is determined by the building official that inspection of the work is necessary. The building official shall maintain a list of work that requires a permit within his office.
  - 4. Installation of a manufactured home or industrialized building.
  - 5. All fences four (4) feet or taller shall require a permit.
- B. No electrical service will be made available to the site of new construction until a building permit is secured.
- C. The building permit must be applied for either by the owner of the land upon which the proposed building or alteration is to be located, or by the contractor doing the work.
- D. The applicant may obtain a building permit application from the building official. He should complete the application form and submit it to the building official, together with any supporting documentation which the building official may specify.
- E. No application will be accepted from any person who is in violation of the zoning ordinance. If an applicant for a building permit is, at the time of such an application, determined by the building official to be in violation of the zoning ordinance, then the building official will be prohibited from accepting or processing any application from that applicant until the applicant voluntarily removes or changes the cause of the violation and ceases to be in violation. The applicant must notify the building official that he has ceased the violation and obtain a release from the zoning administrator as to the violation.
- F. When the applicant has ceased to be in violation of this ordinance, the building official will then accept the application for the building permit.

- 
- G. Before a building permit is issued by the building official, the Pike County Health Department must approve the proposed water supply and sewage disposal facilities required in connection with the proposed building or structure. In areas served by a public water and sewage system, the health department may elect to waive the requirement for approval. After study of the site of a proposed use, the health department may require for health reasons that all or any portion of the site not be used for the intended purpose. The health department may also set a minimum lot size larger than that required by this ordinance. The county health department will either approve or disapprove the water and sewer facilities within thirty (30) days of receipt of the application from the zoning administrator, providing a written decision, including reasons for the decision.
  - H. Except as otherwise provided by this ordinance, an existing use which is altered or extended must meet applicable uniform development ordinances and standards as adopted by the county. Information about applicable development ordinances and standards may be obtained from the building official.
  - I. The building official is in charge of issuing building permits. The building permit will be issued if, upon review of the application, the building official is satisfied that the proposed project can meet the requirements of this ordinance and all other applicable ordinances. The building official may require the submission of additional information in order to determine if the proposed project meets the requirements of this ordinance.
  - J. If the building official determines that the proposed project as presented in the building permit application will not satisfy the requirements of this ordinance, he will not issue a building permit. He will notify the applicant in writing within ten (10) days of the submission of the application, stating reasons for the refusal. The applicant will then need to confer with the building official to determine what he needs to do in order to comply with the ordinance and be eligible for a building permit.
  - K. Work or construction authorized by a permit must commence within one hundred eighty (180) days after the date of issuance. The building official may grant an extension of time in which to commence work or construction for an additional one hundred eighty (180) days, upon written request and a showing of justifiable cause. Any extension granted by the building official shall be documented in writing. In the event work is not commenced within the time authorized, the permit shall be void. If construction has begun on an approved project and then ceases before the project has been completed, construction must restart within twelve (12) months from the time that it was stopped or the permit will become invalid and a new one must be applied for if construction of the project is desired to resume at a future date. Records of the building permits, applications and supporting materials will be maintained by the building official.
  - L. All newly constructed buildings, as well as additions, extensions or enlargements of structures must comply with all building codes in effect in Pike County. The building official will explain the procedures and timing of inspections to determine if work meets applicable codes.
  - M. The building official may revoke any building permit where there has been any false statement or misrepresentation as to a material fact or condition in the application or plans on which the permit was based, and upon such revocation, all construction, improvements or alterations as authorized by such permit or approval, shall cease until a valid building permit is issued.
  - N. The demolition and removal of a building as defined herein shall require a demolition permit. Such permit shall be valid for a period of ninety (90) days. The permittee shall be required, as part of the demolition project to remove all structure remnants, materials, debris, junk and equipment from the demolition site. The permittee shall also be required to meet soil erosion and sedimentation control requirements, including the permanent re-vegetation of the site.
  - O. The demolition and removal of a building as defined herein that has been issued a notice of violation per the Pike County Minimum Housing and Standards Code shall require a demolition permit. Such permit shall be valid for a period of thirty (30) days. The permittee shall be required, as part of the demolition project, to remove all structure remnants, materials, debris, junk and equipment from the demolition site.
-

---

The permittee shall also be required to meet soil erosion and sedimentation control requirements, including the permanent re-vegetation of the site. The remodel or repair of any structure issued a notice of violation per the Pike County Minimum Housing and Standards Code shall require a building permit and submittal of an action plan to be approved by the building official.

**Sec. 406. Certificate of occupancy required.**

- A. A certificate of occupancy is required *before* a structure for which a building permit has been issued or where a change in use of the building has occurred may be occupied or used. The certificate of occupancy must be signed by the zoning administrator or their designee and attest that to the best of his knowledge all requirements of this ordinance have been met. The owner/contractor will then receive the certificate of occupancy to be used as confirmation that he has complied with the provisions of this ordinance.
- B. The zoning administrator or their designee will issue the certificate of occupancy upon notification by the building inspectors that all applicable building codes and other uniform development standards and ordinances have been met. However, if the building inspectors finds that all requirements of such ordinances have not yet been met when the owner/contractor seeks a certificate of occupancy, the zoning administrator will not issue the certificate of occupancy. The owner/contractor will then need to confer with the building inspector to determine what he needs to do in order to comply with the ordinance and be eligible for a certificate of occupancy.
- C. Certificate of completion may be issued by the building official to construction projects where the building of the structure is complete, but interior alteration or build-out may be proposed prior to occupancy. A structure or a portion of a structure receiving a certificate of completion shall not be occupied until the certificate of occupancy for the same is issued.
- D. Notice of approval may be issued by the building official to confirm that a particular system (HVAC, plumbing, electrical, etc.) has passed the prescribed inspections and tests necessary for the operation of such system.

**Sec. 407. Appealing an action of the zoning administrator or building official.**

- A. If the zoning administrator or building official executes an action which the aggrieved party believes to be contrary to this ordinance, that action may be appealed. Such an appeal must be filed within thirty (30) days of the date on which the action by the zoning administrator or building official was taken.
- B. The planning and zoning board has jurisdiction for hearing appeals concerning actions of the zoning administrator or building official related to this ordinance. Applications for appeal may be obtained from and submitted to the zoning administrator, who will transmit them to the planning and zoning board for its consideration.
- C. When an action of the zoning administrator or building official is appealed, all construction or other activity authorized by the appealed action must be stopped immediately. In certain cases, however, the building official may feel that the stopping of such construction or other activity authorized by the appealed action will cause imminent peril to life or property. Then, the building official may certify to the planning and zoning board that, by reason of facts stated in the certificate, the halting of construction or other activity authorized by the appealed action would in his opinion cause imminent peril to life or property. In such cases, the construction or other activity authorized by the appealed action is allowed to continue unless the construction is halted by the planning and zoning board or a restraining order is granted by a court of competent jurisdiction.
- D. When an application for appeal of an action of the zoning administrator or building official is received, the planning and zoning board will set a time and place for a public hearing on the appeal. Notice of the hearing must be published in a newspaper of general circulation in Pike County at least fifteen (15) days

---

before the hearing. In addition, the parties to the appeal will be notified of the date of the hearing by the planning and development department by mail and postmarked at least fifteen (15) days before the hearing. Any person may appear at the hearing or have a representative attend instead.

- E. The planning and zoning board will make a decision concerning the appeal and record the decision in the minutes for that meeting. Any person aggrieved by a decision by the planning and zoning board may petition the Pike County Superior Court for a writ of certiorari. (Rob Question)

## Sec. 408. Variances.

- A. A variance is a permit, issued by the planning and zoning board, which allows use of a parcel of land in a way that varies from the requirements for the district in which the property is located. A variance may be granted only in an individual, specific case under such circumstances as will not be contrary to the public interest where, due to special conditions, a literal enforcement of the provisions of this ordinance will result in practical difficulty (as distinguished from mere inconvenience) or unnecessary hardship so that the spirit of this ordinance shall be observed, public safety and welfare secured and substantial justice done.

A variance may not be granted for the use of a parcel, building or structure that is prohibited by this ordinance.

A variance may not be granted based on circumstances created by the applicant, such as:

1. ~~The purchase of a parcel with knowledge of an existing restriction;~~ Remove Per Rob
2. A claim of hardship based on prospective sales; or
3. An expressed economic need, when such need can be met in other ways which would not require a variance.

The planning and zoning board shall, in granting a variance, determine that:

1. There are extraordinary and exceptional conditions pertaining to the particular parcel because of its size, shape, location and topography;
  2. Application of this ordinance to the particular parcel would create a practical difficulty or unnecessary hardship on the property owner;
  3. Such conditions are peculiar and unique to the particular parcel;
  4. The variance, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this ordinance;
  5. A literal interpretation of this ordinance would deprive the applicant of any rights that others owning property within the same zoning classification are allowed;
  6. The variance, if granted, shall not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties within the same zoning classification;
  7. The variance may be granted with such conditions imposed as may be necessary to protect the health, safety, welfare and general value of the property in the general neighborhood; and
  8. Granting the variance shall not be based on consideration of any existing nonconforming uses on nearby parcels and no permitted use of any parcel in any other zoning classification.
- B. Relief from the hardship—the variance—must not cause substantial detriment to the public good or impair the purposes of this ordinance.

- 
- C. When a variance is issued, the spirit of this ordinance must be observed and the public safety and welfare secured. A variance may be granted only for permitted uses in the zoning district in which the property in question is located. (For example, a two-family dwelling would not be allowed to be placed in an R-1 district under a variance).
  - D. The developer or owner wishing to request a variance must have at least fifty-one (51) percent ownership of the subject property or be the duly authorized agent of such a person, possessing notarized authorization in writing, under the owner's signature. The planning and zoning board or board of commissioners may also propose a variance. However, the power to approve a variance rests with the planning and zoning board, except that in consideration of a rezoning of property from one zoning district to another, the board of commissioners may approve a variance in connection with its approval of a conditional rezoning.
  - E. Application for a variance may be made with the zoning administrator. The zoning administrator will take the required information and transmit it to the planning and zoning board for its consideration. No application is to be accepted from any person in violation of the zoning ordinance. If an applicant for a variance or any other action by the planning and zoning board is, at the time of such application, determined by the zoning administrator to be in violation of the zoning ordinance, then the zoning administrator will be prohibited from accepting or processing any application from that applicant until the applicant voluntarily removes or changes the cause of the violation and ceases to be in violation. The applicant must notify the zoning administrator that he has ceased the violation and obtain a release from the zoning administrator as to the violation.
  - F. When the applicant has ceased to be in violation of this ordinance, the zoning administrator will then accept the application for variance.
  - G. When an application for a variance is received, the planning and zoning board will set a time and place for a public hearing on the variance. Notice of the hearing must be published in a newspaper of general circulation in Pike County at least thirty (30) days before the hearing. Such notice will state the application number, owner's name, property location, its area, time, place and subject of the hearing. At least thirty (30) days before the public hearing, notice of the time, place, and subject of the hearing will be sent to the appellant or petitioner in writing by U.S. Mail to his last known address. Copies of all such letters will be maintained in the applicant's file.
  - H. The planning and zoning board will make a decision concerning the variance and record the decision in the minutes for that meeting.
  - I. The planning and zoning board may impose any other conditions which must be complied with by the applicant to compensate for the requirements varied from.
  - J. The planning and zoning board may establish performance bonds to assure compliance with any requirements it has set for granting a variance. Where a variance is granted for a construction activity requiring a building permit, the building permit must be obtained and construction must begin within six (6) months of the issuance of the variance. Otherwise, the Variance expires after six (6) months.
  - K. Any person aggrieved by a decision of the planning and zoning board on an application for a variance may petition the Pike County superior court for a writ of certiorari. (Rob Question) [May need to be separate section](#)
  - L. An administrative variance may be granted by the Director of Planning and Development with the filing of an application at the Planning and Development Department and the meeting of certain criteria. (Note: An administrative variance provides relief from certain standards of the Pike County UDC. It is not intended to provide relief from any standards related to deed restrictions or restrictive covenants that certain private
-



---

properties may be subject to.) Reasonable effort shall be made to comply with the full standards of the Zoning Code first, but if the Director of Planning and Development believes that relief is warranted, he or she may grant administrative variance approval of certain Zoning Code requirements based on the following criteria:

1. Up to 10% deviation from minimum building setbacks.
2. Up to 10% deviation from minimum buffer widths or landscape strips specified in Article 26.
3. Up to 10% deviation from the square foot maximum for accessory buildings.
4. Up to 10% deviation from the minimum separation requirement between principal buildings and accessory buildings.
5. Up to 10% deviation on maximum building heights.
6. Up to 10% deviation on the number of required parking spaces for developments.
7. For Class "B" manufactured homes, approval of a 3:12 roof pitch versus the normally required minimum of a 4:12 roof pitch.

Instances of administrative variance approvals by the Zoning Administrator shall be included in the Planning and Development Department's reports submitted monthly to the Board of Commissioners.

#### **Sec. 409. Special Use Permit.**

- A. Some zoning districts permit certain uses only upon approval of the board of commissioners, following preliminary review by the planning and zoning board. These uses are identified in this ordinance as special use permits and, in each case, carry specific circumstances under which the use should or should not be allowed.
- B. The developer or owner wishing to request a special use permit must have at least fifty-one (51) percent ownership of the subject property or be the duly authorized agent of such a person, possessing notarized authorization in writing, under the owner's signature. The planning and zoning board or board of commissioners may also propose a special use permit. However, the power to approve a special use permit rests with the board of commissioners.
- C. Application for a special use permit may be made with the zoning administrator. The zoning administrator will take the required information and transmit it to the planning and zoning board for its consideration.
- D. When an application for a special use permit is received:
  1. The zoning administrator will set a date, time and place for a public hearing on the special use permit. Notice of the hearing must be published in fifteen (15) days prior to the hearing. Such notice shall state the application number, owner's name, property location, including the land lot and district, street frontage, street address, tax map and parcel identification number, the total area of the subject property and the date, time, place and subject of the hearing. At fifteen (15) days but not more than forty-five (45) days before the hearing, notice of the date, time, place and subject of the hearing will be sent to the applicant or petitioner in writing by U.S. mail to his or her last known address and to the owners of all properties located within 1/4 mile of the subject property. Copies of all such letters will be maintained in the applicant file for permanent record.
  2. The zoning administrator must post a sign at least two (2) feet by three (3) feet in size in a conspicuous place on the property at least fifteen (15) days but not more than forty-five (45) days prior to the date of the scheduled public hearing. The sign must set forth the fact that it is a "SPECIAL USE PERMIT" It must show the date, time and place of the scheduled public hearing, and it must inform the public that additional information may be obtained from the zoning administrator.

- 
- F. All applications for a special use permit must first be reviewed by the zoning administrator. At this time, the zoning administrator will review the proposed special use permit and make written recommendations to the planning and zoning board.
- G. The planning and zoning board will consider the following points in arriving at a recommendation on the special use permit:
1. It must not be contrary to the purpose of these regulations.
  2. It must not be detrimental to the use or development of adjacent properties, or to the general neighborhood; it must not adversely affect the health or safety of residents or workers.
  3. It must not constitute a nuisance or hazard because of the number of persons who will attend or use such a facility, vehicular movement, noise or fumes generated or type of physical activity;
  4. It must not adversely affect existing uses, and it must be proposed to be placed on a lot of sufficient size to satisfy the space requirements of the use.
  5. It must meet all other requirements of this ordinance.
  6. In addition, the planning and zoning board shall also consider whether the applicant for the special use permit at the time of submitting the application is in violation of the Zoning Code or any other provision of Code of Pike County, Georgia. If the applicant is determined to be in violation of the Zoning Code or any other provision of the Code of Pike County, Georgia, then the planning and zoning board shall further consider the circumstances related to such violation(s) as part of the criteria for considering the requested special use permit.
- H. The planning and zoning board will conduct an official public hearing on any special use permit application; however, neither the amount of public participation nor expression of popular opposition to a proposal shall be a valid consideration in formulating a recommendation on the merits of the proposal.
- K. The following policies and procedures will be observed in conducting the required public hearing:
1. The hearing will be held in the Pike County Courthouse.
  2. Written comments on the subject of the hearing may be submitted by any citizen or property owner at any time prior to the adjournment of the hearing.
  3. Persons desiring to be heard orally may present their views at the hearing. The length of time for oral presentations will be 20 minutes in favor and 20 minutes against.
  4. Any person desiring a transcript of the hearing must arrange for a court reporter at their own expense.
  5. Cross-examination of persons making oral presentations will not be permitted.
  6. All questions will be addressed to the chairman of the planning and zoning board
- L. After the public hearing is conducted the planning and zoning board, shall forward a recommendation to the board of commissioners to approve or deny the requested special use permit, or recommend conditions which may restrict the use or development of the special use permit use in a manner not otherwise required by this zoning ordinance.
- M. The board of commissioners will conduct a public hearing for the special use permit after review of the planning and zoning board's recommendation and have final authority to approve, deny or place conditions which may restrict the use or development of the special use permit use in a manner not otherwise required by this zoning ordinance.
-

---

## Sec. 410. Amendments.

- A. If a developer or landowner finds that a proposed new use of his land does not meet the requirements of this ordinance, he may request that the official map be amended to permit his proposed use pursuant to the procedures set forth herein:
1. The developer or owner requesting an amendment of the official map must have at least fifty-one (51) percent ownership of the subject property or be the duly authorized agent of such a person, possessing notarized authorization in writing under the owner's signature.
  2. The zoning administrator shall review the request for amendment of the official map to determine whether it is consistent with and complies with the requirements of the future land use map contained within the Pike County Comprehensive Plan.

The planning and zoning board or the board of commissioners may also propose an amendment. The power to approve and enact an amendment to the future land use map and an amendment to the official map rests within the legislative discretion of the board of commissioners.

- B. Application for an amendment may be made with the zoning administrator. The zoning administrator will take the required information and transmit it to the planning and zoning board for its consideration. No application is to be accepted from any person regarding any property that is in violation of the zoning ordinance. If the property which is the subject of an amendment or any other action of the planning and zoning board, at the time of such an application, determined by the zoning administrator to be in violation of the zoning ordinance, then the zoning administrator will be prohibited from accepting or processing any application from that applicant until the applicant voluntarily removes or changes the cause of the violation and ceases to be in violation. The applicant must notify the zoning administrator that he has ceased the violation and obtain a release from the zoning administrator as to the violation.
- C. When the applicant has ceased to be in violation of the zoning ordinance, the zoning administrator will then accept the application for amendment.
- D. When an amendment is initiated which involves changing the zoning district of a parcel of land, the zoning administrator must post a sign at least two (2) feet by three (3) feet in size in a conspicuous place on the property at least fifteen (15) days but not more than forty-five (45) days prior to the date of the scheduled public hearing. The sign must set forth the fact that it is a "PUBLIC HEARING". It must show the present zoning classification, the proposed zoning classification, the purpose, date, time, and place of the scheduled public hearing, and it must inform the public that additional information may be obtained from the zoning administrator.
- E. All applications for amendment must first be reviewed by the planning and zoning board. The planning and zoning board will study the proposed amendment and determine if it meets the requirements of this ordinance, as well as other applicable ordinances of Pike County. At this time, the zoning administrator may review the proposed amendment and make written recommendations to the planning and zoning board.
- F. The planning and zoning board will, when considering a proposed amendment to the zoning ordinance, first determine whether the limitation imposed by such an amendment, if any, on the right to unrestricted use of property which might result from the proposed amendment is necessary to promote the public health, safety, or general welfare. In considering whether to recommend a change in the zoning classification of any particular property the planning and zoning board will balance the benefit to the public of the present zoning classification of the property against the detriment to the property owner, and scrutinize the application in light of the character of the land in question and the effect of the zoning decision upon the property owner's rights. In making these determinations, the planning and zoning board may consider the following:
1. The existing uses and zoning of nearby property.
  2. The suitability of the property for the proposed purpose.

- 
3. The length of time the property has been vacant.
  4. The threat to the public health, safety, and welfare if rezoned.
  5. The extent to which the value of the property is diminished by the present zoning.
  6. The balance between the hardship on the property owner and the benefit to the public in not rezoning.
- G. The planning and zoning board may also consider whether development of the property in the zoning classification sought would do any of the following:
1. Have an adverse effect on the insurance rating of the county, or any substantial portion of the county, issued by the insurance service office or similar rating agency.
  2. Overtax any streets presently existing to serve the site, or other public facilities and utilities.
  3. Have a substantial adverse impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity.
- H. The planning and zoning board will conduct a public hearing on any proposed zoning request; however, neither the amount of public participation nor expression of popular opposition to a proposal shall be a valid consideration in formulating a recommendation on the merits of the proposal. Notice of the public hearing must be published in a newspaper of general circulation in Pike County at least fifteen (15) days but not more than forty-five (45) days before the hearing. The location of the property, present zoning classification and proposed zoning classification must be indicated in the newspaper notice. Additionally, notice of the hearing shall be provided by United States mail to the owners of all properties located within 1/4 mile of the subject property, such notice shall be deemed delivered upon mailing.
- I. The planning and zoning board will make a written record of its findings along with its recommendations on the proposed amendment and forward a copy of its findings and recommendations to the board of commissioners within sixty (60) days of the date on which the proposed amendment was received by the zoning administrator. If the planning and zoning board fails to send its findings and recommendations to the board of commissioners within the aforesaid sixty (60) days, it will mean that the planning and zoning board approves the amendment.
- J. The board of commissioners must then conduct a public hearing on the amendment. Notice of the hearing must be published in a newspaper of general circulation in Pike County at least fifteen (15) days but not more than forty-five (45) days before the hearing. The location of the property, present zoning classification, and proposed zoning classification must be indicated in the newspaper notice. Additionally, notice of the hearing shall be provided by United States mail to the owners of all properties located within 1/4 mile of the subject property, such notice shall be deemed delivered upon mailing.
1. The public hearing before the board of commissioners may be continued twice by action of the board of commissioners.
  2. The applicant or property owner shall be entitled to continue the consideration of the application to the next board of commissioners hearing date once, as a matter of right.
  3. The applicant or property owner shall also be entitled to continue the consideration of the application to the next board of commissioners hearing date in the event the hearing date on which the application is heard is attended by less than all members of the board of commissioners, provided such application has not been previously continued.
  4. Should the applicant or property owner desire to further continue the public hearing the applicant or property owner shall be required to submit a written request at least 48 hours prior to the scheduled date of hearing to continue to the zoning administrator giving specific reasons as to why the public
-

---

hearing should be continued. In such event, the continuation of the application from the public hearing is at the sole discretion of the board of commissioners.

- K. The following policies and procedures will be observed in conducting the required public hearing:
1. The hearing will be held in the Pike County Courthouse.
  2. Written comments on the subject of the hearing may be submitted by any citizen or property owner at any time prior to the adjournment of the hearing.
  3. Persons desiring to be heard orally may present their views at the hearing. The length of time of oral presentations permitted to each speaker will be determined by the chairman of the board of commissioners and will depend upon the number of persons present and desiring to speak. Personal remarks will not be tolerated.
  4. Any person desiring a transcript of the hearing must arrange for a court reporter at their own expense.
  5. Cross-examination of persons making oral presentations will not be permitted.
  6. All questions will be addressed to the chairman of the board of commissioners.
- L. After reviewing the record of the public hearing, considering the recommendations of the planning and zoning board and applying the criteria set forth above, the board of commissioners may approve or deny the requested amendment, reduce the land area for which the amendment is requested, change the district or land use category requested, or impose conditions which may restrict the use or development of the property in a manner not otherwise required by this zoning ordinance. Any such conditions imposed by the board of commissioners shall be incorporated into this zoning ordinance and shall become a part of the official zoning map, whether or not actually entered upon the official zoning map.
- M. If the board of commissioners denies a proposed amendment, a minimum period of six (6) months must pass before an amendment proposal is again submitted for consideration for the same property.

### **Sec. 411. Conditional approval.**

Any application for an amendment to this ordinance, any application for an amendment to the zoning map of Pike County and any application for special use permit allowed within the various zoning districts within the Pike County Zoning Ordinance may be approved subject to conditions which relate to the use, occupancy, or development regulations for the property contained in the application. Conditions imposed on the property may only be more restrictive than the requirements of any zoning district and other applicable parts of this ordinance as may apply to the property. The following policies shall apply:

- A. *Controls proposed by application.* An applicant may propose controls to be considered by the planning and zoning board, [the planning and zoning board](#) and the board of commissioners. Such proposed controls may include plans, limitations of use and occupancy, or more restrictive development standards than would otherwise be applied to the property. Such proposed controls may be eliminated or changed into conditions of approval as submitted, or they may be eliminated, modified or extended. The board may choose to incorporate, as conditions of approval, selected restrictions or requirements which were not included in the request for controls submitted in the original application.
  - B. *Consent not required.* Approval of applications subject to conditions shall be executed with or without the consent of the applicant.
  - C. *Conditions shall be permanent.* All conditions imposed by action of the board of commissioners shall remain on the property regardless of changes of ownership.
  - D. *Changes of conditions.* Conditions shall be changed only through the [amendment](#) process by which they were established or when expressly overridden by a state government authority taking precedence over the area of regulation.
-

---

### **Sec. 412. Site plan requirements for rezoning.**

Any Applicant seeking rezoning of property in Pike County, Georgia, shall submit a conceptual site plan depicting the proposed use of the property including:

- A. Vicinity map;
- B. Correct scale;
- C. The proposed land use and building outline as it would appear should the rezoning be approved;
- D. The present zoning classification of all adjacent property;
- E. The building outline and maximum proposed height of all buildings;
- F. The proposed locations of all driveways and entry/exit points for vehicular traffic, using arrows to depict direction of movement;
- G. The location of all required off street parking and loading areas;
- H. Required yard setbacks appropriately dimensioned;
- I. The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation, if required;
- J. Topography at twenty (20) foot contour intervals (USGS Quad sheets may be used);
- K. Location and elevation of the 100-year flood plain on the property which is the subject of the proposed zoning;
- L. Delineation and dimensions of the boundary of the proposed district;
- M. Date, north arrow and datum;
- N. Location and acreage of all major utility easements greater than twenty (20) feet in width;
- O. Approximate location (outline), height, and use of all other proposed drives, parking areas, buildings, structures and other improvements;
- P. For all property for which ingress and egress must be obtained by access from a road within the state highway system, a permit from the Georgia Department of Transportation for access to the state highway system.

### **Sec. 413. Multiple parcel rezoning.**

Multiple parcel rezoning of contiguous tracts will be allowed so long as all tracts are to be rezoned to the same zoning classification. All applicants owning property which is subject to the application are deemed to consent to rezoning of their property and to rezoning of any and all other tracts included within the application.

### **Sec. 414. Appealing an action of the board of commissioners.**

If the board of commissioners takes an action which the developer or other aggrieved party believes to be contrary to law, that action may be appealed to the Pike County superior court. Such an appeal must be filed within thirty (30) days of the date on which the action of the board of commissioners was taken.

### **Sec. 415. Fees.**

See the most recent fee schedule approved/adopted by the board of commissioners.

---

---

**Sec. 416. Department of transportation permit and review of plans required.**

Prior to the issuance of any permit, the Georgia Department of Transportation must issue a permit for access to the state highway system for any development for which means of ingress and egress shall be obtained from any road within the state highway system. In addition, the review and approval of the development plan by the Georgia Department of Transportation must be obtained prior to issuance of any permit for property which abuts any road within the state highway system.

**Sec. 417. Penalties.**

Any person who violates any provision of this ordinance or any amendment to this ordinance, or who fails to perform any act required hereunder or commits any prohibited act shall be guilty of a misdemeanor and punishable by a fine of not more than one thousand dollars (\$1,000.00) for each offense. Each and every day for which any violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

**Sec. 418. Remedies.**

If any building or land is used or maintained in violation of this ordinance, anyone, including the county, who would be harmed by such a violation may initiate legal proceedings to obtain an injunction or other appropriate remedy to stop the violation or to prevent any act which would constitute such a violation. Other legal remedies are also available as provided by Georgia law.

**Sec. 419. Temporary housing in case of disaster.**

The zoning administrator may authorize the use of a mobile home, trailer or recreational vehicle for use as a temporary dwelling when located on the same lot as a permanent dwelling which has been rendered uninhabitable due to damage caused by fire, storm, tornadic activity, hurricane or other natural disaster, in order to permit the persons who were residing in the damaged dwelling to continue to reside on the lot while the damaged dwelling is repaired or reconstructed. In determining whether to grant such authorization, the zoning administrator shall consider the safety of the proposed temporary occupancy, the availability and adequacy of the wastewater disposal system during the temporary occupancy, and any other potential circumstance that may impact the public health, safety and welfare of the residents and adjoining property owners. The zoning administrator shall, as a part of such authorization, specify the terms and conditions of the temporary occupancy and the maximum length of time that the temporary occupancy may continue (which may be extended for good cause shown). Decisions of the zoning administrator under this ordinance shall be final and not subject to appeal.

**Sec. 420. Uniformed System of Identification and Addressing of Properties and Buildings**

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

- 
2. Applicants for identification addresses shall submit a request form as required by the Office of Planning and Development along with a completed driveway permit issued by the Pike County Department of Public Works or the Georgia Department of Transportation, whichever entity may have jurisdiction over the subject driveway permit.
  3. The installation of the driveway(s) in connection with a request for new identification address(es) shall be in accordance with the applicable driveway specifications, Pike County or the Georgia Department of Transportation, before a new address is issued.
  4. The determination and identification of the new address(es) shall be as follows:
    - a. All new addresses will be measured from the intersection of the parent road and the thoroughfare from which it originates to the center of the installed driveway. The originating point shall be the zero mark and point of origin for the determination process of the new identification address.
    - b. Addresses will then count up from the zero mark every 5.4 feet, which will result in the next sequential available address number.
    - c. The middle point of the installed driveway shall be the point used to determine the address number. Due to the width of the driveway, the number may be amended one sequential number up or down at the discretion of the Office of Planning and Development.
    - d. Even numbers shall be assigned to properties on the right side of the street and odd numbers to the left side of the street as measured from the zero mark and point of origin.
    - e. For cul-de-sacs, the point directly at the top of the cul-de-sac as gauged by the centerline of the road shall be used in connection with defining even and odd addresses.
  5. In the event an address is requested for a vacant parcel of land a defined driveway must be installed per proper specifications as discussed above.
  6. The Office of Planning and Development has administrative discretion to issue a new identification address in the event a driveway has not yet been completed as long as the driveway can be clearly identified by tangible evidence such as through the use of plats, site plans, pins/markers placed, or other evidence of identifying the location of the driveway.
  7. For larger scale non-residential developments requests for new identification addresses at the zoning administrators discretion can be defined by utilizing building numbers assigned to each building and then addressing each suite/tenant space with a sequential number, provided that even numbers go on the right side of the street and odd numbers go on the left side of the street or by following the procedures identified in section (C) (4) above.
  8. For larger scale residential developments requests for new identification addresses at the zoning administrators discretion can be defined by utilizing sequential numbers starting at the entrance of the development and increasing accordingly at each lot provided that even numbers go on the right side of the street and odd numbers go on the left side of the street or by following the procedures identified in section (C) (4) above.
- D. Administration and specifications for new addresses shall be as follows:
1. Once the new identification address has been assigned by the Office of Planning and Development, no changes may be made to the assigned address except by the Office of Planning
-



---

and Development in writing.

2. After the assignment of a new identification address, the Office of Planning and Development will provide an official notification of the assigned address to the owner, which may be obtained from the Office of Planning and Development during regular business hours. The Office of Planning and Development will maintain a master record of all assigned addresses.
  3. All assigned address numbers must be posted on the property in accordance with the physical standards for address displays required by this section. The posting of the assigned address shall be visible from the road and shall be displayed no more than 25 feet from the road and shall be visible both day and night. In all residential subdivisions where no individual mailboxes are located each lot shall paint the address on the curb with reflective paint.
  4. Each applicant for a new identification address will be responsible for the display of the new address. The address display shall be a minimum of 3 inches in size.
  5. No person, agency or business shall adopt, assign, display or cite any address other than the address assigned by the Office of Planning and Development for the purpose of designating the location of subject property.
  6. The Office of Planning and Development may make available to public agencies, such as those responsible for emergency and law enforcement services, tax officials and post offices, a compiled record of the assigned addresses to assist with the efficient administration of services to the citizens and general public.
- E. The enforcement of this section shall include the following provisions;
1. Any person who shall do anything prohibited by this subchapter as it exists, or as it may hereafter be amended, or who shall fail to do anything required by this subchapter as it now exists or as it may hereafter be amended, is declared to be in violation of this subchapter and the regulations or county ordinances herein set forth.
  2. Each and every day that any such violation exists shall be deemed a separate offense.
  3. Any such violation of this subchapter and any citation issuing thereon may be returnable and tried in the Magistrate Court of Pike County, Georgia. The maximum penalty that may be enforced is as provided by Georgia law (OCGA § 15-10-60) and §10.99 of the Code of Pike County, Georgia as said laws now exist or as they may hereafter be amended.
  4. The imposition of any fine or imprisonment, or both, for any violation shall not excuse the violation nor permit it to continue; and, all such violators shall be required to correct or remedy such violations or defects.
  5. The remedies herein set out for the purpose of enforcing this section shall not be deemed to be exclusive, but shall be cumulative of all other remedies, civil or criminal, provided by the laws of Georgia or by the ordinances of Pike County.
-

---

**Sec. 421. Administration of Assigned Addresses**

- A. The Director of Pike County 911 shall be responsible for implementing and maintaining the numbering system as adopted in section 420 above, including any supplementary documents referred to herein.
- B. The Director of Pike County 911 or his or her designee shall maintain a record of all property numbers for the county.
- C. The Director of Pike County 911 or his or her designee may make available to public agencies, such as those responsible for emergency services, tax officials and the post office such part of the records of property number assignments as may be required to accomplish a public purpose.

## **ARTICLE 5. A-R AGRICULTURAL AND RESIDENTIAL**

### **Sec. 501. Purpose.**

A-R Zoning Districts are intended to establish and preserve quiet areas where the primary activities are those of farming, agriculture, livestock, animal husbandry, timber cultivation and related uses consistent with responsibly maintaining the land resources of the county reserved for these purposes through best management practices, etc. Residences of a low-density nature which are compatible with these activities are also permitted. These districts are free from other uses which are incompatible with a low-density, agricultural-residential neighborhood.

### **Sec. 502. Boundaries of A-R districts.**

The official map (section 2301 of this ordinance) shows the boundaries of all A-R districts within Pike County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **Sec. 503. Permitted uses.**

- A. The following principal uses are permitted in A-R districts:
1. Site-built, single-family detached dwelling with a heated floor area of at least one thousand five hundred (1,500) square feet.
  2. Industrialized home, single-family detached dwelling with a heated floor area of at least one thousand five hundred (1,500) square feet.
  3. Conservation Subdivision.
  4. Local, state, or federal government building.
  5. Garden, crop growing.
  6. Publicly owned and operated park or recreation area.
  7. Agriculture.
  8. Livestock on tracts of land having a minimum lot size of five (5) acres.
  9. Class A manufactured home with a heated floor area of at least one thousand five hundred (1,500) square feet. Must be on permanent foundation.
  10. Class B manufactured homes are allowed with an approved administrative variance having a minimum heated floor area of at least one thousand five hundred (1,500) square feet. Must be on permanent foundation.
  11. Shrubbery sales, greenhouses and plant nurseries (commercial) provided no heavy equipment shall be permitted.
  12. Barndominium that meets the following criteria:
    - a. Roof pitch of the dwelling with a minimum vertical rise of four (4) feet for each twelve (12) feet of horizontal run.

- 
- b. A porch of a depth of at least five (5) feet located on the front of the structure.
    - c. At least a three (3) foot water table shall be constructed of brick, stone or stucco on all sides ~~of the structure.~~ [Visible from the right of way.](#)
  13. Private shooting preserve, meeting the County definition and the requirements of Title 27 of the Georgia Code.
  14. Seasonal, light intensity, agritourism uses, offering agricultural products for sale to the public:
    - (a) Christmas Tree Farms.
    - (b) Pick-your-own Farms.
    - (c) Firewood Sales.
  15. Pet Breeder (domestic animals), not to exceed 5 adult breeding animals.
- B. The following principal uses are permitted as special use permits in A-R districts:
1. Church, synagogue, chapel, or other place of religious worship including educational building, parsonage, church-related nursery or kindergarten, and other related uses meeting the following development standards:
    - a. It must be located on either an arterial or collector road.
    - b. The lot must have a minimum road frontage of two hundred (200) feet.
    - c. The lot must have an area of at least three (3) acres.
    - d. All buildings must be located at least fifty (50) feet from any property line.
    - e. A twenty (20) buffer must be provided along all side and rear property lines.
  2. Day care center meeting the following development standards:
    - a. Compliance with the rules promulgated by the Georgia Department of Human Resources where applicable.
    - b. A twenty (20) foot buffer must be provided along all side and rear property lines.
  3. School—Elementary, middle, high—Public or private.
    - a. A twenty (20) foot buffer must be provided along all side and rear property lines.
    - b. May include administrator's residence for private school.
  4. Golf course—Public or private—Meeting the following development standards:
    - a. It must be for daytime use only.
    - b. All buildings, greens, and fairways must be set back at least (100) feet from any property line.
  5. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers, limited to those towers outlined in Chapter 113 of the Pike County Code.
  6. Airport, private—Paved or unpaved.
  - 6'. Airstrip, private as defined in section 202 that meets the following criteria:
    - a. An area designated for the take-off and landing of private, noncommercial aircraft.
-

- 
- b. No terminal facilities; and
    - c. No scheduled take-offs and landings.
  7. Ambulance or emergency service.
    - a. A twenty (20) foot buffer must be provided along all side and rear property lines.
  8. Kennel of a commercial nature meeting the following development standards:
    - a. All structures must be set back two hundred (200) feet from all property lines.
  9. Private club or lodge.
  10. Library.
    - a. A buffer (as provided by section 405) must be provided along all side and rear property lines.
  11. Cemetery.
  12. Group home, transitional as defined in section 202 that meets the following criteria:
    - a. Minimum lot size: five (5) acres.
    - b. Minimum house size:
      - i. "Resident" includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
      - ii. For no more than three (3) residents: One thousand five hundred (1,500) square feet, with at least one (1) bathroom.
      - iii. For no more than six (6) residents: Two thousand (2,000) square feet, with at least two (2) bathrooms.
      - iv. For no more than nine (9) residents: Two thousand five hundred (2,500) square feet, with at least three (3) bathrooms.
    - c. Compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126 et seq.
    - d. Certificate of inspection and approval by the state fire marshal and building inspector.
    - e. Occupancy requirements:
      - i. No more than three (3) residents may occupy a single bedroom.
  13. Development of natural resources including the removal of minerals and natural materials. This includes appurtenant buildings and machinery. Such an activity must meet the following development standards:
    - a. At the time of application for the building permit, the owners or operators of the quarry must present to the administrative officer documentation which confirms that a permit has been issued in accordance with the Georgia Surface Mining Act of 1968, as amended.
  14. Bed and breakfast.
  15. Campground, religious.
  16. Privately owned park or recreation area, meeting the following development standards:
    - a. Location on arterial or collector street: Any park or recreation area must be located on a street or road, arterial (section 202) or street or road, collector (section 202).
-

- 
- b. Required minimum frontage width: Two hundred (200) feet.
  - c. Minimum lot size: Twenty (20) acres.
  - d. Minimum setback:
    - i. Structures to be used for events: One hundred (100) feet from each property line.
    - ii. Other structures: Fifty (50) feet from each property line.
    - iii. Athletic fields: Fifty (50) feet from each property line.
  - e. Required buffer: Twenty (20) feet along all side and rear property lines.
  - f. Lighting: All lighting structures or facilities must have a minimum setback of fifty (50) feet from each property line and be constructed in a manner to not impact adjoining properties.
  - g. Limitation of hours of operation: All outside events must commence after 8:00 a.m. and conclude prior to 11:00 p.m.
  - h. Parking: Parking facilities shall be provided as required in Article 27, Standards for Off-Street Parking and Service Facilities, with all parking areas paved according to county standards and requirements.
  - i. Ingress and egress: Entrances and exits, including acceleration or deceleration lanes, shall be provided by the developer as approved by the county.
  - j. Preapplication conference: Prior to filing a formal application for a privately owned recreation area, the applicant shall meet with the zoning administrator to review the general character of the proposed development and the applicant will be advised of the approval procedures and information required for approval.
  - k. Development plan: A development plan shall be required for a privately owned recreation area pursuant to section 412.
  - l. Summary of intent: A written statement shall be provided with the development plan which includes the following information:
    - i. A statement of the present ownership of all land within the proposed development.
    - ii. An explanation of the character of the development, including the types and densities of use and structures.
    - iii. A statement of the proposed development schedule.
    - iv. Agreements, provisions, and covenants governing the use and maintenance of the development, and any common or open space.
  - m. Revision of development plan: Any change in the approved development plan, affecting the intent and character of the development, the density or land use pattern, or other substantial changes, must be approved by the board of commissioners upon the recommendation of the board of zoning appeals.
17. Riding academies and other facilities which host equestrian events, including but not limited to exhibitions or competitions where performers or competitors ride, rope, wrestle, or corral horses, cattle, swine, or other livestock or any other exhibitions or competitions involving livestock of any nature.
18. Nursing home/hospice, when associates with approved nursing homes.
-

- 
19. Personal care home as defined in section 202 that meets the following criteria:
    - a. Minimum lot size: Five (5) acres.
    - b. Minimum house size:
      - i. For no more than four (4) residents: One thousand seven hundred fifty (1,750) square feet.
      - ii. For no more than six (6) residents: Two thousand five hundred (2,500) square feet.
      - iii. For no more than eight (8) residents: Three thousand (3,000) square feet.
      - iv. "Resident" includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
    - c. Compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126 et seq.
    - d. Compliance with the requirements of all regulations of the Georgia Department of Community Health governing the operation of a personal care home.
    - e. Certificate of inspection and approval by the state fire marshal and building inspector.
    - f. Occupancy requirements:
      - i. The licensee authorized by the Georgia Department of Community Health to operate the family personal care home must maintain their domicile at the address at which the family personal care home is permitted; in the event the licensee is a corporation or partnership, at least one (1) officer, director or partner must maintain their domicile at the address at which the family personal care home is located; and
      - ii. No more than two (2) residents may occupy a single bedroom.
    - g. Issuance of a business license for the operation of the facility by Pike County.
  20. Utility substation meeting the following development standards:
    - a. Structures must be placed at least thirty (30) feet from all property lines.
    - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
    - c. No vehicles or equipment may be stored on the lot.
    - d. A buffer, as provided in section 405, must be maintained along the side and rear property lines.
  21. Child caring institution as defined in section 202 that meets the following criteria:
    - a. Minimum lot area: As required by section 504(B).
    - b. Minimum heated floor area: As required by section 504(A).
    - c. Compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126, et seq.
    - d. Compliance with the requirements of any and all regulations of the Georgia Department of Human Resources governing the operation of a child caring institution.
    - e. Certificate of inspection and approval by the state fire marshal and building inspector.
  23. Event center, rural, meeting the following development standards:
    - a. Minimum lot size: Twenty-five (25) acres.
-

- 
- b. Must be located on a public, paved road.
  - c. Maximum event size: Two hundred (200) guests.
  - d. Setbacks: All structures (permanent or temporary) and all outdoor activities must be located two hundred (200) feet from any exterior property boundary.
  - e. Hours of operation: No events may be conducted between 11:00 p.m. and 8:00 a.m.
  - f. Parking: Parking facilities shall be provided as required in Appendix G, Standards for Off-Street Parking and Service Facilities, with all parking areas paved according to county standards and requirements.
  - g. Outdoor lighting: All lighting structures or facilities must have a minimum setback of fifty (50) feet from each property line and have full-cutoff fixtures with property line shields to prevent impact to adjoining properties.
  - h. Sanitary facilities: As required by the Pike County Health Department; and
  - i. Submission of a site plan indicating the location of permanent and temporary structures and outdoor activities, which shall include a traffic control plan for the ingress and egress of emergency vehicles and the orderly and safe arrival and departure of all vehicles which shall be made a condition of approval.
24. Taxidermy business meeting the following development standards:
- (a) All new structures must be at least 50 feet from all property lines.
  - (b) Animal waste cannot be buried or burned on the property, unless permitted by state and/or federal regulations.
  - (c) Individuals maintaining taxidermy businesses must obtain a license from the Georgia Department of Natural Resources and must follow the requirements of Georgia Code Section 27-2-9.
25. Commercial grade chicken houses, commercial poultry and ratite farms.
26. Deer cooler meeting the following development standards:
- (a) All new structures must be at least 50 feet from all property lines.
  - (b) Animal waste cannot be buried or burned on property, unless permitted by state and/or federal regulations.
  - (c) Individuals maintaining deer coolers must obtain a permit from the Georgia Department of Natural Resources; and
  - (d) Individuals maintaining deer coolers must purchase a business license annually.
27. Public shooting preserve, meeting the following development standards:
- (a) Public shooting preserves shall be located on a minimum 25-acre parcel.
  - (b) All shooting areas shall be setback at least 200 feet from all property lines, including right-of-way lines.
  - (c) The public shooting preserve shall be posted "No Trespassing-Danger- Shooting Preserve" at 200-foot intervals around the perimeter of the preserve property.
  - (d) A site plan shall be submitted to the County, which shows the location of shooting areas, parking, etc.
-



- 
28. Shooting range, outdoor, meeting the following development standards:
- (a) Outdoor shooting ranges shall be located on a minimum 25-acre parcel.
  - (b) All shooting areas shall be setback at least 200 feet from all property lines, including right-of-way lines.
  - (c) The outdoor shooting range shall be posted "No Trespassing-Danger-Shooting Preserve" at 200-foot intervals around the perimeter of the preserve property.
  - (d) A site plan shall be submitted to the County, which shows the location of shooting areas, parking, targets, backstops, etc.
  - (e) At least one qualified individual in the sponsoring club or organization shall be properly certified for shooting range supervision. Each facility shall adopt safety rules and regulations subject to review by the County.
  - (f) Shooting range design and operation shall conform to the most current standards of the National Rifle Association (NRA) Range Sourcebook, including minimum height standards for earthen embankments behind shooting range targets.
  - (g) Outdoor shooting ranges shall be subject to pre-range lead testing and subsequent lead testing thereafter, and the range shall have necessary lead management and lead removal procedures in place.
  - (h) An accessory retail store is allowed in conjunction with the shooting range, but no service or sales of alcoholic beverages shall be allowed on the shooting range property.
  - (i) The outdoor shooting range shall be covered by accident and liability insurance, amount to be determined by Pike County.
29. Pet Breeder (Domestic Animals), exceeding 5 adult breeding animals.
30. Animal Shelter, meeting State requirements.
31. Rescue Group (for animals), meeting State requirements.
32. Medium to high intensity agritourism uses, including, but not limited to:
- (a) Petting Zoos
  - (b) Rodeos / Horse Shows
  - (c) Domestic Winery
  - (d) Farmer's Market
  - (e) Agricultural Museum or other related public exhibit.
33. Class C manufactured home with a heated floor area of at least 1500 square feet.
- C. The following accessory uses are permitted in A-R districts:
- 1. Private garage or carport.
  - 2. Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds.
  - 3. Structure for a children's playhouse and the storage of children's play equipment.
  - 4. Private swimming pool and bath house or cabana meeting the following development standards:
-

- 
- a. All such swimming pools must meet the specifications of the Standard Swimming Pool Code (SBCCI).
  5. Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten (10) feet high.
  6. Garden, including a greenhouse and other customary garden structures. Produce and/or plants grown in garden. ~~shall not be sold from property unless otherwise permitted in this ordinance.~~
  7. Deck, patio, barbecue grill, or other such facility.
  8. Temporary building for storage of materials meeting the following development standards:
    - a. Permitted only in conjunction with construction of a building.
    - b. Allowed either on the same lot where construction is taking place or on an adjacent lot.
    - c. Such a use must be terminated upon completion of construction.
  9. Sign as permitted by the Pike County Sign Ordinance (Appendix E).
  10. Roadside stands for the sale of agricultural products grown on the premises, but not to exceed five hundred (500) square feet in floor area.
  11. Home occupation, minor.
  12. Recreational vehicles as temporary housing.
    - a. Building permit is required.
    - b. Allowed for twelve (12) months in conjunction with a building permit for a principal dwelling on the subject property.
    - c. Approval from the Planning and Development Director.
    - d. Approval from Pike County Health Department for water and wastewater services.
  13. Foster home.
  14. Mother-in-law suite/Guest quarters. See Section 203 for requirements.
  15. Shipping container, temporary.
  16. *Fowl (chickens)*: The raising and keeping of no more than ~~four~~ ~~twenty-five~~ (425) chickens on a lot consisting of a minimum of ~~three~~ ~~five~~ (35) acres. ~~provided compliance with the following:~~
    - a. ~~No roosters shall be allowed.~~
    - b. ~~Chicken must be kept in a fenced area in the rear yard at least twenty (20) feet from any property line.~~
    - c. ~~Chicken coops may be no more than six (6) feet in height.~~
    - d. ~~All coops and surrounding areas are to be properly maintained and kept clean so as not to become a nuisance. Coops and feed are to be secured at all times to prevent any potential nuisance with mice or other rodents and pests.~~
    - e. ~~Chicken shall only be permitted for pets or for egg production; the chickens shall not be kept for slaughter.~~
-

- 
17. The parking of unoccupied travel trailer or motor coach and/or pleasure boat in the side or rear yard only [for lot less than 5 acres](#).
- D. The following accessory uses are permitted as special use permits in A-R districts:
1. Recreational vehicle for temporary use in case of certified hardship meeting the following development standards:
    - a. A person having a certified hardship shown according to the procedure contained in this section and meeting any one (1) of the following conditions may apply to the planning and zoning board for the special use permit.
      - (i) The applicant for the special use permit is to be the owner and occupant of the temporary unit and is physically or mentally disabled and requires frequent attendance by others for medical or physical care.
      - (ii) The applicant for the special use permit is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically or mentally disabled and requires frequent attendance by others for medical or physical care.
      - (iii) The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant/owner's family and is physically or mentally disabled and requires frequent attendance by others for medical or physical care.
    - b. In order to determine if the need for the special use permit presented by the applicant is a certified hardship, the planning and zoning board will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The letter from a doctor must be presented prior to the Planning and Zoning Board meeting.
    - c. The procedure for applying for a special use permit for a recreational vehicle for certified hardship is as follows:
      - (a) Application should be made to the Planning and Development Department for the special use permit for a recreational vehicle for certified hardship.
      - (b) The Planning and Development Department will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he understands and will abide by those conditions if issued the special use permit.
      - (c) The planning and zoning board will consider each application, and upon determining that all requirements have been met for such a permit, will issue the special use permit.
    - d. Upon being granted a special use permit to allow a recreational vehicle for certified hardship, the applicant must then apply to the administrative officer for a building permit for the installation of the temporary recreational vehicle. The procedure is as follows:
      - (a) Plans for a water/well and sewage/septic system suitable for the recreational vehicles proposed to be installed on the site must be submitted to the Pike County Health Department for its review and approval.
      - (b) Upon securing concurrence of the county health department of the proposed water and sewage systems to serve the proposed temporary recreational vehicle, the owner should present evidence of such approval to the administrative officer and apply for a building
-

- 
- permit for installation of the proposed temporary unit, including the water and sewage systems.
- (c) Upon approval of the administrative officer and receipt of the building permit, the owner should proceed with installation of the proposed temporary recreational vehicle, including water and sewage systems. The administrative officer will provide required inspections of these systems during and upon completion of construction.
- e. The following conditions apply to special use permit permits issued for temporary use of a recreational vehicle for hardship:
- (a) It is temporary and valid only for a period of twenty-four (24) months or whenever the conditions for which the permit was granted cease to exist.
  - (b) Any permit for a recreational vehicle for temporary use in case of certified hardship shall be valid for the calendar year in which such permit is first issued, and thereafter, such permit may be renewed annually upon submission of medical documentation attesting the continuation of the certified hardship in a form sufficient to satisfy the requirements of section 503.D.2.b. Notice that the certified hardship has ceased must be given within thirty (30) days of the date on which such certified hardship terminated.
  - (c) A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems, and the temporary recreational vehicle. That development plan must be approved by the planning and zoning board before issuing the temporary special use permit.
  - (d) During its period of approval, the temporary recreational vehicle must be connected to the approved water and sewage systems.
  - (e) The temporary recreational vehicle must be removed within thirty (30) days of either the expiration of the special use permit for the temporary manufactured home or upon finding of the planning and zoning board, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the special use permit was granted no longer exists—Whichever is earlier.
  - (f) No more than one (1) such unit is permitted per lot.
  - (g) The unit must be located entirely within the rear or side yard of the principal dwelling, as shown on the approved development plan.
2. Airport, private—Paved or unpaved.
3. Home occupation, general, excluding garage, repair garage, kennel, shooting range and such other proposed uses that may conflict or be inconsistent with existing nearby development or pose a threat to the public health and safety of residents of nearby properties.
4. Home occupation, event center, rural, meeting the following development standards:
- a. Minimum lot size: Twenty-five (25) acres.
  - b. Must be located on a public, paved road.
  - c. Maximum event size: Two hundred (200) guests.
  - d. Setbacks: All structures (permanent or temporary) and all outdoor activities must be located two hundred (200) feet from any exterior property boundary.
-

- e. Hours of operation: No events may be conducted between 11:00 p.m. and 8:00 a.m.
- f. Parking: Parking facilities shall be provided as required in Article 27, Standards for Off-Street Parking and Service Facilities, with all parking areas paved according to county standards and requirements.
- g. Outdoor lighting: All lighting structures or facilities must have a minimum setback of fifty (50) feet from each property line and have full-cutoff fixtures with property line shields to prevent impact to adjoining properties.
- h. Sanitary facilities: As required by the Pike County Health Department; and
- i. Submission of a site plan indicating the location of permanent and temporary structures and outdoor activities, which shall include a traffic control plan for the ingress and egress of emergency vehicles and the orderly and safe arrival and departure of all vehicles which shall be made a condition of approval.

5. Short-term vacation rentals of an accessory dwelling on lots larger than five (5) acres in size. The maximum length of each stay shall not exceed fourteen (14) consecutive days. See definition in Article 2

- E. All accessory uses must meet the following standards:
  - 1. They must be located in the side or rear yard, except on tracts of five (5) or more acres.
  - 2. Accessory structures may be located up to ten (10) feet from the side and rear property lines.
  - 3. They may not be located in any front yard, except on tracts of five (5) or more acres.
  - 4. Accessory buildings and structures not attached to the principal building must be located at least ten (10) feet from the principal building on the lot.
  - 5. An accessory building, except for dwellings such as guest quarters and mother-in-law suites, erected on a lot prior to the time of construction of the principal building must be located on lots five (5) acres or more and can be located towards the front of the principal building.
- F. Any similar or compatible use not listed within the permitted uses section will at the discretion of the Zoning Administrator be presented as a special use permit and follow the procedures for a special use permit.

**Sec. 504. Development standards for A-R districts.**

In addition to the development standards contained in Article 4 of this ordinance, the following standards are required within A-R districts:

A.	<i>Minimum heated floor area per dwelling unit:</i>	One thousand five hundred (1,500) square feet.
B.	Minimum lot area:	Five (5) acres; however, a lot of record lawfully existing at the time of passage of this ordinance and having an area which does not conform to the above standards may nevertheless be developed with a use which is permitted within an A-R district if approved by the Pike County Health Department. New Major Subdivisions: Ten (10) acre minimum per lot

C.	<i>Minimum lot width:</i>	Two hundred (200) feet.
D.	<i>Minimum front-yard setback:</i>	One hundred (100) feet from right-of-way
E.	<i>Minimum side-yard setback:</i>	Thirty (30) feet.
F.	<i>Minimum rear-yard setback:</i>	Thirty (30) feet.
G.	<i>Maximum building height:</i>	Thirty-five (35) feet.
H.	<i>Sewage System:</i>	Septic tank permitted
I.	<i>Water System:</i>	Well or county water

- J. *Minimum frontage width:* Two hundred (200) feet, provided that frontage width shall be reduced to thirty-five (35) feet for lots abutting the turnaround portion of dead-end streets (cul-de-sac).
- K. *Sight distance:* Within thirty (30) feet of the pavement edge, plants cannot be of a type which will exceed a height of thirty (30) inches at maturity and/or a trunk diameter of four (4) inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guard rail or some other suitable type barrier beyond thirty (30) feet from pavement edge. Almost any type of planted vegetation is permissible.
- L. *Applicability to land and open space:* No building, structure or land may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified for the district in which it is located.
- M. *Every use must be on a lot:* No building or structure may be erected, or use established unless upon a lot as defined by this ordinance.
- N. *Only one principal building per lot:* Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- O. *Open space not to be encroached upon:* No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in article 2) are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- P. *Reduction of yards or lot area:* Except as otherwise provided in this chapter, no lot existing at the time of passage of this chapter may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this chapter for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- Q. *Lots with multiple frontage:* In the case of a corner lot or double frontage lot, the front yard setback shall be a minimum of one hundred (100) feet. The setback applicable to any other portion of the lot which abuts a street shall be a minimum of fifty (50) feet. For purposes of this section, the front yard setback shall apply to that side of the lot which must comply with the minimum frontage width required in this district.
- R. *Landlocked lots:* In case of a landlocked lot (a lot without direct access to a public street or road) lawfully existing as of the effective date of this ordinance, the property owner is entitled to one (1) building permit, as long as all of the following requirements are met:
1. No other principal building exists or is being constructed on the property.
  2. No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid.
  3. The property was and continues to be under single ownership since the effective date of this ordinance.

- 
4. The property owner has acquired a forty-foot (40') easement to a county, or state-maintained street or road, and the easement has been duly recorded and made a part of the property deed.
  5. In the event the property is divided, no additional permits will be issued.
- S. *Flag (Panhandle) lots*: Flag lot that are a part of a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. Flag lots in major subdivisions shall be limited to a maximum of 20% of the total number of lots. There is no separation requirement or number limitation for flag lots that are part of a minor subdivision/lot division. The minimum road frontage for all flag lots shall be forty (40) feet.
  - T. *Yards and other spaces*: No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
  - U. *Substandard lots*: Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications:
    1. *Single lots*: When a lot has an area or frontage, which does not conform with the requirements of the district in which it is located, but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
  - V. *Encroachment on public rights-of-way*: No building, structure, service area, required off-street parking, or loading/unloading facilities are permitted to encroach on public rights-of-way.
  - W. *Physical design standards*: Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of Pike County. Consult that document for specific requirements.
  - X. *Off-street parking and service requirements*: Minimum standards for off-street parking and service requirements are contained in the Pike County Standard for Off-Street Parking (Article 27).
  - Y. *Other applicable development regulations*: Information concerning any other applicable development regulations may be obtained by consulting the administrative officer.
  - Z. *Signs*: Minimum design and location standards for signs are contained in the Pike County Sign Requirements (Article 25). Consult that article for specific requirements.
-

## **ARTICLE 6. RR RURAL RESIDENTIAL**

### **Sec. 601. Purpose.**

RR zoning districts are intended to establish and preserve low to medium density residential areas on larger tracts to preserve the rural character of the district. These districts are free from other uses which are incompatible with low to medium density residential areas.

### **Sec. 602. Boundaries of RR districts.**

The official map (section 2301 of this ordinance) shows the boundaries of all RR districts within Pike County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **Sec. 603. Permitted uses.**

A. The following principal uses are permitted in RR districts:

1. Site-built, single-family detached dwelling with a heated floor area of at least one thousand eight hundred (1,800) square feet.
2. Local, state, or federal government building.
3. Industrialized home, single-family detached dwelling with a heated floor area of at least one thousand eight hundred (1,800) square feet.
4. Publicly owned and operated park or recreation area.
5. Conservation subdivision.
- ~~6. Class A manufactured home with a heated floor area of at least one thousand eight hundred (1,800) square feet. Must be on permanent foundation.~~
- ~~7. Class B manufactured homes are allowed with an approved administrative variance having a minimum heated floor area of at least one thousand eight hundred (1,800) square feet. Must be on permanent foundation.~~
- ~~8. Barndominium that meets the following criteria:
  - ~~a. Roof pitch of the dwelling with a minimum vertical rise of four (4) feet for each twelve (12) feet of horizontal run.~~
  - ~~b. A porch of a depth of at least five (5) feet located on the front of the structure.~~
  - ~~c. At least a three (3) foot water table shall be constructed of brick, stone or stucco on all sides of the structure.~~~~

B. The following principal uses are permitted as special use permits in RR districts:

1. Church, synagogue, chapel, or other place of religious worship or educational instruction meeting the following development standards:
  - a. It must be located on either an arterial or collector road.
  - b. The lot must have a minimum road frontage of one hundred seventy-five (175) feet.
  - c. The lot must have an area of at least three (3) acres.
  - d. All buildings must be located at least fifty (50) feet from any property line.



- 
- e. A twenty (20) foot buffer must be provided along all side and rear property lines.
  2. Day care center meeting the following development standards:
    - a. Compliance with the rules promulgated by the Georgia Department of Human Resources where applicable.
    - b. A twenty (20) foot buffer must be provided along all side and rear property lines.
  3. School—Elementary, middle, high—public or private.
    - a. A twenty (20) foot buffer must be provided along all side and rear property lines.
    - b. May include administrator's residence for private school.
  4. Golf course, public or private meeting the following development standards:
    - a. It must be for daytime use only.
    - b. All buildings, greens, and fairways must be set back at least one hundred (100) feet from any property line.
  5. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers.
  6. Cemetery.
  7. Utility substation meeting the following development standards:
    - a. Structures must be placed at least thirty (30) feet from all property lines.
    - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
    - c. No vehicles or equipment may be stored on the lot.
    - d. A buffer, as provided in section 405, must be maintained along the side and rear property lines.
  8. Personal care home as defined in section 202 that meets the following criteria:
    - a. Minimum lot size: three (3) acres.
    - b. Minimum house size:
      - i. For no more than four (4) residents: One thousand eight hundred fifty (1,800) square feet.
      - ii. For no more than six (6) residents: Two thousand five hundred (2,500) square feet.
      - iii. For no more than eight residents: Three thousand (3,000) square feet.
      - iv. "Resident" includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
    - c. Compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126 et seq.
    - d. Compliance with the requirements of all regulations of the Georgia Department of Community Health governing the operation of a personal care home.
    - e. Certificate of inspection and approval by the fire marshal and building inspector.
    - f. Occupancy requirements:
      - i. The licensee authorized by the Georgia Department of Community Health to operate the family personal care home must maintain their domicile at the address at which the family personal care home is permitted; in the event the licensee is a corporation or partnership,
-

---

at least one (1) officer, director or partner must maintain their domicile at the address at which the family personal care home is located; and

- ii. No more than two (2) residents may occupy a single bedroom.
- g. Issuance of a business license for the operation of the facility by Pike County.

C. The following accessory uses are permitted in RR districts:

1. Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds.
  2. Structure for a children's playhouse and the storage of children's play equipment.
  3. Private swimming pool and bath house or cabana meeting the following development standards:
    - a. All such swimming pools must meet the specifications of the Standard Swimming Pool Code (SBCCI).
  4. Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten (10) feet high.
  5. Garden, including a greenhouse and other customary garden structures. Produce and/or plants grown in garden shall not be sold from property unless otherwise permitted in this ordinance.
  6. Deck, patio, barbecue grill, or other such facility.
  7. *Fowl (chickens)*: The raising and keeping of no more than ~~four~~ ten(410) chickens on a lot consisting of a minimum of one (1) acre provided compliance with the following:
    - ~~a. No roosters shall be allowed.~~
    - ab. Chicken must be kept in a fenced area in the rear yard at least twenty (20) feet from any property line.
    - ~~c. Chicken coops may be no more than six (6) feet in height.~~
    - ~~d. All coops and surrounding areas are to be properly maintained and kept clean so as not to become a nuisance. Coops and feed are to be secured at all times to prevent any potential nuisance with mice or other rodents and pests.~~
    - ~~e. Chicken shall only be permitted for pets or for egg production; the chickens shall not be kept for slaughter.~~
  8. Temporary building for storage of materials meeting the following development standards:
    - a. Permitted only in conjunction with construction of a building.
    - b. Allowed either on the same lot where construction is taking place or on adjacent lots.
    - c. Such a use must be terminated upon completion of construction.
  9. Sign as permitted by the Pike County Sign Ordinance in Article 26
  10. Home occupation, minor.
  11. Garden, crop growing.
  12. Recreational vehicles as temporary housing.
    - a. Building permit is required.
-

- 
- b. Allowed for twelve (12) months in conjunction with a building permit for a principal dwelling on the subject property.
  - c. Approval from the Planning and Development Director.
  - d. Approval from Pike County Health Department for water and wastewater services.
- 13. Foster home.
  - 14. Mother-in-law suite/Guest quarters See Section 203 for requirements.
  - 15. Shipping container, temporary.
  - 16. The parking of one (1) unoccupied travel trailer or motor coach and one (1) pleasure boat in the side or rear yard only.
- D. The following accessory uses are permitted as special use permits in RR districts:
- 1. Recreational vehicle for temporary use in case of certified hardship meeting the following development standards:
    - a. A person having a certified hardship shown according to the procedure contained in this section and meeting any one (1) of the following conditions may apply to the planning and zoning board for the special use permit.
      - (i) The applicant for the special use permit is to be the owner and occupant of the temporary unit and is physically or mentally disabled and requires frequent attendance by others for medical or physical care.
      - (ii) The applicant for the special use permit is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically or mentally disabled and requires frequent attendance by others for medical or physical care.
      - (iii) The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant/owner's family and is physically or mentally disabled and requires frequent attendance by others for medical or physical care.
    - b. In order to determine if the need for the special use permit presented by the applicant is a certified hardship, the planning and zoning board will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The letter from a doctor must be presented prior to the Planning and Zoning Board meeting.
    - c. The procedure for applying for a special use permit for a recreational vehicle for certified hardship is as follows:
      - (a) Application should be made to the Planning and Development Department for the special use permit for a recreational vehicle for certified hardship.
      - (b) The Planning and Development Department will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he understands and will abide by those conditions if issued the special use permit.
      - (c) The planning and zoning board will consider each application, and upon determining that all requirements have been met for such a permit, will issue the special use permit.

- 
- d. Upon being granted a special use permit to allow a recreational vehicle for certified hardship, the applicant must then apply to the administrative officer for a building permit for the installation of the temporary manufactured home. The procedure is as follows:
    - (a) Plans for a water/well and sewage/septic system suitable for the recreational vehicles proposed to be installed on the site must be submitted to the Pike County Health Department for its review and approval.
    - (b) Upon securing concurrence of the county health department of the proposed water and sewage systems to serve the proposed temporary recreational vehicle, the owner should present evidence of such approval to the administrative officer and apply for a building permit for installation of the proposed temporary unit, including the water and sewage systems.
    - (c) Upon approval of the administrative officer and receipt of the building permit, the owner should proceed with installation of the proposed temporary recreational vehicle, including water and sewage systems. The administrative officer will provide required inspections of these systems during and upon completion of construction.
  - e. The following conditions apply to special use permit permits issued for temporary use of a recreational vehicle for hardship:
    - (a) It is temporary and valid only for a period of time of twenty-four (24) months or whenever the conditions for which the permit was granted cease to exist.
    - (b) Any permit for a recreational vehicle for temporary use in case of certified hardship shall be valid for the calendar year in which such permit is first issued, and thereafter, such permit may be renewed annually upon submission of medical documentation attesting the continuation of the certified hardship in a form sufficient to satisfy the requirements of section 503.D.2.b. Notice that the certified hardship has ceased must be given within thirty (30) days of the date on which such certified hardship terminated.
    - (c) A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems, and the temporary manufactured home. That development plan must be approved by the planning and zoning board before issuing the temporary special use permit.
    - (d) During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems.
    - (e) The temporary recreational vehicle must be removed within thirty (30) days of either the expiration of the special use permit for the temporary manufactured home or upon finding of the planning and zoning board, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the special use permit was granted no longer exists—Whichever is earlier.
    - (f) No more than one (1) such unit is permitted per lot.
    - (g) The unit must be located entirely within the rear or side yard of the principal dwelling, as shown on the approved development plan.
2. Home occupation, general, excluding garage, repair garage, kennel, shooting range and such other proposed uses that may conflict or be inconsistent with existing nearby development or pose a threat to the public health and safety of residents of nearby properties.
-

3. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers, limited to those towers outlined in Chapter 113 of the Pike County Code.
- E. All accessory uses must meet the following standards:
1. They must be located in the side or rear yard.
  2. Accessory structures may be located up to ten (10) feet from the side and rear property lines.
  3. Accessory buildings and structures not attached to the principal building must be located at least ten (10) feet from the principal building on the lot.
  4. Accessory buildings and structures that are attached to the principal building must match the existing exterior of the principal building.
  5. A primary structure must be built before any accessory structures are constructed.
- F. Any use similar or compatible not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special use permit and follow the procedures for a special use permit.

**Sec. 604. Development standards for RR districts.**

In addition to the development standards contained in article IV of this ordinance, the following standards are required within RR districts:

A.	<i>Minimum heated floor area per dwelling unit:</i>	One thousand eight hundred (1,800) square feet.
B.	Minimum lot area:	Three (3) acres; however, a lot of record lawfully existing at the time of passage of this ordinance and having an area which does not conform to the above standards may nevertheless be developed with a use which is permitted within an RR district if approved by the Pike County Health Department.
C.	<i>Minimum lot width:</i>	One hundred seventy-five (175) feet.
D.	<i>Minimum front-yard setback:</i>	Seventy-five (75) feet. <a href="#">a. All lots must be located within a subdivision which new streets are installed, no lots may access an existing road, except for minor subdivisions they are exempt from this requirement.</a>
E.	<i>Minimum side-yard setback:</i>	Thirty (30) feet.
F.	<i>Minimum rear-yard setback:</i>	Thirty (30) feet.
G.	<i>Maximum building height:</i>	Thirty-five (35) feet.
H.	<i>Sewage System:</i>	Septic tank permitted
I.	<i>Water System:</i>	Well or county water

- J. *Minimum frontage width:* One hundred seventy-five (175) feet, provided that frontage width shall be reduced to thirty-five (35) feet for lots abutting the turnaround portion of dead-end streets (cul-de-sac).
- K. *Sight distance:* Within thirty (30) feet of the pavement edge, plants cannot be of a type which will exceed a height of thirty (30) inches at maturity and/or a trunk diameter of four (4) inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guardrail or some other suitable type barrier beyond thirty (30) feet from pavement edge. Almost any type of planted vegetation is permissible.

- 
- L. *Applicability to land and buildings:* No building, structure or land may be used or occupied—And no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified for the district in which it is located.
- M. *Every use must be on a lot:* No building or structure may be erected, or use established unless upon a lot as defined by this ordinance.
- N. *Only one principal building per lot:* Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- O. *Open space not to be encroached upon:* No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in Article 2) are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- P. *Reduction of yards or lot area:* Except as otherwise provided in this ordinance, a lot existing at the time of passage of this ordinance may not be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- Q. *Lots with multiple frontage:* In the case of a corner lot or double frontage lot, the front yard setback shall be a minimum of seventy-five (75) feet. The setback applicable to any other portion of the lot which abuts a street shall be a minimum of fifty (50) feet. For purposes of this section, the front yard setback shall apply to that side of the lot which must comply with the minimum frontage width required in this district.
- R. *Landlocked lots:* In the case of a landlocked lot (a lot without direct access to a public street or road) lawfully existing as of the effective date of this ordinance, the property owner is entitled to one (1) building permit, as long as all of the following requirements are met:
1. No other principal building exists or is being constructed on the property.
  2. No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid.
  3. The property was and continues to be under single ownership since the effective date of this ordinance.
  4. The property owner has acquired a thirty-foot easement to a city-, county-, or state-maintained street or road, and the easement has been duly recorded and made a part of the property deed.
  5. In the event the property is divided, no additional permits will be issued.
- S. *Flag (Panhandle) lots:* Flag lots that are a part of a major subdivision, shall not have their access strips abut one another, nor have their access strips be closer than 400 feet apart. Flag lots in major subdivisions shall be limited to a maximum of 20% of the total number of lots. There is no separation requirement or number limitation for flag lots that are part of a minor subdivision/lot division. The minimum road frontage for all flag lots shall be forty (40) feet.
- T. *Yards and other spaces:* No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- U. *Substandard lots:* Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications:
-

- 
1. *Single lots*: When a lot has an area or frontage, which does not conform with the requirements of the district in which it is located, but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
- V. *Encroachment on public rights-of-way*: No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.
  - W. *Physical design standards*: Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of Pike County. Consult the administrative officer for specific requirements.
  - X. *Off-street parking and service requirements*: Minimum standards for off-street parking and service requirements are contained in the Pike County Standards for Off-Street Parking (Article 27).
  - Y. *Other applicable development regulations*: Information concerning any other applicable development regulations may be obtained by consulting the administrative officer.
  - Z. *Signs*: Minimum design and location standards for signs are contained in the Pike County Sign Requirements (Article 25). Consult that article for specific requirements.

## **ARTICLE 7. R-1 SINGLE-FAMILY RESIDENTIAL LOW DENSITY**

### **Sec. 701. Purpose.**

R-1 zoning districts are intended to establish and preserve quiet, medium-density neighborhoods of single-family residences as desired by large numbers of people. These districts are free from other uses which are incompatible with single-family homes.

### **Sec. 702. Boundaries of R-1 districts.**

The official map (section 2301 of this ordinance) shows the boundaries of all R-1 districts within Pike County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **Sec. 703. Permitted uses.**

A. The following principal uses are permitted in R-1 districts:

1. Site-built, single-family detached dwelling with a heated floor area of at least two thousand (2,000) square feet;
2. Local, state, or federal government building.
3. Publicly owned and operated park or recreation area.
4. Subdivision recreation area owned, operated, and maintained by a homeowner's association exclusively for the use of residents and their guests.
5. Conservation subdivision.
6. Industrialized home, single-family detached dwelling with a heated floor area of at least two thousand (2,000) square feet.

B. The following principal uses are permitted as special use permits in R-1 districts:

1. Church, synagogue, chapel, or other place of religious worship or educational instruction meeting the following development standards:
  - a. It must be located on either an arterial or collector road.
  - b. The lot must have a minimum road frontage of two hundred (200) feet.
  - c. The lot must have an area of at least three (3) acres.
  - d. All buildings must be located at least fifty (50) feet from any property line.
  - e. A twenty (20) foot buffer must be provided along all side and rear property lines.
2. Bed and breakfasts.
4. Utility substation meeting the following development standards:
  - a. Structures must be placed at least thirty (30) feet from all property lines.



- 
- b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
  - c. No vehicles or equipment may be stored on the lot.
  - d. A buffer, as provided in section 405, must be maintained along the side and rear property lines.
5. Personal care home as defined in section 202 that meets the following criteria:
- a. Minimum lot size: Two (2) acres;
  - b. Minimum house size:
    - i. For no more than four (4) residents: One thousand seven hundred fifty (2,000) square feet.
    - ii. For no more than six (6) residents: Two thousand five hundred (2,500) square feet.
    - iii. For no more than eight (8) residents: Three thousand (3,000) square feet.
    - iv. "Resident" includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
  - c. Compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126 et seq.
  - d. Compliance with the requirements of all regulations of the Georgia Department of Community Health governing the operation of a personal care home.
  - e. Certificate of inspection and approval by the fire marshal and building inspector.
  - f. Occupancy requirements:
    - i. The licensee authorized by the Georgia Department of Community Health to operate the family personal care home must maintain their domicile at the address at which the family personal care home is permitted; in the event the licensee is a corporation or partnership, at least one (1) officer, director or partner must maintain their domicile at the address at which the family personal care home is located; and
    - ii. No more than two (2) residents may occupy a single bedroom.
  - g. Issuance of a business license for the operation of the facility by Pike County; and
- C. The following accessory uses are permitted in R-1 districts:
- 1. Private garage or carport.
  - 2. Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds.
  - 3. Structure for a children's playhouse and the storage of children's play equipment.
  - 4. Private swimming pool and bath house or cabana meeting the following development standards:
    - a. All such swimming pools must meet the specifications of the Standard Swimming Pool Code (SBCCI).
  - 5. Personal garden
  - 6. Deck, patio, barbecue grill, or other such facility.
  - 7. Temporary building for storage of materials meeting the following development standards:
    - a. Permitted only in conjunction with construction of a building;
    - b. Allowed either on the same lot where construction is taking place or on adjacent lots;
-

- 
- c. Such a use must be terminated upon completion of construction.
  8. Sign as permitted by the Pike County Sign Ordinance Article 26.
  9. Home occupation, minor, excluding public garage, repair garage and kennel.
  10. Recreational vehicles as temporary housing.
    - a. Building permit is required.
    - b. Allowed for six (6) months in conjunction with a building permit for a principal dwelling on the subject property.
    - c. Approval from the Planning and Development Director.
    - d. Approval from Pike County Health Department for water and wastewater services.
  11. Foster home.
  12. Mother-in-law suite/Guest quarters. See Section 203 for requirements.
  13. *Fowl (chickens)*: The raising and keeping of no more than ~~four~~ ten (410) chickens on a lot consisting of a minimum of two (2) acre, provided compliance with the following:
    - ~~a. No roosters shall be allowed.~~
    - ~~b. Chicken must be kept in a fenced area in the rear yard at least twenty (20) feet from any property line.~~
    - ~~c. Chicken coops may be no more than six (6) feet in height.~~
    - ~~d. All coops and surrounding areas are to be properly maintained and kept clean so as not to become a nuisance. Coops and feed are to be secured at all times to prevent any potential nuisance with mice or other rodents and pests.~~
    - ~~e. Chicken shall only be permitted for pets or for egg production; the chickens shall not be kept for slaughter.~~
  14. The parking of one (1) unoccupied travel trailer or motor coach and one (1) pleasure boat in the side or rear yard only.
- D. The following accessory uses are permitted as special use permits in R-1 districts:
1. Home occupation, general, excluding garage, repair garage, kennel, shooting range and such other proposed uses that may conflict or be inconsistent with existing nearby development or pose a threat to the public health and safety of residents of nearby properties.
  2. Recreational vehicle for temporary use in case of certified hardship meeting the following development standards:
    - a. A person having a certified hardship shown according to the procedure contained in this section and meeting any one (1) of the following conditions may apply to the planning and zoning board for the special use permit.
      - (i) The applicant for the special use permit is to be the owner and occupant of the temporary unit and is physically or mentally disabled and requires frequent attendance by others for medical or physical care.
      - (ii) The applicant for the special use permit is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically or mentally disabled and requires frequent attendance by others for medical or physical care.
-

- 
- (iii) The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant/owner's family and is physically or mentally disabled and requires frequent attendance by others for medical or physical care.
  - b. In order to determine if the need for the special use permit presented by the applicant is a certified hardship, the planning and zoning board will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The letter from a doctor must be presented prior to the Planning and Zoning Board meeting.
  - c. The procedure for applying for a special use permit for a recreational vehicle for certified hardship is as follows:
    - (a) Application should be made to the Planning and Development Department for the special use permit for a recreational vehicle for certified hardship.
    - (b) The Planning and Development Department will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he understands and will abide by those conditions if issued the special use permit.
    - (c) The planning and zoning board will consider each application, and upon determining that all requirements have been met for such a permit, will issue the special use permit.
  - d. Upon being granted a special use permit to allow a recreational vehicle for certified hardship, the applicant must then apply to the administrative officer for a building permit for the installation of the temporary recreational vehicle. The procedure is as follows:
    - (a) Plans for a water/well and sewage/septic system suitable for the recreational vehicles proposed to be installed on the site must be submitted to the Pike County Health Department for its review and approval.
    - (b) Upon securing concurrence of the county health department of the proposed water and sewage systems to serve the proposed temporary recreational vehicle, the owner should present evidence of such approval to the administrative officer and apply for a building permit for installation of the proposed temporary unit, including the water and sewage systems.
    - (c) Upon approval of the administrative officer and receipt of the building permit, the owner should proceed with installation of the proposed temporary recreational vehicle, including water and sewage systems. The administrative officer will provide required inspections of these systems during and upon completion of construction.
  - e. The following conditions apply to special use permit permits issued for temporary use of a recreational vehicle for hardship:
    - (a) It is temporary and valid only for a period of time of twenty-four (24) months or whenever the conditions for which the permit was granted cease to exist.
    - (b) Any permit for a recreational vehicle for temporary use in case of certified hardship shall be valid for the calendar year in which such permit is first issued, and thereafter, such permit may be renewed annually upon submission of medical documentation attesting the continuation of the certified hardship in a form sufficient to satisfy the requirements of section 503.D.2.b. Notice that the certified hardship has ceased must be given within thirty (30) days of the date on which such certified hardship terminated.
-

- (c) A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems, and the temporary recreational vehicle. That development plan must be approved by the planning and zoning board before issuing the temporary special use permit.
  - (d) During its period of approval, the temporary recreational vehicle must be connected to the approved water and sewage systems.
  - (e) The temporary recreational vehicle must be removed within thirty (30) days of either the expiration of the special use permit for the temporary recreational vehicle. or upon finding of the planning and zoning board, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the special use permit was granted no longer exists—Whichever is earlier.
  - (f) No more than one (1) such unit is permitted per lot.
  - (g) The unit must be located entirely within the rear or side yard of the principal dwelling, as shown on the approved development plan.
3. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers, limited to those towers outlined in Chapter 113 of the Pike County Code.
- E. All accessory uses must meet the following standards:
- 1. They must be located in the side or rear yard.
  - 2. Accessory structures may be located up to ten (10) feet from the side and rear property lines.
  - 3. Accessory buildings and structures not attached to the principal building must be located at least ten (10) feet from the principal building on the lot.
  - 4. Accessory buildings and structures that are attached to the principal building must match the existing exterior of the principal building.
  - 5. Primary structure must be built before any accessory structures are constructed.
- F. Any use similar or compatible not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special use permit and follow the procedures for a special use permit.

**Sec. 704. Development standards for R-1 districts.**

In addition to the development standards contained in Article 4 of this ordinance, the following standards are required within R-1 districts:

A.	<i>Minimum heated floor area per dwelling unit:</i>	Two thousand (2,000) square feet.
B.	Minimum lot area:	Two (2) acres; however, a lot of record lawfully existing at the time of passage of this ordinance and having an area which does not conform to the above standards may nevertheless be developed with a use which is permitted within an R-1 district if approved by the Pike County Health Department.
C.	<i>Minimum lot width:</i>	One hundred fifty (150) feet.
D.	<i>Minimum front yard setback:</i>	1. Sixty (60) feet.
		a. All lots must be located within a subdivision which new streets are installed, no lots may access an

		existing road, <u>except for minor subdivisions they are exempt from this requirement.</u>
		b. The front yard must be fully sodded on each lot.
		c. Each lot must have a paved driveway.
E.	<i>Minimum side-yard setback:</i>	Twenty-five (25) feet.
F.	<i>Minimum rear-yard setback:</i>	Twenty-five (25) feet.
G.	<i>Maximum building height:</i>	Thirty-five (35) feet.
H.	<i>Sewage System:</i>	Septic tank permitted
I.	<i>Water System:</i>	Well or county water

- J. *Minimum frontage width:* Each lot shall have a minimum frontage width of at least one hundred-fifty (150) feet. Minimum frontage width shall be reduced to thirty-five (35) feet for lots abutting the turnaround portion of dead-end streets (cul-de-sac).
- K. *Site distance:* Within thirty (30) feet of the pavement edge, plants cannot be of a type which will exceed a height of thirty (30) inches at maturity and/or a trunk diameter of four (4) inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guardrail or some other suitable type barrier beyond thirty (30) feet from pavement edge. Almost any type of planted vegetation is permissible.
- L. *Applicability to land and buildings:* No building, structure or land may be used or occupied and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified for the district in which it is located.
- M. *Every use must be on a lot:* No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- N. *Only one principal building per lot:* Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- O. *Open space not to be encroached upon:* No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in Article 2) are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- P. *Reduction of yards or lot area:* Except as otherwise provided in this ordinance, a lot existing at the time of passage of this ordinance may not be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- Q. *Lots with multiple frontage:* In the case of a corner lot or double frontage lot, the front yard setback shall be a minimum of sixty (60) feet. The setback applicable to any other portion of the lot which abuts a street shall be a minimum of fifty (50) feet. For purposes of this section, the front yard setback shall apply to that side of the lot which must comply with the minimum frontage width required in this district.
- R. *Landlocked lots:* In the case of a landlocked lot (a lot without direct access to a public street or road) lawfully existing as of the effective date of this ordinance, the property owner is entitled to one (1) building permit, as long as all of the following requirements are met:
1. No other principal building exists or is being constructed on the property.

- 
2. No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid.
  3. The property was and continues to be under single ownership since the effective date of this ordinance.
  4. The property owner has acquired a thirty-foot easement to a city-, county-, or state-maintained street, and the easement has been duly recorded and made a part of the property deed.
  5. In the event the property is divided, no additional permits will be issued.
- S. *Flag (Panhandle) lots*: Flag lot are prohibited in this zoning district, unless necessary due to topographically constraints and they shall be limited to five (5) percent of total lots in the development.
- T. *Yards and other spaces*: No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- U. *Substandard lots*: Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications:
1. *Single lots*: When a lot has an area or frontage, which does not conform with the requirements of the district in which it is located, but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
- V. *Encroachment on public rights-of-way*: No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.
- W. *Physical design standards*: Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in Appendix B, Pike County Subdivision Ordinance. Consult that document for specific requirements.
- X. *Off-street parking and service requirements*: Minimum standards for off-street parking and service requirements are contained in the Pike County Standard for Off-Street Parking (Article 27).
- Y. *Other applicable development regulations*: Information concerning any other applicable development regulations may be obtained by consulting the administrative officer.
- Z. *Signs*: Minimum design and location standards for signs are contained in the Pike County Sign Requirements (Article 25). Consult that article for specific requirements.
-

## **ARTICLE 8. R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT**

### **Sec. 801. Purpose.**

R-2 zoning districts are intended to establish and preserve quiet, relatively high-density neighborhoods of single-family residences. These districts are free from other uses which are incompatible with single-family homes.

### **Sec. 802. Boundaries of R-2 Districts.**

The official map (section 2301 of this ordinance) shows the boundaries of all R-2 districts within Pike County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **Sec. 803. Permitted uses.**

- A. The following principal uses are permitted in R-2 districts:
1. Site-built, single-family detached dwelling with a heated floor area of at least two thousand two hundred (2,200) square feet.
  2. Industrialized home, single-family detached dwelling with a heated floor area of at least two thousand two hundred (2,200) square feet.
  3. Conservation Subdivision.
  4. Local, state, or federal government building.
  5. Publicly owned and operated park or recreation area.
- B. The following principal uses are permitted as special use permits in R-2 districts:
1. Church, synagogue, chapel, or other place of religious worship including educational buildings, parsonage, church-related nursery or kindergarten, and other related uses meeting the following development standards:
    - a. It must be located on either an arterial or collector road.
    - b. The lot must have a minimum road three (3) acres.
    - d. All buildings must be located at least fifty (50) feet from any property line.
    - e. A twenty (20) foot buffer must be provided along all side and rear property lines.
  3. Utility substation meeting the following development standards:
    - a. Structures must be placed at least thirty (30) feet from all property lines.
    - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
    - c. No vehicles or equipment may be stored on the lot.
    - d. A buffer, as provided in section 405, must be maintained along the side and rear property lines.
  5. Personal care home as defined in section 202 that meets the following criteria:

- 
- a. Minimum lot size: one (1) acres.
  - b. Minimum house size:
    - i. For no more than four (4) residents: two thousand two hundred (2,200) square feet.
    - ii. For no more than six (6) residents: Two thousand five hundred (2,500) square feet.
    - iii. For no more than eight (8) residents: Three thousand (3,000) square feet.
    - iv. "Resident" includes each personal care home client, caregiver and other adult or child that is domiciled in the dwelling.
  - c. Compliance with the requirements of the Americans with Disabilities Act, 42 U.S.C. § 126 et seq.
  - d. Compliance with the requirements of all regulations of the Georgia Department of Community Health governing the operation of a personal care home.
  - e. Certificate of inspection and approval by the fire marshal and building inspector.
  - f. Occupancy requirements:
    - i. The licensee authorized by the Georgia Department of Community Health to operate the family personal care home must maintain their domicile at the address at which the family personal care home is permitted; in the event the licensee is a corporation or partnership, at least one (1) officer, director or partner must maintain their domicile at the address at which the family personal care home is located; and
    - ii. No more than two (2) residents may occupy a single bedroom.
  - g. Issuance of a business license for the operation of the facility by Pike County; and
- C. The following accessory uses are permitted in R-2 districts:
- 1. Private garage or carport.
  - 2. Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds.
  - 3. Structure for a children's playhouse and the storage of children's play equipment.
  - 4. Private swimming pool and bath house or cabana meeting the following development standards:
    - a. All such swimming pools must meet the specifications of the Standard Swimming Pool Code (SBCCI).
  - 5. Private tennis court and/or basketball facilities. If lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten (10) feet high.
  - 7. Deck, patio, barbecue grill, or other such facility.
  - 8. The parking of one (1) unoccupied travel trailer or motor coach and one (1) pleasure boat in the side or rear yard only.
  - 9. Sign as permitted by the Pike County Sign Ordinance (Appendix E).
  - 10. Home occupation, minor, excluding public garage, repair garage and kennel.
  - 11. Recreational vehicles as temporary housing.
    - a. Building permit is required.
    - b. Allowed for six (6) months in conjunction with a building permit for a principal dwelling on the subject property.
    - c. Approval from the Planning and Development Director.
-



- 
- d. Approval from Pike County Health Department for water and wastewater services.
  - 12. Foster home.
  - 13. Mother-in-law suite/Guest quarters. See Section 203 for requirements.
  - 14. *Fowl (chickens)*: The raising and keeping of no more than ~~four-ten~~(410) chickens on a lot consisting of a minimum of one (1) acre provided compliance with the following:
    - ~~a. No roosters shall be allowed.~~
    - ~~b.~~ Chicken must be kept in a fenced area in the rear yard at least twenty (20) feet from any property line.
    - ~~c. Chicken coops may be no more than six (6) feet in height.~~
    - ~~d.~~ All coops and surrounding areas are to be properly maintained and kept clean so as not to become a nuisance. Coops and feed are to be secured at all times to prevent any potential nuisance with mice or other rodents and pests.
    - ~~e. Chicken shall only be permitted for pets or for egg production; the chickens shall not be kept for slaughter.~~

D. The following accessory uses are permitted as special use permits in R-2 districts:

- 1. Home occupation, general, excluding garage, repair garage, kennel, shooting range and such other proposed uses that may conflict or be inconsistent with existing nearby development or pose a threat to the public health and safety of residents of nearby properties.

Recreational vehicle for temporary use in case of certified hardship meeting the following development standards:

- a. A person having a certified hardship shown according to the procedure contained in this section and meeting any one (1) of the following conditions may apply to the planning and zoning board for the special use permit.
  - (i) The applicant for the special use permit is to be the owner and occupant of the temporary unit and is physically or mentally disabled and requires frequent attendance by others for medical or physical care.
  - (ii) The applicant for the special use permit is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically or mentally disabled and requires frequent attendance by others for medical or physical care;
  - (iii) The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant/owner's family and is physically or mentally disabled and requires frequent attendance by others for medical or physical care.
- b. In order to determine if the need for the special use permit presented by the applicant is a certified hardship, the planning and zoning board will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The letter from a doctor must be presented prior to the Planning and Zoning Board meeting.
- c. The procedure for applying for a special use permit for a recreational vehicle for certified hardship is as follows:
  - (a) Application should be made to the Planning and Development Department for the special use permit for a recreational vehicle for certified hardship.

- 
- (b) The Planning and Development Department will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he understands and will abide by those conditions if issued the special use permit.
  - (c) The planning and zoning board will consider each application, and upon determining that all requirements have been met for such a permit, will issue the special use permit.
- d. Upon being granted a special use permit to allow a recreational vehicle for certified hardship, the applicant must then apply to the administrative officer for a building permit for the installation of the temporary recreational vehicle. The procedure is as follows:
- (a) Plans for a water/well and sewage/septic system suitable for the recreational vehicles proposed to be installed on the site must be submitted to the Pike County Health Department for its review and approval.
  - (b) Upon securing concurrence of the county health department of the proposed water and sewage systems to serve the proposed temporary recreational vehicle, the owner should present evidence of such approval to the administrative officer and apply for a building permit for installation of the proposed temporary unit, including the water and sewage systems.
  - (c) Upon approval of the administrative officer and receipt of the building permit, the owner should proceed with installation of the proposed temporary recreational vehicle, including water and sewage systems. The administrative officer will provide required inspections of these systems during and upon completion of construction.
- e. The following conditions apply to special use permit permits issued for temporary use of a recreational vehicle for hardship:
- (a) It is temporary and valid only for a period of time of twenty-four (24) months or whenever the conditions for which the permit was granted cease to exist.
  - (b) Any permit for a recreational vehicle for temporary use in case of certified hardship shall be valid for the calendar year in which such permit is first issued, and thereafter, such permit may be renewed annually upon submission of medical documentation attesting the continuation of the certified hardship in a form sufficient to satisfy the requirements of section 503.D.2.b. Notice that the certified hardship has ceased must be given within thirty (30) days of the date on which such certified hardship terminated.
  - (c) A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems, and the temporary recreational vehicle. That development plan must be approved by the planning and zoning board before issuing the temporary special use permit.
  - (d) During its period of approval, the temporary recreational vehicle must be connected to the approved water and sewage systems.
  - (e) The temporary recreational vehicle must be removed within thirty (30) days of either the expiration of the special use permit for the temporary recreational vehicle. or upon finding of the planning and zoning board, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the special use permit was granted no longer exists—Whichever is earlier.
  - (f) No more than one (1) such unit is permitted per lot.
  - (g) The unit must be located entirely within the rear or side yard of the principal dwelling, as shown on the approved development plan.
-

- 5. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers, limited to those towers outlined in Chapter 113 of the Pike County Code.
- E. All accessory uses must meet the following standards:
  - 1. They must be located in the side or rear yard.
  - 2. Accessory structures may be located up to ten (10) feet from the side and rear property lines.
  - 3. Accessory buildings and structures not attached to the principal building must be located at least ten (10) feet from the principal building on the lot.
  - 4. Accessory buildings and structures that are attached to the principal building must match the existing exterior of the principal building.
  - 5. Primary structure must be built before any accessory structures are constructed.
- F. Any use similar or compatible not listed within the permitted uses section will at the discretion of the Zoning Administrator be presented as a special use permit and follow the procedures for a special use permit.

**Sec. 804. Development standards for R-2 districts.**

In addition to the development standards contained in article 5 of this ordinance, the following standards are required within R-2 districts:

A.	<i>Minimum heated floor area per dwelling unit:</i>	Two thousand two hundred (2,200) square feet.
B.	Minimum lot area:	One (1) acres; however, a lot of record lawfully existing at the time of passage of this ordinance and having an area which does not conform to the above standards may nevertheless be developed with a use which is permitted within an R-2 district if approved by the Pike County Health Department.
C.	<i>Minimum lot width:</i>	One hundred fifty ( <del>150</del> 125) feet.
D.	<i>Minimum front yard setback:</i>	1. Fifty (50) feet.
		a. All lots must be located within a subdivision which new streets are installed, no lots may access an existing road, <u>except for minor subdivisions they are exempt from this requirement.</u>
		b. The front yard must be fully sodded on each lot.
		c. Each lot must have a paved driveway.
E.	<i>Minimum side-yard setback:</i>	Twenty (20) feet.
F.	<i>Minimum rear-yard setback:</i>	Twenty (20) feet.
G.	<i>Maximum building height:</i>	Thirty-five (35) feet.
H.	<i>Sewage System:</i>	Septic tank permitted or public sewer
I.	<i>Water System:</i>	County water required

- J. *Minimum frontage width:* Each lot shall have a minimum frontage width of at least one hundred-fifty (~~150~~125) feet. Minimum frontage width shall be reduced to thirty-five (35) feet for lots abutting the turnaround portion of dead-end streets (cul-de-sac).
- K. *Site distance:* Within thirty (30) feet of the pavement edge, plants cannot be of a type which will exceed a height of thirty (30) inches at maturity and/or a trunk diameter of four (4) inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guardrail or some other suitable

---

type barrier beyond thirty (30) feet from pavement edge. Almost any type of planted vegetation is permissible.

- L. *Applicability to land and buildings:* No building, structure or land may be used or occupied and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified for the district in which it is located.
- M. *Every use must be on a lot:* No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- N. *Only one principal building per lot:* Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- O. *Open space not to be encroached upon:* No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in Article 2) are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- P. *Reduction of yards or lot area:* Except as otherwise provided in this ordinance, a lot existing at the time of passage of this ordinance may not be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- Q. *Lots with multiple frontage:* In the case of a corner lot or double frontage lot, the front yard setback shall be a minimum of fifty (50) feet. The setback applicable to any other portion of the lot which abuts a street shall be a minimum of thirty (30) feet. For purposes of this section, the front yard setback shall apply to that side of the lot which must comply with the minimum frontage width required in this district.
- R. *Landlocked lots:* In the case of a landlocked lot (a lot without direct access to a public street or road) lawfully existing as of the effective date of this ordinance, the property owner is entitled to one (1) building permit, as long as all of the following requirements are met:
  - 1. No other principal building exists or is being constructed on the property.
  - 2. No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid.
  - 3. The property was and continues to be under single ownership since the effective date of this ordinance.
  - 4. The property owner has acquired a thirty-foot easement to a city-, county-, or state-maintained street, and the easement has been duly recorded and made a part of the property deed.
  - 5. In the event the property is divided, no additional permits will be issued.
- S. *Flag (Panhandle) lots:* Flag lots are prohibited in this zoning district, unless necessary due to topographic constraints and they shall be limited to five (5) percent of total lots in the development.
- T. *Yards and other spaces:* No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- U. *Substandard lots:* Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications:

- 
1. *Single lots*: When a lot has an area or frontage, which does not conform with the requirements of the district in which it is located but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
- V. *Encroachment on public rights-of-way*: No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.
  - W. *Physical design standards*: Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in Appendix B, Pike County Subdivision Ordinance. Consult that document for specific requirements.
  - X. *Off-street parking and service requirements*: Minimum standards for off-street parking and service requirements are contained in the Pike County Standard for Off-Street Parking (Article 27).
  - Y. *Other applicable development regulations*: Information concerning any other applicable development regulations may be obtained by consulting the administrative officer.
  - Z. *Signs*: Minimum design and location standards for signs are contained in the Pike County Sign Requirements (Article 25). Consult that article for specific requirements.

## **ARTICLE 9. LIMITED LODGING AND VACATION HOMES**

### **Sec. 901. Purpose.**

This ordinance was established to create the requirements and standards for limited lodging and vacation homes in Pike County, Georgia.

### **Sec. 902. General.**

Limited Lodging and Vacation Rentals, as defined in this UDC, will require an approved special use permit in all residential zoning districts.

- A. The following conditions, regulations, and rules shall apply to all approved special use permits for Limited Lodging and Vacation Rentals: Vacation rentals, whether there is a primary owner in residence or not, shall not be permitted in accessory structures, non-habitable structures, nor temporary structures, such as recreational vehicles, tents, canopies, yurts, or similar structures.
1. Limited Lodging Vacation Rental facilities shall meet applicable International Building Code and International Fire Code regulations. For properties that are served by septic, Limited Lodging and Vacation Rental facilities shall meet applicable environmental health regulations.
  2. Limited Lodging Vacation Rentals may have a maximum of four (4) guestrooms or sleeping rooms that meet the International Building Code regulations.
  3. Maximum overnight occupancy for Limited Lodging and Vacation Rentals shall be up to a maximum of two (2) persons per sleeping room or guestroom, plus two (2) additional persons per property, up to a maximum of ten (10) persons, excluding children under two (2) years of age. The property owner shall ensure that all contracts and online listings and advertisements clearly set forth the maximum number of overnight guests permitted at the property.
  4. The maximum number of total guests and visitors allowed at any time in a single Limited Lodging or Vacation Rental shall not exceed the maximum overnight occupancy plus four (4) additional persons per property during the daytime, or fourteen (14) persons, whichever is less, excluding children under two (2) years of age.
  5. Only approved facilities, meeting current standards shall be used as a Limited Lodging or Vacation Rental. Only one (1) tenant shall be allowed on-site at any given time: Only one transient rental is allowed per parcel. Accessory dwellings shall not be used as a Limited Lodging or Vacation Rental or occupied by the owner while the facilities approved for the special use permit is being used as a Limited Lodging or Vacation Rental unless specifically authorized by the Board of Commissioners when approving the special use permit use.
  6. Parking shall be provided as follows:
    - a. Vehicles must be parked within the driveway, garage, or any other approved surface. No vehicles shall be parked on the State/ County right-of-way or along any roadway at any time.
    - b. A minimum of two (2) on-site parking spaces shall be available for Limited Lodging and Vacation Rentals. However, the owner of the property/facilities is responsible for providing sufficient parking to accommodate the guests. rooms.
    - c. Limited Lodging and Vacation Rentals larger than as provided in this Section are prohibited.

- 
- d. This maximum number of vehicles permitted for guests shall be clearly set forth in all rental agreements and in all online advertisements and listings.
7. All activities associated with Limited Lodging and Vacation Rentals shall meet the general noise standards contained below. Quiet hours shall be from 10:00 p.m. to 8:00 a.m. The property owner shall ensure that the quiet hours and limits on outdoor activities are included in rental agreements and in all online advertisements and listings.
  8. Outdoor amplified sound, other than household speakers, shall not be allowed at any time associated with a Limited Lodging or Vacation Rental.
  9. Pets, if allowed by the owner, shall be always secured on the property. Continual nuisance barking by unattended pets is prohibited.
  10. Recycling and refuse storage bins shall not be stored within public view unless in compliance with neighborhood standards. Recycling and trash receptacles shall be returned to screened storage areas within 24 hours of trash pick-up.
  - ~~11. Outdoor fire areas, when not prohibited by state or local fire bans, may be allowed but shall be limited to 3 feet in diameter, shall be located on a non-combustible surface, shall be covered by a fire screen, and shall be extinguished as soon as it is no longer in use or by 10:00 p.m., whichever is earlier. No fire or fire area shall be located within 25 feet of a structure or combustible material.~~
  - ~~12-11.~~ 12-11. All Limited Lodging or Vacation Rentals operating within the County must have a local certified property manager, which can be the owner or other designated agent, who is available 24 hours per days, 7 days per week during all times that the property is rented or used on a transient basis. Certified property managers may be professional property managers, realtors, property owners, or other designated person who is a minimum of twenty-one (21) years of age.
  - ~~13-12.~~ 13-12. The owner of any Limited Lodging or Vacation Rental located behind a locked gate or within a gated community shall provide gate code or a lockbox with keys ("Knox Box" or similar) for exclusive use by local law enforcement and emergency services.
  - ~~14-13.~~ 14-13. Once a Limited Lodging or Vacation Rental is approved as a special use permit, a copy of these regulations shall be posted within the facilities. The owner shall post these standards in a prominent place within six (6) feet of the front door of the facilities and include them as part of all rental agreements.
  - ~~15-14.~~ 15-14. All online advertisements and/or listings for Limited Lodging or Vacation Rentals shall include the following:
    - a. Maximum occupancy, not including children under two (2).
    - b. Maximum number of vehicles.
    - c. Notification that quiet hours must be observed between 10:00 p.m. and 8:00 a.m.;
    - d. Notification that no outdoor amplified sound other than household speakers is allowed; and,
    - e. The name, address, and number of the local certified property manager.
  - ~~16-15.~~ 16-15. The owners shall pay all required County property taxes and fees.
  - ~~17-16.~~ 17-16. The owner shall register the local certified property manager and update any contact changes with the Department of Planning & Development, which will make said contact information available to local law enforcement and emergency services.
  - ~~18-17.~~ 18-17. The owner shall obtain a business license for said Limited Lodging and Vacation Rental and comply with all applicable provisions of this Code regarding occupational taxes.
  - ~~19-18.~~ 19-18. The owners shall pay a hotel/ motel occupancy tax for said Limited Lodging and Vacation Rental and comply with all applicable provisions of this Code.
  - ~~20-19.~~ 20-19. The owner may be required to pay personal property taxes for said Limited Lodging and Vacation Rental.
  - ~~21-20.~~ 21-20. Initial complaints on vacation rentals shall be directed to the local certified property manager identified in the business license or the County, as applicable. The certified property manager shall be
-

---

available 24 hours during all times when the property is rented and shall be available by phone during these hours. Should a problem or arise and be reported to the certified property manager or the County, the property manager shall be responsible for contacting the tenant to correct the problem within 60 minutes, including visiting the site, if necessary, to ensure that the issue has been corrected. Failure to respond to complaints or report them to emergency officials shall be considered a violation of this section and shall be cause for revocation of the business license and special land use permit. If the issue reoccurs, the complaint will be addressed by the Director or Code Enforcement division who may investigate to determine whether there was a violation of a zoning, licensing, or special use permit condition. At the discretion of the Director, the special use permit may be scheduled for a revocation hearing with the Board of Commissioners, in compliance with all notice requirements. If the special use permit is revoked, a special use permit for a Limited Lodging or Vacation Rental may not be reapplied for or issued for a period of at least one (1) year. Additionally, a license for a Limited Lodging or Vacation Rental shall not be issued for a period of at least one (1) year upon the property as a result of the revocation of the special use permit.



## ***ARTICLE 10. PROFESSIONAL AND INSTITUTIONAL DISTRICT***

### **Sec. 1001. Purpose.**

Professional and Institutional (P&I) zoning districts are intended to establish and preserve districts for lower density office-professional-institutional activities. In many cases this district may be appropriate to provide a transition from residential uses to commercial or industrial uses along major arterials. P&I development standards require adequate yard space and off-street parking and service facilities. Permitted uses are restricted and protected from encroachment by uses capable of adversely affecting the limited character of the district.

### **Sec. 1002. Boundaries of office and institutional districts.**

The official map (Section 2301 of this ordinance) shows the boundaries of all P&I districts within Pike County. Article 23 also contains additional information concerning interpreting distinct boundaries, amending boundaries, etc.

### **Sec. 1003. Permitted uses.**

A. The following principal uses are permitted in P&I districts:

1. Church, synagogue, chapel, or other place of religious worship including educational building, parsonage, church-related nursery or kindergarten, and other related uses meeting the following development standards:
  - a. It must be located on either an arterial or collector road.
  - b. The lot must have a minimum road frontage of two hundred (200) feet.
  - c. The lot must have an area of at least two (2) acres.
  - d. All buildings must be located at least fifty (50) feet from any property line.
2. School—Elementary, middle, high—Public or private.
3. Ambulance or emergency service.
4. Animal hospital.
5. Local, state, or federal government building.
10. Clinic/Medical Office/Dental Office.
11. Nursing home.
12. Hospital.
13. Professional or business office meeting the following development standards:
  - a. No wholesale or retail merchandise may be offered for sale.
14. Club or lodge.
15. Retail uses in conjunction with and normally appurtenant to office/institutional uses—Including florist shop, cafeteria, snack shop, pharmacy, hair salon, or gift shop when located within an office or medical building.

- 
- 16. Publicly owned and operated park or recreation area.
  - 17. Cemetery.
  - 19. Bed and breakfasts.
  - 20. Funeral homes.
  - 21. Day care center meeting the following development standards:
    - a. Compliance with the rules promulgated by the Georgia Department of Human Resources where applicable.
  - 22. Hospice.
  - 23. College or university
  - 24. Business or commercial school
  - 25. Group personal care home
  - 26. Intermediate care home
- B. The following principal uses are permitted as special use permits in P&I districts:
- 1. commercial parking lot/commercial parking structure,
  - 2. congregate personal care home
  - 3. halfway house as regulated by the State of Georgia.
- C. The following accessory uses are permitted in P&I districts:
- 1. Those determined by the Zoning Administrator to be customarily appurtenant to those uses permitted in this district
  - 2. Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds.
  - 3. Structure for a children's playhouse and the storage of children's play equipment.
  - 4. Tower, domestic or antenna, domestic not meeting the standards outlined in Chapter 113 of the Pike County Code.
  - 5. Mobile food service unit, temporary.
- D. All accessory uses must meet the following standards:
- 1. They must be located in the rear yards.
  - 2. They must be located at least five (5) feet from any property line.
  - 3. They may not be located in any front or side yard.
  - 4. Accessory buildings and structures not attached to the principal building must be located at least ten (10) feet from the principal building on the lot.
- F. All uses not permitted within P&I district by this section are specifically prohibited.

**Sec. 1004. Development standards for P&I districts.**

A.	<i>Minimum heated floor area for building:</i>	One thousand five hundred (1,500) square feet
B.	<i>Minimum lot area:</i>	Two (2) acres if public water and public sewer are not available. The minimum lot area may be reduced to one

		(1) acre where public water and sewer is available. However, a lot of record lawfully existing at the time of passage of this ordinance and having an area which does not conform to the above standards may nevertheless be developed with a use which is permitted within an P&I district if approved by the Pike County Health Department.
C.	<i>Minimum lot width at Right-of-Way:</i>	Each lot shall have a minimum width of at least one hundred (100) feet.
D.	<i>Minimum front-yard setback:</i>	Seventy-five (75) feet.
E.	<i>Minimum side-yard setback:</i>	Twenty (20) feet
F.	<i>Minimum rear-yard setback:</i>	Twenty-five (25) feet.
G.	<i>Maximum building height:</i>	<del>Six-Three</del> (63) stories

- H. *Sight distance:* Within thirty (30) feet of the pavement edge, plants cannot be of a type which will exceed a height of thirty (30) inches at maturity and/or a trunk diameter of four (4) inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guardrail or some other suitable type barrier beyond thirty (30) feet from pavement edge. Almost any type of planted vegetation is permissible.
- I. *Applicability to land and buildings:* No building, structure or land may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified for the district in which it is located.
- J. *Every use must be on a lot:* No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- K. *Only one principal building per lot:* Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- L. *Open space not to be encroached upon:* No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in Article 2) are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- M. *Reduction of yards or lot area:* Except as otherwise provided in this ordinance, a lot existing at the time of passage of this ordinance may not be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- N. *Lots with multiple frontage:* In the case of a corner lot or double frontage lot, the front yard setback shall be a minimum of seventy-five (75) feet, the front yard setback shall apply to all sides of the lot which has linear road frontage.
- O. *Landlocked lots:* In the case of a landlocked lot (a lot without direct access to a public street or road) lawfully existing as of the effective date of this ordinance, the property owner is entitled to one (1) building permit, as long as all of the following requirements are met:
  1. No other principal building exists or is being constructed on the property.

- 
2. No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid.
  3. The property was and continues to be under single ownership since the effective date of this ordinance.
  4. The property owner has acquired a thirty-foot easement to a city-, county-, or state-maintained street, and the easement has been duly recorded and made a part of the property deed.
  5. In the event the property is divided, no additional permits will be issued.
- P. *Flag-lots are prohibited in the P&I zoning district.*
- Q. *Yards and other spaces:* No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- R. *Substandard lots:* Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications:
1. *Single lots:* When a lot has an area or frontage, which does not conform with the requirements of the district in which it is located but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
- S. *Encroachment on public rights-of-way:* No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.
- T. *Physical design standards:* Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of Pike County. Consult that document for specific requirements.
- U. *Off-street parking and service requirements:* Minimum standards for off-street parking and service requirements are contained in the Pike County Standard for Off-Street Parking (Article 27).
- V. *Other applicable development regulations:* Information concerning any other applicable development regulations may be obtained by consulting the administrative officer.
- W. *Signs:* Minimum design and location standards for signs are contained in the Pike County Sign Requirements (Article 25). Consult that article for specific requirements.
-

## **ARTICLE 11. C-1 NEIGHBORHOOD COMMERCIAL**

### **Sec. 1101. Purpose.**

C-1 zoning districts are intended to establish and preserve small business areas of a limited nature that serve primarily the residential neighborhood in which they are located. Development standards for C-1 districts are designed to promote compatibility with the surrounding residential neighborhood.

### **Sec. 1102. Boundaries of C-1 districts.**

The official map (section 2301 of this ordinance) shows the boundaries of all C-1 districts within Pike County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **Sec. 1103. Permitted uses.**

- A. The following principal uses are permitted in C-1 districts, provided such use shall not have any outside storage of any product for sale or raw materials:
1. Appliance sale and repair.
  2. Art Studio.
  3. Auto parts retail store.
  4. Automobile service station meeting the following development standards:
    - a. Petroleum derivatives must be stored in accordance with safety requirements of existing county resolutions
    - b. All pumps and structures must be placed at least twenty (20) feet from all right-of-way line of any street or road
    - c. Where any lot line of a service station property abuts other property of any residential zoning district, a minimum setback of 40 feet is required
    - d. It must have frontage on an arterial or collector road as defined in the Pike County Land Use Plan
    - e. It's lot width on an arterial or collector road must be at least one hundred (100) feet wide at the right-of-way line.
  5. Bakery.
  6. Bank or financial institution.
  7. Barber/Beauty shop, nail salon, tanning salon, or similar personal service establishment
  8. Catering service.
  9. Clothing store.
  10. Confectionary (candy) store
  11. College or university.

- 
12. Crafts.
  13. Cultural facility, library, museum.
  14. Dance school or studio.
  15. Dental laboratory.
  16. Dry goods store.
  17. Florist shop.
  18. Gift shop.
  19. Government buildings, local, federal, or state.
  20. Grocery, fruit, vegetable or meat market, including supermarket, meeting the following development standards:
    - a. no killing, eviscerating, skinning, or plucking, ~~or smoking~~ of food products is permitted.
  21. Gunsmith.
  22. Hardware store.
  23. Hospital.
  24. Indoor amusement or recreational activities.
  25. Laundromat.
  26. Library.
  27. Legal office.
  28. Locksmith.
  29. Medical laboratory.
  30. Medical office.
  31. Messenger service.
  32. Music store/teaching studio.
  33. Neighborhood shopping center
  34. Novelty shop.
  35. Office.
  36. Office supplies and equipment sales
  37. Paint store
  38. Photography store/studio.
  39. Publicly owned recreational center.
  40. Restaurant part of a neighborhood shopping center.
  41. Shoe repair shop.
  42. Taxidermist.
  43. Taxi office
  44. Utility substation
-

- 
45. **Group developments** Needs Clarification From Rob meeting the following development standards:
- a. The minimum lot size requirement shall be sufficient so that any structure constructed on said lot or groups of lots can be located so as to meet all setback requirements, parking requirements, and space requirements for loading and unloading for each proposed use, as per the respective zoning district, but in no event shall it be less than two (2) acres.
  - b. All principal buildings established as a part of a group development project shall be accessible to emergency or county service vehicles.
  - c. All buildings and structures established as a part of a group development project shall comply with the established front yard setbacks and exterior side and rear yard requirements.
  - d. All distances between buildings shall comply with the Southern Building Code Congress International (SBCCI) Fire Prevention Code.
  - e. Uses are limited to those permitted and special use permit uses allowed within this district.
46. Church, synagogue, chapel or other place of religious worship including educational building, parsonage, church-related nursery or kindergarten, and other related uses meeting the following development standards:
- a. It must be located on either an arterial or collector road.
  - b. The lot must have a minimum road frontage of two hundred (200) feet.
  - c. The lot must have an area of at least two (2) acres.
  - d. All buildings must be located at least fifty (50) feet from any property line.
  - f. Nothing herein shall prohibit or preclude a church from being located within a group development without the necessity of complying with these development standards.
- B. The following principal uses are permitted as special use permits in C-1 districts:
1. Day care center meeting the following development standards:
    - a. Compliance with the rules promulgated by the [State of] Georgia Department of Human Resources where applicable.
  2. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers, limited to those towers outlined in Chapter 113 of the Pike County Code.
- C. The following accessory uses are permitted in C-1 districts:
1. Those determined by the administrative officer to be customarily appurtenant to those uses permitted in this district.
  2. Tower, domestic or antenna, domestic.
  3. Shipping container, temporary.
  4. Mobile food service unit, temporary no more than 3 consecutive days.
- D. All accessory uses must meet the following standards:
1. They must be located in the rear yard.
  2. They must be located at least five (5) feet from any property line.
  3. They may not be located in any front or side yard.

Formatted: Highlight

Formatted: Highlight

- 4. Accessory buildings not attached to the principal building must be located at least ten (10) feet from the principal building on the lot.
- E. All uses not permitted within C-1 districts by this section are specifically prohibited.

**Sec. 1104. Development standards for C-1 districts.**

In addition to the development standards contained in Article 4 of this ordinance, the following standards are required within C-1 districts:

A.	<i>Minimum heated floor area for buildings:</i>	One thousand (1,000) square feet.
B.	<i>Minimum lot area:</i>	
	1. <i>Unsewered areas:</i>	One (1) acre.
	2. <i>Sewered areas:</i>	Twenty-one thousand seven hundred eighty (21,780) square feet (½ acre).
C.	<i>Minimum lot width at right-of-way:</i>	One Hundred (100) feet.
D.	<i>Minimum front-yard setback:</i>	Sixty (60) feet.
E.	<i>Minimum side-yard depth:</i>	Fifteen (15) feet, but thirty (30) feet if a corner lot
F.	<i>Minimum rear-yard depth:</i>	Thirty-five (35) feet.
G.	<i>Maximum building height:</i>	<del>Thirty-five (35) feet. This height limit does not apply to projections not intended for human habitation—Except for satellite, television, and radio antennas, to which this limit does apply.</del> <b>Three (3) Stories</b>

- H. *Sight distance:* Within thirty (30) feet of the pavement edge, plants cannot be of a type which will exceed a height of thirty (30) inches at maturity and/or a trunk diameter of four (4) inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guardrail or some other suitable type of barrier beyond thirty (30) feet from pavement edge. Almost any type of planted vegetation is permissible.
- I. *Applicability to land and buildings:* No building, structure or land may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified for the district in which it is located.
- J. *Every use must be on a lot:* No building or structure may be erected, or use established unless upon a lot as defined by this ordinance.
- K. *Only one principal building per lot:* Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- L. *Open space not to be encroached upon:* No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in Article 2) are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.



- 
- M. *Reduction of yards or lot area:* Except as otherwise provided in this ordinance, a lot existing at the time of passage of this ordinance may not be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- N. *Lots with multiple frontage:* In the case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.
- O. *Landlocked lots:* In the case of a landlocked lot (lot without direct access to a public street or road) lawfully existing as of the effective date of this ordinance, the property owner is entitled to one (1) building permit, as long as all of the following requirements are met.
1. No other principal building exists or is being constructed on the property.
  2. No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid.
  3. The property was and continues to be under single ownership since the effective date of this ordinance.
  4. The property owner has acquired a thirty-foot easement to a city-, county-, or state-maintained street or road, and the easement has been duly recorded and made a part of the property deed.
  5. In the event the property is divided, no additional building permits will be issued.
- P. *Flag (panhandle) lots* are prohibited in the C-1 zoning district.
- Q. *Yards and other spaces:* No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- R. *Substandard lots:* Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications:
1. *Single lots:* When a lot has an area or frontage, which does not conform with the requirements of the district in which it is located, but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
- S. *Encroachment on public rights-of-way:* No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.
- T. *Physical design standards:* Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of Pike County. Consult the administrative officer for specific requirements.
- U. *Off-street parking and service requirements:* Minimum standards for off-street parking and service requirements are contained in the Pike County Standard for Off-Street Parking (Article 27).
- V. *Other applicable development regulations:* Information concerning any other applicable development regulations may be obtained by consulting the administrative officer.
- W. *Signs:* Minimum design and location standards for signs are contained in the Pike County Sign Requirements (Article 25). Consult that article for specific requirements.
-

## **ARTICLE 12. C-2 GENERAL COMMERCIAL**

### **Sec. 1201. Purpose.**

C-2 zoning districts are intended to establish and preserve business areas that are motor vehicle oriented, rather than pedestrian oriented. C-2 districts provide areas that are convenient and attractive for retail activities, business transactions, and services to the public designed primarily to meet the day-to-day shopping and service needs not only of residents of Pike County, but of surrounding communities as well. Off-street parking and minimum yards are required.

### **Sec. 1202. Boundaries of C-2 districts.**

The official map (Section 2301 of this ordinance) shows the boundaries of all C-2 districts within Pike County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **Sec. 1203. Permitted uses.**

- A. The following principal uses are permitted in C-2 districts:
1. Any C-1 permitted use.
  2. Indoor recreation, including, but not limited to, bowling alleys, theaters, pool rooms and game rooms, excluding indoor shooting ranges.
  3. Restaurant.
  4. Ambulance service.
  5. Auction gallery.
  6. Automobile wash.
  7. Bus terminal.
  8. Business or commercial school.
  9. Community or regional shopping center.
  10. Department store.
  11. Drive-in configurations of any business otherwise permitted in this zoning district meeting the following development standards:
    - (a) Adequate off-street space must be provided for the maneuvering and storage of patrons' vehicles;
    - (b) No loud speaker system is allowed which can be heard at neighboring residential or motel properties;
    - (c) All lighting must be directed and shielded so as to light only the drive-in establishment.
  12. Furniture store.
  13. Museum and/or heritage center.

- 
14. Professional assembly and repair of such items as eyeglasses, custom jewelry, prosthetic devices and other similar services and assembly.
  15. Parking lot or structure.
  16. Pet shop.
  17. Printing, meeting the following development standards:
    - (a) Mechanical operation must not be visible from a road.
    - (b) No more than four employees are permitted.
  18. Radio and television station meeting the following development standards: transmission towers must be no more than 35 feet high.
  19. Stationery and office machine sales and service.
  20. Tire shop.
  21. Upholstery shop.
  22. Wholesale store, not including establishments operated primarily as a warehouse. A wholesale store is distinguished from a warehouse as follows:
    - (a) It has at least one square foot of office, sales and display space for each square foot of warehousing space.
    - (b) The building is so arranged as to encourage walk-in trade.
  23. Daycare center meeting all state development standards.
  24. Co-location of a telecommunications antenna on an existing structure.
  25. Animal hospitals or clinic meeting the following development standards: no outside runs or pens are provided.
- B. The following principal uses are permitted as special use permits in C-2 districts:
1. Animal hospital or clinic with outside runs or pens provided.
  2. Building and lumber supply establishment with outdoor storage of materials.
  3. Club or lodge.
  4. Flea market.
  5. Funeral home and any associated cemetery.
  6. Public, for-profit cemeteries.
  7. Public pet cemeteries.
  8. Automobile service station which conducts major automotive repair; Automobile service station meeting the following standards:
    - (a) Major repair, body and fender work and painting are permitted.
    - (b) All structures and buildings, including storage tanks, but not including signs, must be set back at least 25 feet from all side and rear property lines which do not abut a public road right-of-way.
-

- 
- (c) All pumps, buildings and structures, including storage tanks, but not including signs, must be placed so as to maintain the minimum required front yard along the right-of-way line of any abutting road.
  - (d) Driveway curb cuts must be located at least 20 feet from the intersection of right-of-way lines of any road intersection.
  - (e) Driveway curb cuts must be designed and located so as to minimize interference with the flow of vehicular or pedestrian traffic.
- 9. Pawn shop.
  - 10. Greenhouse or nursery, including landscape service.
  - 11. Mortuary or crematorium.
  - 12. Outdoor amusement enterprise, including, but not limited to, pony riding, miniature golf, carnival or bazaar.
  - 13. Radio or television transmission tower over 35 feet high.
  - 14. Airport, public or commercial, paved or unpaved with the following development standards:
    - (a) All Federal Aviation Administration requirements must be satisfied.
    - (b) A plat must be submitted detailing the proposed location of the runway and any existing or proposed buildings; and
    - (c) A restaurant may be constructed on airport property, provided the restaurant complies with the following development standards:
      - (1) Must be located inside an existing or proposed building.
      - (2) Must meet all Pike County Environmental Health Department regulations; and
      - (3) Must have at least a minimum of 500 square feet.
  - 15. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers, limited to those towers outlined in Chapter 113 of the Pike County Code.
  - 16. Shooting range, indoor, meeting the following development standards:
    - (a) All indoor shooting ranges shall be of soundproof construction whereby the sound from the discharge of any firearm and the impact of any projectile shall not be plainly audible across any adjoining property line or at a distance of 50 feet from the building, whichever distance is greater.
    - (b) No piece of the projectile or target shall leave the building as a result of the activities taking place therein.
    - (c) All weapons brought into any indoor shooting range shall be in a case designed for the weapon such that no part of a weapon is visible while inside the case. Certified law enforcement officers in uniform are exempt from this requirement.
    - (d) All indoor shooting ranges shall comply with all local, state, and /or federal regulations related to indoor shooting ranges.
-

- 
- (e) A site plan shall be submitted to the County, which shows the location of buildings, parking, etc.
  - (f) At least one qualified individual in the sponsoring club or organization shall be properly certified for shooting range supervision. Each facility shall adopt safety rules and regulations subject to review by the County.
  - (g) Shooting range design and operation shall conform to the most current standards of the National Rifle Association (NRA) Range Sourcebook.
  - (h) The National Association of Shooting Ranges (NASR) and the Occupational Safety and Health Administration (OSHA) publication titled "Lead Management and OSHA Compliance for Indoor Shooting Ranges" shall be consulted in planning and constructing indoor shooting ranges.
  - (i) No service or sales of alcoholic beverages shall be allowed within the shooting range facility or on the shooting range property.
  - (j) The indoor shooting range shall be covered by accident and liability insurance, amount to be determined by Pike County.

17. Shooting range, outdoor, meeting the following development standards:

- (a) Outdoor shooting ranges shall be located on a minimum 25 acre parcel;
- (b) All shooting areas shall be setback at least 200 feet from all property lines, including right-of-way lines.
- (c) The outdoor shooting range shall be posted "No Trespassing-Danger-Shooting Preserve" at 200 foot intervals around the perimeter of the preserve property.
- (d) A site plan shall be submitted to the County, which shows the location of shooting areas, parking, targets, backstops, etc.
- (e) At least one qualified individual in the sponsoring club or organization shall be properly certified for shooting range supervision. Each facility shall adopt safety rules and regulations subject to review by the County.
- (f) Shooting range design and operation shall conform to the most current standards of the National Rifle Association (NRA) Range Sourcebook, including minimum height standards for earthen embankments behind shooting range targets.
- (g) Outdoor shooting ranges shall be subject to pre-range lead testing and subsequent lead testing thereafter, and the range shall have necessary lead management and lead removal procedures in place.
- (h) An accessory retail store is allowed in conjunction with the shooting range, but no service or sales of alcoholic beverages shall be allowed on the shooting range property.
- (i) The outdoor shooting range shall be covered by accident and liability insurance, amount to be determined by Pike County.

D. The following accessory uses are permitted in the C-2 districts:

- 1. Storage buildings

E. All accessory uses must meet the following standards:

1. They may not be located closer than five (5) feet to any property line.
  2. Accessory buildings not attached to the principal building must be located at least ten (10) feet from the principal building on the lot.
- F. All uses not permitted within C-2 districts by this section are specifically prohibited.

**Sec. 1204. Development standards for C-2 districts.**

In addition to the development standards contained in Article 12 of this ordinance, the following standards are required within C-2 districts:

A.	<i>Minimum heated floor area for buildings:</i>	One thousand (1,000) square feet.
B.	<i>Minimum lot area:</i>	
	1. <i>Unsewered areas:</i>	One (1) acre
	2. <i>Sewered areas:</i>	Twenty-one thousand seven hundred eighty (21,780) square feet
C.	<i>Minimum lot width at right-of-way:</i>	One hundred (100) feet.
D.	<i>Minimum front-yard setback:</i>	Fifty (50) feet.
E.	<i>Minimum side-yard setback:</i>	Fifteen (15) feet, but thirty (30) feet if a corner lot.
F.	<i>Minimum rear-yard setback:</i>	Twenty (20) feet.
G.	<i>Maximum building height:</i>	<del>Thirty five (35) feet</del> <u>Three (3) Stories</u>

- H. *Sight distance:* Within thirty (30) feet of the pavement edge, plants cannot be of a type which will exceed a height of thirty (30) inches at maturity and/or a trunk diameter of four (4) inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guardrail or some other suitable type barrier beyond thirty (30) feet from pavement edge. Almost any type of planted vegetation is permissible.
- I. *Applicability to land and buildings:* No building, structure or land may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified for the district in which it is located.
- J. *Every use must be on a lot:* No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- K. *Only one principal building per lot:* Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- L. *Open space not to be encroached upon:* No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in Article 2) are not considered to be encroachments of yards. Open space areas as required by this

---

ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

- M. *Reduction of yards or lot area:* Except as otherwise provided in this ordinance, a lot existing at the time of passage of this ordinance may not be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- N. *Lots with multiple frontage:* In the case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.
- O. *Landlocked lots:* In the case of a landlocked lot (lot without direct access to a public street or road) lawfully existing as of the effective date of this ordinance, the property owner is entitled to one (1) building permit, as long as all of the following requirements are met:
  - 1. No other principal building exists or is being constructed on the property.
  - 2. No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid.
  - 3. The property was and continues to be under single ownership since the effective date of this ordinance.
  - 4. The property owner has acquired a thirty-foot easement to a city-, county-, or state-maintained street or road, and the easement has been duly recorded and made a part of the property deed.
  - 5. In the event the property is divided, no additional permits will be issued.
- P. *Flag (Panhandle) lots* are prohibited in the C-2 Zoning District.
- Q. *Yards and other spaces:* No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- R. *Substandard lots:* Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications:
  - 1. *Single lots:* When a lot has an area or frontage, which does not conform with the requirements of the district in which it is located but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
- S. *Encroachment on public rights-of-way:* No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.
- T. *Physical design standards:* Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of Pike County. Consult the administrative officer for specific requirements.
- U. *Off-street parking and service requirements:* Minimum standards for off-street parking and service requirements are contained in the Pike County Standard for Off-Street Parking (Article 27).
- V. *Other applicable development regulations:* Information concerning any other applicable development regulations may be obtained by consulting the administrative officer.
- W. *Signs:* Minimum design and location standards for signs are contained in the Pike County Sign Requirements (Article 25). Consult that article for specific requirements.

## **ARTICLE 13. C-3 HEAVY COMMERCIAL**

### **Sec. 1301. Purpose.**

C-3 districts are intended to provide for heavier commercial uses and to facilitate the effective use of land situated in relationship to major thoroughfares, highway intersections and interchange areas. Such uses must be located on a thoroughfare having a minimum classification of arterial.

### **Sec. 1302. Boundaries of C-3 districts.**

- A. The official map (section 2301 of this ordinance) shows the boundaries of all C-3 districts within Pike County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **Sec. 1303. Permitted uses.**

- A. The following principal uses are permitted in C-3 districts:
1. Any C-1 or C-2 permitted use.
  2. Automobile and truck sales.
  3. Automobile service station which conducts major automotive repair; Automobile service station meeting the following standards:
    - (a) Major repair, body and fender work and painting are permitted.
    - (b) All structures and buildings, including storage tanks, but not including signs, must be set back at least 25 feet from all side and rear property lines which do not abut a public road right-of-way.
    - (c) All pumps, buildings and structures, including storage tanks, but not including signs, must be placed so as to maintain the minimum required front yard along the right-of- way line of any abutting road.
    - (d) Driveway curb cuts must be located at least 20 feet from the intersection of right-of- way lines of any road intersection.
    - (e) Driveway curb cuts must be designed and located so as to minimize interference with the flow of vehicular or pedestrian traffic.
  4. Boat sales.
  5. Commercial kennels, all structures must be set back a minimum 200 feet from all property lines adjacent to residentially zoned properties.
  6. Dry cleaning plants not employing more than twenty (20) persons.
  7. Farmers' markets.
  8. Feed and seed stores.
  9. Heavy equipment sales, service, or rental.
  10. Major automotive repair.



- 
11. Mini-warehouses and warehouses.
  12. Mobile home sales lots.
  13. Hotels and motels.
  14. Outdoor theaters.
  15. Recreational vehicle sales and service.
  16. Tire retreading.
  17. Used car and truck sales.
  18. Special Trade Contractor Shop, including, but not limited to:
    - a. Janitorial
    - b. Exterminating
    - c. Floor laying
    - d. Masonry
    - e. Ornamental metal work
    - f. Painting
    - g. Plastering
    - h. Plumbing
    - i. Sheet metal
    - j. Special building equipment installation
    - k. Electrical
    - l. HVAC contractor
  19. Portable building sales lot.
  20. Cabinetry shop.
  21. Club, private.
  22. Driving range.
  23. Auctions.
  24. Golf driving range.
  25. Pawn shops provided no unenclosed, outside storage shall be permitted on the premises.
  26. Street vendors provided that:
    - a. Parking must be available for customers and no street vendor shall occupy parking spaces as otherwise required by this ordinance or amendments thereto.
    - b. No structures signs, or goods associated with the street vendor business shall be located closer than twenty (20) feet from any street right-of-way.
    - c. Shall not block or otherwise hinder ingress into or egress from a site or impede traffic circulation within the site.
    - d. Shall not block or otherwise hinder pedestrian traffic.
    - e. All advertising signs shall be in compliance with this ordinance and shall not be in excess of the allowed signage for the zoning district. Where such street vendor is on the same premises as another regular business, street vendor signage shall be considered temporary signs under this ordinance and must meet the requirements thereof.

B. The following principal uses are permitted as special use permits in C-3 districts:

---

1. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers.
- C. The following accessory uses are permitted in C-3 districts:
1. Those determined by the administrative officer to be customarily appurtenant to those uses permitted in this district.
  2. Tower, domestic or antenna, domestic.
  3. Shipping container, temporary.
  4. Mobile food service unit, temporary.
- D. The following accessory uses are permitted as special use permits in C-3 districts:
1. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers see Chapter 113 of the Pike County Code for details.
- E. All accessory uses must meet the following standards:
1. They may not be located closer than five (5) feet to any property line.
  2. Accessory buildings and structures not attached to the principal building must be located at least ten (10) feet from the principal building on the lot.
- F. All uses not permitted within C-3 districts by this section are specifically prohibited.

**Sec. 1304. Development standards for C-3 districts.**

In addition to the development standards contained in Article 4 of this ordinance, the following standards are required by C-3 districts:

A.	<i>Minimum heated floor area for buildings:</i>	One thousand (1,000) square feet.
B.	<i>Minimum lot area:</i>	
	1. <i>Unsewered areas:</i>	One (1) acre
	2. <i>Sewered areas:</i>	Twenty-one thousand seven hundred eighty (21,780) square feet
C.	<i>Minimum lot width at right-of-way:</i>	One hundred (100) feet.
D.	<i>Minimum front-yard setback:</i>	Fifty (50) feet.
E.	<i>Minimum side-yard setback:</i>	Fifteen (15) feet, but thirty (30) feet if a corner lot.
F.	<i>Minimum rear-yard setback:</i>	Twenty (20) feet.
G.	<i>Maximum building height:</i>	<del>Sixty (60) feet, provided the respective structure is serviced by an approved sprinkler fire suppression system. In structures that are not serviced by an approved sprinkler fire suppression system, the maximum building height shall be thirty five (35) feet. This height limit does not apply to projections affixed to buildings, which projection is not intended for human habitation.</del> <u>Three (3) Stories</u>

- H. *Minimum frontage width:* One Hundred (100) feet. Minimum frontage width shall be reduced to fifty (50) feet for lots abutting the turnaround portion of dead-end streets (cul-de-sacs).

- 
- I. *Sight distance:* Within thirty (30) feet of the pavement edge, plants cannot be of a type which will exceed a height of thirty (30) inches at maturity and/or a trunk diameter of four (4) inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guardrail or some other suitable type barrier beyond thirty (30) feet from pavement edge. Almost any type of planted vegetation is permissible.
- J. *Applicability to land and buildings:* No building, structure or land may be used or occupied—And no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered—Unless in conformity with all of the regulations specified for the district in which it is located.
- K. *Every use must be on a lot:* No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- L. *Only one principal building per lot:* Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- M. *Open space not to be encroached upon:* No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in Article 2) are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- N. *Reduction of yards or lot area:* Except as otherwise provided in this ordinance, a lot existing at the time of passage of this ordinance may *not* be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirement of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- O. *Lots with multiple frontage:* In the case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.
- P. *Landlocked lots:* In the case of a landlocked lot (lot without direct access to a public street or road) lawfully existing as of the effective date of this ordinance, the property owner is entitled to one (1) building permit, as long as all of the following requirements are met:
1. No other principal building exists or is being constructed on the property.
  2. No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid.
  3. The property was and continues to be under single ownership since the effective date of this ordinance.
  4. The property owner has acquired a thirty-foot easement to a city, county, or state-maintained street, and the easement has been duly recorded and made a part of the property deed.
  5. In the event the property is divided, no additional permits will be issued.
- Q. Flag (panhandle) lots are prohibited in the C-3 zoning district.
- R. *Yards and other open spaces.* No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- S. *Substandard lots.* Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications:
-

- 
1. *Single lots:* When a lot has an area or frontage, which does not conform with the requirements of the district in which it is located but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
- T. *Encroachment of public rights-of-way.* No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.
  - U. *Physical design standards.* Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of Pike County. Consult the administrative officer for specific requirements.
  - V. *Off-street parking and service requirements:* Minimum standards for off-street parking and service requirements are contained in the Pike County Standard for Off-Street Parking (Article 27).
  - W. *Other applicable development regulations:* Information concerning any other applicable development regulations may be obtained by consulting the administrative officer.
  - X. *Signs:* Minimum design and location standards for signs are contained in the Pike County Sign Requirements (Article 25). Consult that article for specific requirements.
  - Y. *Yards abutting railroads.* Side yards and rear yards shall be a minimum of ten (10) feet adjacent to railroad rights-of-way.

## **ARTICLE 14. M-1 MANUFACTURING—LIGHT**

### **Sec. 1401. Purpose.**

M-1 zoning districts are intended to establish and preserve physically and aesthetically desirable areas in which clean, low-intensity manufacturing activities may locate and be protected from the intrusion of incompatible land uses. By having such areas available, both new and existing industries may operate and undertake expansion of facilities with the least possible adverse effect on other types of activities which might be incompatible with manufacturing. The elimination of non-manufacturing activities from M-1 districts benefits manufacturing activities by removing some possible obstacles to their smooth operation and expansion.

### **Sec. 1402. Boundaries of M-1 districts.**

The official map (Section 2301 of this ordinance) shows the boundaries of all M-1 districts within Pike County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **Sec. 1403. Permitted uses.**

- A. The following principal uses are permitted in M-1 districts:
1. Commercial services and manufacturing activities related to farm or forest uses.
  2. Manufacturing activity which does not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard, or other objectionable conditions.
  3. Wholesale and warehousing operation.
  4. Building material yard which is entirely enclosed by a fence that is at least six (6) feet high and screens the yard from view.
  5. Off-street parking lot or parking garage.
  6. Armory.
  7. Cabinet shop.
  8. Cosmetic and pharmaceuticals manufacturing.
  9. Distribution of products or merchandise.
  10. Dry cleaning or laundering establishment.
  11. Education or training facility.
  12. Electronic manufacturing and assembly.
  13. Plumbing shop, other contractor—Including open storage of materials when located in rear yard.
  14. Printing, publishing, reproducing establishment.
  15. Sign painting and fabricating shop.
  16. Local, state, or federal government buildings.

- 
17. College or university.
  18. Automobile and truck sales.
  19. Farmers' markets.
  20. Feed and seed stores.
  21. Heavy equipment sales, service or rental.
  22. Major automotive repair.
  23. Mini-warehouses and warehouses.
  24. Mobile home sales lots.
  25. Recreational vehicle sales and service.
  26. Tire retreading.
- B. The following principal uses are permitted as special use permits in M-1 districts:
1. Airport, heliport.
  2. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers.
  3. Utility substation meeting the following development standards:
    - a. Structures must be placed at least thirty (30) feet from all property lines.
    - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
    - c. No vehicles or equipment may be stored on the lot.
    - d. A buffer, as provided in section 405, must be maintained along the side and rear property lines.
  4. Shooting range, indoor.
- C. The following accessory uses are permitted in M-1 districts:
1. Those determined by the administrative officer to be customarily appurtenant to those uses permitted in this district.
  2. Tower, domestic or antenna, domestic.
  3. Shipping container, used in the normal course of business.
  4. Shipping container, temporary.
  5. Mobile food service unit, [temporary no more than three \(3\) consecutive days](#).
- D. The following accessory uses are permitted as special use permits in M-1 districts:
1. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers.
- E. All accessory uses must meet the following standards:
1. They may not be located closer than five (5) feet to any property line.
  2. Accessory buildings and structures not attached to the principal building must be located at least ten (10) feet from the principal building on the lot.
- F. All uses not permitted within M-1 districts by this section are specifically prohibited.
-

**Sec. 1404. Development standards for M-1 districts.**

In addition to the development standards contained in Article 4 of this ordinance, the following standards are required within M-1 districts:

A.	<i>Minimum heated floor area for buildings:</i>	None.
B.	<i>Minimum lot area:</i>	
	1. <i>Unsewered areas:</i>	One (1) acre
	2. <i>Sewered areas:</i>	10,000 square feet
C.	<i>Minimum lot width:</i>	One hundred (100) feet.
D.	<i>Minimum front-yard depth:</i>	Seventy (70) feet.
E.	<i>Minimum side-yard depth:</i>	Fifteen (15) feet.
F.	<i>Minimum rear-yard depth:</i>	Twenty-five (25) feet.
G.	<i>Maximum building height:</i>	<del>Sixty (60) feet, provided the respective structure is serviced by an approved sprinkler fire suppression system. In structures that are not serviced by an approved sprinkler fire suppression system, the maximum building height shall be thirty five (35) feet. This height limit does not apply to projections affixed to buildings, which projection is not intended for human habitation. Three (3) Stories</del>

- H. *Sight distance:* Within thirty (30) feet of the pavement edge, plants cannot be of a type which will exceed a height of thirty (30) inches at maturity and/or a trunk diameter of forty (40) inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guardrail or some other suitable type barrier beyond thirty (30) feet from pavement edge. Almost any type of planted vegetation is permissible.
- I. *Applicability to land and buildings:* No building, structure or land may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified for the district in which it is located.
- J. *Every use must be on a lot:* No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- K. *Only one principal building per lot:* Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- L. *Open space not to be encroached upon:* No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in Article 2) are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- M. *Reduction of yards or lot area:* Except as otherwise provided in this ordinance, a lot existing at the time of passage of this ordinance may not be reduced, divided, or changed so as to produce a tract of land which

---

does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

- N. *Lots with multiple frontage*: In the case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.
- O. *Landlocked lots*: In the case of a landlocked lot (lot without direct access to a public street or road) lawfully existing as of the effective date of this ordinance, the property owner is entitled to one (1) building permit, as long as all of the following requirements are met:
  - 1. No other principal building exists or is being constructed on the property.
  - 2. No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid.
  - 3. The property was and continues to be under single ownership since the effective date of this ordinance.
  - 4. The property owner has acquired a thirty-foot easement to a city-, county-, or state-maintained street, and the easement has been duly recorded and made a part of the property deed.
  - 5. In the event the property is divided, no additional permits will be issued.
- P. Flag (panhandle) lots are prohibited in the M-1 zoning district
- Q. *Yards and other spaces*: No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- R. *Substandard lots*: Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications:
  - 1. *Single lots*: When a lot has an area or frontage, which does not conform with the requirements of the district in which it is located but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
- S. *Encroachment on public rights-of-way*: No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.
- T. *Physical design standards*: Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of Pike County. Consult the administrative officer for specific requirements.
- U. *Off-street parking and service requirements*: Minimum standards for off-street parking and service requirements are contained in the Pike County Standard for Off-Street Parking (Article 27).
- V. *Other applicable development regulations*: Information concerning any other applicable development regulations may be obtained by consulting the administrative officer.
- W. *Signs*: Minimum design and location standards for signs are contained in the Pike County Sign Requirements (Article 25). Consult that article for specific requirements.
- X. *Yards abutting railroads*: Side yards and rear yards are not required adjacent to railroad rights-of-way.



## **ARTICLE 14. M-1 MANUFACTURING—LIGHT**

### **Sec. 1401. Purpose.**

M-1 zoning districts are intended to establish and preserve physically and aesthetically desirable areas in which clean, low-intensity manufacturing activities may locate and be protected from the intrusion of incompatible land uses. By having such areas available, both new and existing industries may operate and undertake expansion of facilities with the least possible adverse effect on other types of activities which might be incompatible with manufacturing. The elimination of non-manufacturing activities from M-1 districts benefits manufacturing activities by removing some possible obstacles to their smooth operation and expansion.

### **Sec. 1402. Boundaries of M-1 districts.**

The official map (Section 2301 of this ordinance) shows the boundaries of all M-1 districts within Pike County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **Sec. 1403. Permitted uses.**

- A. The following principal uses are permitted in M-1 districts:
1. Commercial services and manufacturing activities related to farm or forest uses.
  2. Manufacturing activity which does not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard, or other objectionable conditions.
  3. Wholesale and warehousing operation.
  4. Building material yard which is entirely enclosed by a fence that is at least six (6) feet high and screens the yard from view.
  5. Off-street parking lot or parking garage.
  6. Armory.
  7. Cabinet shop.
  8. Cosmetic and pharmaceuticals manufacturing.
  9. Distribution of products or merchandise.
  10. Dry cleaning or laundering establishment.
  11. Education or training facility.
  12. Electronic manufacturing and assembly.
  13. Plumbing shop, other contractor—Including open storage of materials when located in rear yard.
  14. Printing, publishing, reproducing establishment.
  15. Sign painting and fabricating shop.
  16. Local, state, or federal government buildings.

- 
17. College or university.
  18. Automobile and truck sales.
  19. Farmers' markets.
  20. Feed and seed stores.
  21. Heavy equipment sales, service or rental.
  22. Major automotive repair.
  23. Mini-warehouses and warehouses.
  24. Mobile home sales lots.
  25. Recreational vehicle sales and service.
  26. Tire retreading.
- B. The following principal uses are permitted as special use permits in M-1 districts:
1. Airport, heliport.
  2. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers.
  3. Utility substation meeting the following development standards:
    - a. Structures must be placed at least thirty (30) feet from all property lines.
    - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
    - c. No vehicles or equipment may be stored on the lot.
    - d. A buffer, as provided in section 405, must be maintained along the side and rear property lines.
  4. Shooting range, indoor.
- C. The following accessory uses are permitted in M-1 districts:
1. Those determined by the administrative officer to be customarily appurtenant to those uses permitted in this district.
  2. Tower, domestic or antenna, domestic.
  3. Shipping container, used in the normal course of business.
  4. Shipping container, temporary.
  5. Mobile food service unit, [temporary no more than three \(3\) consecutive days](#).
- D. The following accessory uses are permitted as special use permits in M-1 districts:
1. Tower or antenna meeting the standards and development criteria established in the Pike County Ordinance to Establish Standards for Telecommunications Antennas and Towers.
- E. All accessory uses must meet the following standards:
1. They may not be located closer than five (5) feet to any property line.
  2. Accessory buildings and structures not attached to the principal building must be located at least ten (10) feet from the principal building on the lot.
- F. All uses not permitted within M-1 districts by this section are specifically prohibited.
-

**Sec. 1404. Development standards for M-1 districts.**

In addition to the development standards contained in Article 4 of this ordinance, the following standards are required within M-1 districts:

A.	<i>Minimum heated floor area for buildings:</i>	None.
B.	<i>Minimum lot area:</i>	
	1. <i>Unsewered areas:</i>	One (1) acre
	2. <i>Sewered areas:</i>	10,000 square feet
C.	<i>Minimum lot width:</i>	One hundred (100) feet.
D.	<i>Minimum front-yard depth:</i>	Seventy (70) feet.
E.	<i>Minimum side-yard depth:</i>	Fifteen (15) feet.
F.	<i>Minimum rear-yard depth:</i>	Twenty-five (25) feet.
G.	<i>Maximum building height:</i>	<del>Sixty (60) feet, provided the respective structure is serviced by an approved sprinkler fire suppression system. In structures that are not serviced by an approved sprinkler fire suppression system, the maximum building height shall be thirty five (35) feet. This height limit does not apply to projections affixed to buildings, which projection is not intended for human habitation. Three (3) Stories</del>

- H. *Sight distance:* Within thirty (30) feet of the pavement edge, plants cannot be of a type which will exceed a height of thirty (30) inches at maturity and/or a trunk diameter of forty (40) inches. There may be some flexibility in regard to the maximum trunk diameter when protected by a guardrail or some other suitable type barrier beyond thirty (30) feet from pavement edge. Almost any type of planted vegetation is permissible.
- I. *Applicability to land and buildings:* No building, structure or land may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations specified for the district in which it is located.
- J. *Every use must be on a lot:* No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- K. *Only one principal building per lot:* Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- L. *Open space not to be encroached upon:* No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers (see definition in Article 2) are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- M. *Reduction of yards or lot area:* Except as otherwise provided in this ordinance, a lot existing at the time of passage of this ordinance may not be reduced, divided, or changed so as to produce a tract of land which

---

does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

- N. *Lots with multiple frontage*: In the case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.
- O. *Landlocked lots*: In the case of a landlocked lot (lot without direct access to a public street or road) lawfully existing as of the effective date of this ordinance, the property owner is entitled to one (1) building permit, as long as all of the following requirements are met:
  - 1. No other principal building exists or is being constructed on the property.
  - 2. No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid.
  - 3. The property was and continues to be under single ownership since the effective date of this ordinance.
  - 4. The property owner has acquired a thirty-foot easement to a city-, county-, or state-maintained street, and the easement has been duly recorded and made a part of the property deed.
  - 5. In the event the property is divided, no additional permits will be issued.
- P. Flag (panhandle) lots are prohibited in the M-1 zoning district
- Q. *Yards and other spaces*: No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this ordinance.
- R. *Substandard lots*: Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications:
  - 1. *Single lots*: When a lot has an area or frontage, which does not conform with the requirements of the district in which it is located but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.
- S. *Encroachment on public rights-of-way*: No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.
- T. *Physical design standards*: Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of Pike County. Consult the administrative officer for specific requirements.
- U. *Off-street parking and service requirements*: Minimum standards for off-street parking and service requirements are contained in the Pike County Standard for Off-Street Parking (Article 27).
- V. *Other applicable development regulations*: Information concerning any other applicable development regulations may be obtained by consulting the administrative officer.
- W. *Signs*: Minimum design and location standards for signs are contained in the Pike County Sign Requirements (Article 25). Consult that article for specific requirements.
- X. *Yards abutting railroads*: Side yards and rear yards are not required adjacent to railroad rights-of-way.

## **ARTICLE 16. US HIGHWAY 19 & US HIGHWAY 41 OVERLAY DISTRICT**

### **Sec. 1601. Purpose.**

It is the purpose and intent of the overlay district regulations to establish additional development standards for public and private land development and building construction activities along the major commercial corridors of Pike County to:

- a. Promote the general health, safety and welfare of the community;
- b. Improve the efficient operation of traffic along US Highway 19 and US Highway 41;
- c. Create a sense of place that is aesthetically appealing and environmentally responsible;
- d. Encourage innovative development projects that set standards for landscaping, community design and aesthetics.
- e. Establish consistent and harmonious design standards for public improvements and private property within the overlay districts so as to unify the distinctive visual quality of the US Highway 19 and US Highway 41 corridors.

The overlay districts provide an additional layer of regulations to the underlying zonings of properties along the major commercial corridors to provide additional controls on development, minimize inappropriate, haphazard and inharmonious improvements and alterations to properties, to secure and maintain additional building setbacks, to secure consistency in performance between public and private developments, and for other purposes.

### **Sec. 1602. Area of Jurisdiction.**

- A. The boundaries of the overlay districts are established to include those properties with frontage on ~~or access~~ via US Highway 19 (Georgia State Route 3) and US Highway 41 (Georgia State Route 7). The boundaries of the US 19 overlay district are ~~contained within a corridor 500 feet~~ every parcel of land that has frontage on US 19 from on each side of the right-of-way of US Highway 19 from its intersection with the Pike County/Spalding County line to its intersection with the Pike County/Upson County line, less and except portions of US Highway 19 within the municipal limits of Zebulon.
- B. The boundaries of the US Highway 41 overlay district are ~~contained within a corridor 500 feet from on~~ every parcel that has frontage on US Highway 41 each side of the right-of-way of US Highway 41 from its intersection with the Pike County/Spalding County line to its intersection with the Pike County/Lamar County line.
- ~~C. If the 500-foot corridor for either US Highway 41 or US Highway 19 comprises 50% or more of an adjacent parcel's depth, then the entire parcel, inside and outside of the 500-foot corridor limit line, shall be subject to the full requirements of this Ordinance.~~
- ~~D. Adjacent parcels whose depths exceed the 50% requirement described in the preceding paragraph shall meet the overlay requirements only for the portion of the property that is within the 500-foot corridor limits.~~

### **Sec. 1603. Applicability of Regulations.**

- A. The standards of the US Highway 19 and US Highway 41 overlay district shall apply to all developments except as follows:
  - 1. Agricultural and single family detached residential uses;
  - 2. Alteration or renovation that involves 50 % or less of the floor area of an existing building provided that no additional alteration or renovation occurs within a 3 year period.
  - 3. Expansions of less than 50 % of the floor area of the existing building, provided the same exterior materials on the existing structure(s) are used or a superior material is approved by the Director of Planning and Development and that no additional expansion, alteration or renovation occurs within a 3 year period.
  - 4. The owner or official designee of an individual development site that by physical features, i.e., topography, buildings, other structures, etc., will prevent new development from being highly visible from the highway may provide evidence in the form of topographic maps, finished floor elevations, maximum height of buildings, photos, balloon tests or other applicable information to the Director of Planning and Development for an administrative exemption approval. Any proposal determined by the Director of Planning and Development to be exempt from the overlay district requirements shall be brought to the attention of the Planning and Zoning Board as an information item. If the Planning and Zoning Board disagrees with the Director of Planning and Development, the Planning and Zoning Board shall by a majority vote forward the matter to the Board of Commissioners for further review.
  - 5. Development approved prior to the adoption of this ordinance provided the property is not rezoned or a change of use occurs. If rezoning or a change of use occurs, the requirements of this ordinance shall take full effect on the parcel or lot to the extent parcel dimensions will allow.
  - 6. Any development with an approved land disturbance permit prior to the adoption of this ordinance.
- B. Public and quasi-public buildings such as schools, libraries, churches, etc., shall be subject to the overlay district requirements.

### **Sec. 1604. Permitted Uses**

Unless otherwise specified or prohibited, permitted uses, accessory uses and special use permits which are allowed in the underlying zoning shall also be allowed in the overlay district. Each new development and land use shall conform to the standards of the overlay district as well as to the standards of the underlying zoning district. In the event of a conflict between the standards of the overlay district and the underlying zoning district, the most restrictive requirement shall prevail.

### **Sec. 1605. Special Use Permits**

- A. The following uses shall be allowed in the overlay districts only if the Board of Commissioners approves a special use permit pursuant to the procedures specified by the Pike County Unified Development Code (UDC):
  - 1. self-storage facility,
  - 2. used car and truck lot,
  - 3. automobile repair and maintenance facility,
  - 4. commercial outdoor recreation,
  - 5. car wash, and
  - 6. outdoor storage.
- B. This section may be modified to add or delete uses only by amendment through the public hearing process prescribed for amendments to the Pike County Unified Development Code (UDC)

**Sec. 1606. Prohibited Uses**

- A. The following uses are strictly prohibited in the overlay districts:
  - 1. masts,
  - 2. towers,
  - 3. antennas above tree lines,
  - 4. laying or broiler poultry or turkey houses,
  - 5. hog parlors and the like,
  - 6. tattoo parlors,
  - 7. pawnshops
  - 8. junk yards, and
  - 9. adult entertainment establishments.
- B. This section may be modified to add or delete prohibited uses only by amendment through the public hearing process prescribed for amendments to the Pike County Unified Development Code (UDC).

**Sec. 1607. Nonconforming Buildings, Structures or Uses of Land**

- A. Any lawfully existing building, structure or use of land located within the boundary of an overlay district at the time of adoption of the overlay district shall be deemed to be a nonconforming condition. Any nonconforming building, structure or use of land may continue subject to the following restrictions:
  - 1. If a nonconforming building, structure, or use of land is removed or is made to conform to the standards of the respective overlay district, the condition shall not be permitted to revert to a nonconforming condition.
  - 2. No nonconforming building, structure or use of land shall be allowed to convert to a different nonconforming building, structure or use of land.
- B. No existing building, structure or use of land that was in violation of any applicable code, ordinance or regulation at the time of the adoption of the overlay districts, shall be deemed to be a conforming condition.

**Sec. 1608. Application Requirements**

All applications for development in the US Highway 19 and US Highway 41 overlay districts shall include a copy of each of the following: a site plan review application form, a site plan, a landscape plan and a narrative description of the project. Architectural renderings or photographs of substantially similar examples of building materials should also be submitted or the applicant may indicate in the narrative a written statement of intent to comply with the building materials and features requirements specified in Section 1615. In addition, the applicant is required to meet with the Director of Planning and Development or designee prior to filing an application to review filing requirements and development standards (pre-application review).

**Sec. 1609. Application and Review Fees**

Application and review fees shall be in accordance with the current Pike County Fee Schedule, as established by the Board of Commissioners.

**Sec. 1610. Site Plan Review Application Form**

All applications shall include a complete overlay application form.

## **Sec. 1611. Site Plan**

- A. All applications shall include a site plan prepared by a licensed Georgia registered professional engineer (PE), surveyor (RLS), landscape architect (RLA) or certified planner (AICP). The site plan shall illustrate graphically lot lines and dimensions, street names, zonings of adjacent properties, locations of existing and proposed buildings, required landscape strips and buffers, fences, walls, detention ponds, etc. Development standards and design standards which cannot be illustrated graphically shall be addressed as notes on the site plan.
- B. Site plans shall be drawn at a scale of 1 inch = 50 feet and shall not exceed 24" x 36" in size unless otherwise approved by the Director of Planning and Development.
- C. Applicants shall be required to meet with the Planning Director or designee to review the site plan.
- D. The Director of Planning and Development shall forward the site plan to the Planning and Zoning Board for review. The Planning and Zoning Board shall either approve or reject the site plan. If the site plan is rejected, the Planning and Zoning Board shall forward a written explanation to the property owner/applicant stating the reasons for its decision. If rejected, the property owner/applicant may revise the site plan and resubmit it to the Planning and Zoning Board or appeal the decision of the Planning and Zoning Board to the Pike County Board of Commissioners within thirty (30) days of the Planning and Zoning Board's action. Upon approval of the site plan by the Planning and Zoning Board or Board of Commissioners, the property owner/applicant may apply for a land disturbance or building permit. In granting a site plan approval, the Planning and Zoning Board or the Board of Commissioners may impose such reasonable and additional conditions as may be deemed necessary to protect adjoining or nearby properties or to otherwise promote the public health, safety or welfare.
- E. Site plans shall not be required for interior renovations.

## **Sec. 1612. Landscape Plan**

- A. All applications shall include a landscape plan prepared by a licensed Georgia registered landscape architect (RLA). The landscape plan shall illustrate all required landscape and buffer areas along with materials, sizes and quantities of planting materials. The plan shall be fully implemented prior to the issuance of a Certificate of Occupancy except as may be approved by the Director of Planning & Development due to inclement weather conditions. Delay of the implementation of the landscaping plan shall not exceed a period of 6 months and the property owner/applicant shall be required to post a performance bond in the amount of 110% of the estimated cost of the delayed landscaping improvements.
- B. Landscape plans shall not be required for development solely involving interior renovations.
- C. The minimum standards for landscape strips, landscape islands and buffers shall be as follows:
  - 1. Landscape strips. A landscape strip is an area measured from a property line reserved for the planting of trees, shrubs, grass and/or ground cover except for approved access and utility crossings. Landscape strips shall be designed with at least 60 % coverage in trees and shrubs and no more than 40 % in grass (sod), or ground cover. At the time of planting, trees shall be a minimum of 2" in caliper and not less than 6ft. in height; shrubs shall be a minimum of 3ft. in height (or minimum 3 gallon containers); and ground cover shall be a minimum of 1 ft. in height (or minimum 1 gallon containers). Mature and native vegetation should be preserved in landscape strips. Where applicable, landscape strips shall be designed so as to conform to GDOT sight distance requirements.
    - a. Landscape strips along public rights-of-way. Landscape strips along public rights-of-way shall be measured from the front property line and shall be a minimum of 25 feet wide along the property's entire public street frontage(s) except at points of ingress/egress or within existing easements of various purposes.



- b. Landscape strips alongside and rear property lines adjacent to nonresidential uses. A minimum 15 foot wide landscape strip shall be provided along the property's side and rear property lines adjacent to nonresidential zonings and/or uses.
  - c. Landscaping in the rights-of-way of US Highway 19 and US Highway 41 shall be subject to the approval of GDOT. Written authorization or denial by GDOT shall be provided to the Department of Planning and Development as an attachment to the required landscape plan.
2. Landscaping in Parking Areas.
- a. Landscaped islands shall be provided for every 10 parking spaces and at the ends of each row of parking spaces. The landscaped islands shall be a minimum of 10 feet wide and 18 feet in length and shall include a minimum of 1 canopy tree, 2 evergreen shrubs, and ground cover. Trees shall be a minimum of 2" in caliper and not less than 6 feet in height at time of planting. Shrubs shall be a minimum of 3 feet in height (or minimum 3 gallon containers). Ground cover shall be a minimum of 1 foot in height (or minimum 1 gallon containers). The remaining area of landscaping islands shall be planted with additional trees, shrubs, ground cover and/or grass (sod).
  - b. The perimeter of landscaped islands shall be surrounded by a continuous raised concrete or asphalt curb. The width and length of landscaped islands shall be measured from the inside edge of the curb. Trees planted in landscaped islands shall be allowed to grow to maturity and shall not be pruned beyond the requirements of basic maintenance.
3. Other required landscaping. All land surfaces other than those covered by buildings, other structures, paving, required landscaped areas, buffers and other site features shall be landscaped with well-maintained grass (sod), flowers, shrubs, etc. The location and details of all other landscaped areas, including designated natural areas, shall be depicted on the required landscape plan.
4. Buffers. A buffer is a natural, undisturbed portion of a lot, except for approved access and utility crossings, which is set aside to achieve a vegetative visual barrier alongside the rear property lines between nonresidential zonings/uses and agricultural and/or residential uses. Buffers should be achieved with existing natural vegetation; however, where vegetation does not exist or buffer area is sparsely vegetated, replanting shall be subject to the approval of the Director of Planning and Development.
- a. Replanted buffers shall consist of a combination of evergreen trees, evergreen shrubs and deciduous shade trees as follows:
    - (i) A staggered row of evergreen trees a minimum of 6 feet in height at the time of planting; or
    - (ii) A single row of deciduous shade trees at least 2 inches in caliper at breast height at the time of planting which are expected at maturity to reach a height of no less than 30 feet; and
    - (iii) 2 staggered rows of evergreen shrubs, at least 3 feet in height, planted a maximum of 4 feet on center.
  - b. Buffers shall be measured from the property line and provided in the following widths:
    - (i) A minimum 50 foot wide buffer shall be provided along the side and rear property lines of all industrially zoned properties adjacent to agricultural and/or residential (including planned and multi-family) zoned properties;
    - (ii) A minimum 25 foot wide buffer shall be provided along the side and rear property lines of all nonresidential zonings/uses (except industrially zoned properties) adjacent to agricultural and/or residential (including planned and multi-family) zoned properties;
    - (iii) Buffers shall not be required between nonresidential and residential uses within a planned or multi-family residential development.

- (iv) Although a fence, wall, berm or other visual barrier may be substituted for a natural, vegetative buffer if approved through the variance process detailed in Section 1616, under no circumstances shall said fence, wall, berm or other visual barrier be termed a “buffer.”
- (v) Maintenance of Landscaped Areas and Buffers. All landscaped areas and buffers shall be maintained by the property owner. Should vegetation be removed or die, it shall be the responsibility of the property owner to replace it in accordance with the standards herein subject to the approval of the Director of Planning and Development.

### **Sec. 1613. Narrative**

All applications shall include a narrative description of the proposal’s consistency with the development and design standards.

### **Sec. 1614. Development Standards**

#### **A. Ingress/egress.**

The number and location of curbcuts along US Highway 19 (State Route 3) and US Highway 41 (State Route 7) shall be as approved by the Georgia Department of Transportation (GDOT). Connectivity between parcels shall be as approved by the Department of Public Works. The Department of Public Works may require stubouts to adjacent properties. Where parking lots and/or driveways are located at distances greater than 50 feet from an adjacent property line, no constructed stubout shall be required however, a perpetual easement for ingress and egress from the driveway/parking lot to the adjacent property line shall be required as a condition of site development permit approval.

#### **B. Underground Utilities.**

Utilities shall be underground except those above ground utilities existing on the date of the adoption of this ordinance and any future utilities approved as special use permits by the Pike County Board of Commissioners.

#### **C. Outdoor Lighting.**

All outdoor lighting shall be night sky friendly, i.e., lighting shall be directed away from adjoining residential properties. Hooded down-light fixtures shall be used to minimize glare onto adjacent properties or roadways.

#### **D. Storm Water Detention Ponds.**

Security fencing shall be provided around all detention ponds visible from and within one 100 feet of an adjacent right-of-way. Said security fencing shall be a minimum of 4 feet in height and designed to appear as wrought or forged iron in black or natural earth tone color. If not visible from an adjacent right-of-way, said security fencing may be black vinyl coated chain link fencing or other material as may be approved by the Director of Planning and Development. Evergreen shrubs, a minimum of 3 feet in height when installed and planted at intervals of 4 feet, shall be provided around the perimeter of detention facilities located within 100 feet of a side or rear property line.

### **Sec. 1615. Design Standards**

#### **A. Front and right-of-way facing walls.**

Exterior building materials for front exterior walls (containing the primary building entrance) and any side exterior walls that face the highway and/or adjacent public street shall be as follows:

1. Category “A” materials shall comprise 50 percent or more of the area of each wall and shall be limited to one or a combination of the following: brick, natural stone with weathered, polished, fluted, or broken face, and/or glass. No quarry-faced stone shall be used except in retaining walls. The brick and stone material shall not be painted or defaced in any manner.

2. Category "B" materials may comprise no more than 50 percent of the area of each wall and shall be limited to one or a combination of the following: masonry backed stucco, exterior insulation finish system (EIFS), fiber cement boards, shingles, wood, manmade stone or false brick, and/or surface textured and painted poured in place concrete.
  3. Category "C" materials shall be limited to use as trim or accents and may include painted cement block, minimum 22 gauge painted steel, plastic and/or other materials not previously described except that vinyl shall be strictly prohibited.
- B. Remaining side and/or rear exterior treatments. Exterior building materials shall be as follows:
1. Any combination of Category A or B materials listed above. As indicated in Section 1608, applicants shall submit either architectural renderings or photographs of substantially similar examples of building materials and/or features or a written statement of intent to comply with these regulations which includes proposed building materials, etc.
- C. Speaker Systems.
- No outdoor loud speakers or music systems shall be allowed on any property less than 15 acres in area. Building security systems and public warning sirens shall not be considered speaker systems.
- D. Loading Docks and Parking Areas for Commercial Vehicles.
- All loading docks and parking areas for commercial vehicles shall be located or screened so as to not be visible from adjacent residential properties. Screening shall be in accordance with Section 1612. No loading dock shall be located in the front of a building.
- E. Parking Area and Materials.
- For properties with frontage on US Highway 41 and located within the boundaries of the US Highway 41 Overlay shall tTo the maximum extent possible, provide all vehicular parking shall be in rear and side yards and shall be covered with plant mix asphalt or concrete surface and all driveways shall be paved with similar materials. Paving stones and textured treatments may be used in driveways and pedestrian walkways to create variety and visual interest. Parking allowed between the building and the right-of-way shall only be approved by the Planning and Zoning Board during the review process outlined in this article.
- For all parcels that have frontage on US Highway 19 and located within the boundaries of the US Highway 19 Overlay District shall have all parking areas screened from the view of the public right-of-way of US Highway 19 by either a landscape berm of at least 3 feet in height with screening trees planted on 6 foot centers, with a minimum of 2 rows staggered, and all trees planted must be a minimum of 6 feet in height at the time of planting, or the site shall be designed in such a manner that the buildings will be located closer to the road and have no parking between the right-of-way and the building to serve as screening for the parking area. In the event the buildings are brought closer to the road and used as screening all buildings shall be oriented so the rear of the buildings will face the right-of-way and shall be designed in a manner that depicts storefronts to enhance the appearance along the right-of-way. All parking areas shall be covered with plant mix asphalt or concrete surface and all driveways shall be paved with similar materials. Paving stones and textured treatments may be used in driveways and pedestrian walkways to create variety and visual interest.
- F. Outdoor Storage.
- Outdoor storage shall be allowed only in side and rear yards and shall be fully screened from adjacent properties by a vegetative buffer in accordance with Section 1612 and shall not be visible from the public right-of-way, masonry walls, or opaque wood fencing. Screening shall be a minimum of two (2) feet higher than the top of the materials being screened and no less than six (6) feet nor more than ten (10) feet in height. Chain-link fencing, with or without slats, shall not be allowed as a screening material.
- G. Exterior Equipment/Containers.

All mechanical equipment, above ground tanks, storage facilities, garbage cans, trash containers, palletized trash, recycling containers, or other similar exterior equipment and/or containers shall be located or screened so as to not be visible from adjacent streets and properties. Screening may be accomplished by a vegetative buffer in accordance with Section 1612, masonry wall, or opaque wood fencing.

H. Vacant Buildings.

Vacant buildings and properties shall be maintained to include landscaping, parking areas, building exteriors, signs, etc. Sign structures shall not be left without sign-face materials.

### **Sec. 1616. Variances**

Where the strict application of any provision of the US Highway 19 or US Highway 41 overlay district would result in an exceptional and practical difficulty or undue hardship upon any owner of a specific property, the owner of said property may file a variance request for consideration by the Pike County Planning and Zoning Board in accordance with the provisions of Article 4 of the Pike County UDC.

### **Sec. 1617. Conflicts in Language**

Where conflicts in language occur between this and other ordinances of Pike County, the most restrictive standard shall prevail. Where determination of the most restrictive standard is not readily determined, the most recently adopted standard shall prevail.

### **Sec. 1618. Review**

A. Staff review.

1. The Director of Planning and Development or designee shall provide written comments regarding deficiencies of the application to the applicant within fifteen (15) business days of the filing of the complete application. If there are no deficiencies noted by staff, the complete application shall be forwarded to the Planning and Zoning Board for review at the next regularly scheduled monthly meeting. A complete file shall be maintained by the Department of Planning and Development for public inspection.
2. If deficiencies are noted by staff, the applicant shall have the right to amend the application or appeal staff's comments to the Planning and Zoning Board.

B. Planning and Zoning Board review.

1. Review of the application shall be by a quorum of the Planning and Zoning Board at a regularly scheduled monthly meeting. The applicant shall be allowed to present the proposal and the members of the Planning and Zoning Board shall be allowed to ask questions of the applicant.
2. The application review process is public, but a public hearing shall not be required. Questions by citizens should be in writing and submitted to the Chairman of the Planning and Zoning Board no later than the commencement of the meeting. The Chairman may, but is not required, to recognize individuals in attendance with questions. The Chairman may seek answers to questions from the applicant or staff. Each member of the Planning and Zoning Board shall be given ample time to ask questions with final questions to be raised by the Chairman.
3. The Planning and Zoning Board may approve the application as submitted, approve the application as conditioned by the Planning and Zoning Board, table the item until a later, specific date, or deny the application.
4. In making a determination to approve, approve with changes, table or deny an application, the Planning and Zoning Board shall consider the following:
  - a. Does the application meet or exceed the standards of the overlay district?

- b. Does the application comply with the purpose and intent of the overlay district even if it does not fully comply with all of the standards of the overlay district?
  - c. Are there conditions that need to be added to make the project a more appropriate and economically viable project?
  - d. What are the likely consequences of requiring a specific condition as part of approval, particularly in the absence of prior precedence?
5. Approval or approval with conditions by the Planning and Zoning Board is intended to be the final action necessary for the applicant to proceed with securing a land disturbance permit or building permit provided all permitting requirements are met.
  6. Tabling of the item may be to a regularly scheduled meeting or to a special called meeting.
  7. Denial of an application is the final action by the Planning and Zoning Board.

### **Sec. 1619. Appeals**

- A. A property owner/applicant or adjacent property owner that wishes to appeal a decision of the Planning and Zoning Board concerning a specific site plan may file an appeal to the Pike County Board of Commissioners. The appeal must be in writing and filed with the Director of Planning and Development within 10 calendar days of the action by the Planning and Zoning Board. The Director of Planning and Development shall place the appeal on the agenda of the next available regularly scheduled meeting of the Board of Commissioners. The decision of the Board of Commissioners shall be final, except as may be determined through legal proceedings of the Superior Court of Pike County.
- B. Upon receipt of a written appeal, the Board of Commissioners should place the item on the agenda of the next regularly scheduled meeting to render a decision on the matter in accordance with the Board's established rules of procedure.
- C. The appeal process is public but a mandatory public hearing shall not be required. The appellant shall be allowed sufficient time, but not more than 10 minutes, to present the details of the application relative to the Planning and Zoning Board's decision to the Board of Commissioners. The Director of Planning & Development shall not speak on behalf of the Planning and Zoning Board but shall instead offer professional opinions as to the validity of the appellant's claims. The Board of Commissioners shall be allowed to ask questions of the appellant, the Planning Director and applicant (if not the appellant).
- D. Although a mandatory public hearing shall not be required, the Chair of the Board of Commissioners may recognize individuals in attendance who have questions and shall seek to secure answers from staff or the applicant. Each member of the Board shall be given ample time to ask questions with final questions to be raised by the Chair.
- E. After due deliberation, a motion shall be made to affirm the original action by the Planning and Zoning Board, modify the original action by specific additional conditions of approval, table the matter to a specific date for further review, or reverse the Planning and Zoning Board's action.
- F. In making a determination to affirm, affirm with modifications, table or reverse the Planning and Zoning Board's approval or denial of a site plan, the Board of Commissioners should consider the matter in light of the following questions:
  1. Was the action by the Planning and Zoning Board consistent with the specific requirements of the overlay district?
  2. Did the action by the Planning and Zoning Board comply with the general intent of the overlay district even if it does not fully comply with the specific requirements of the overlay district?

3. Are there conditions that need to be added to make the project a more appropriate and economically viable project?
  4. What are the likely consequences of requiring a specific condition as part of approval, particularly in the absence of prior precedence?
- G. Affirmation with or without modifications of a prior approval or reversal of a prior denial, by the Board of Commissioners, shall be the final action necessary for the applicant to proceed with securing a land disturbance permit or building permit, provided the requirements of those processes have been met.
- H. Reversal of a prior approval or affirmation of a prior denial shall be the final action taken by the Board of Commissioners. Any work in process must immediately cease and desist. Work begun in advance of the conclusion of the County's appeal process is at risk and will not be compensated by the County.

**Sec. 1620. Amendments to the Text of Overlay District**

Text amendments shall be in accordance with the requirements of Article 4, Section 414 of the Pike County UDC.

=

## **ARTICLE 17. S-1 SENSITIVE LAND FLOOD DAMAGE PREVENTION<sup>1</sup>**

### **Sec. 1701. Purpose and authorization**

- A. *Authorization.* Pursuant to Article IX, Section II of the Constitution of 1983 and O.C.G.A. § 36-1-20(a), Pike County is authorized to adopt regulations designed to promote the public health, safety, and general welfare to protect property from safety hazards on lands that are vulnerable to flooding.
- B. *Findings of fact.*
1. Flood hazard areas of Pike County, Georgia are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
  2. These flood losses are caused by occupancy of structures located in flood hazard areas which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages, and by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities.
- C. *Statement of purpose.*
1. S-1 is an overlay district which applies the additional standards of specific areas which may lie within any other zoning district in this ordinance. Both the regulations of S-1 and that district shall apply. In the event of a conflict, the more stringent provision shall prevail.
  2. This ordinance promotes the public health, safety and general welfare by minimizing public and private losses due to flood conditions, periodic flooding and inundation in specific areas by:
    - a. Requiring that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;
    - b. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;
    - c. Controlling filling, grading, dredging and other development which may increase flood damage or erosion; and
    - d. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;
    - e. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters.
- D. *Objectives.* The objectives of this ordinance are:
1. To protect human life and health;
  2. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

- 
3. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas;
  4. To minimize expenditure of public money for costly flood control projects;
  5. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
  6. To minimize prolonged business interruptions; and
  7. To insure that potential homebuyers are notified that property is in a flood area.

## **Sec. 1702. Definitions.**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

- A. *Accessory structure*: A structure having minimal value and used for parking, storage and other non-habitable uses, such as garages, carports, storage sheds, pole barns, hay sheds and the like.
  - B. *Addition (to an existing building)*: Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by an independent perimeter load-bearing wall, shall be considered "new construction."
  - C. *Appeal*: A request for a review of the zoning administrator's interpretation of any provision of this ordinance.
  - D. *Area of shallow flooding*: A designated AO or AH Zone on a community's flood insurance rate map (FIRM) with base flood depths from one (1) to three (3) feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.
  - E. *Area of special flood hazard*: The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. In the absence of official designation by the Federal Emergency Management Agency, areas of special flood hazard shall be those designated by the local community and referenced in subsection 1703 A.2.
  - F. *Base flood*: The flood having a one (1) percent chance of being equaled or exceeded in any given year.
  - G. *Base flood elevation (BFE)*: The elevation shown on the flood insurance rate map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a one (1) percent chance of occurrence in any given year.
  - H. *Basement*: That portion of a building having its floor sub grade (below ground level) on all sides.
  - I. *Building*: Any structure built for support, shelter, or enclosure for any occupancy or storage.
  - J. *Critical facility*: Any public or private facility, which, if flooded, would create an added dimension to the disaster or would increase the hazard to life and health. Critical facilities include:
    1. Structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials;
    2. Hospitals and nursing homes, and housing for the elderly, which are likely to contain occupants who may not be sufficiently mobile to avoid the loss of life or injury during flood and storm events;
    3. Emergency operation centers or data storage centers which contain records or services that may become lost or inoperative during flood and storm events; and
-



- 
4. Generating plants, and other principal points of utility lines.
- K. *Development*: Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, and storage of materials or equipment.
- L. *Elevated building*: A non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.
- M. *Existing construction*: For the purposes of determining rates, structures for which the "start of construction" commenced before October 1, 1991, the effective date of the initial FIRM map enactment for Pike County.
- N. *Existing manufactured home park or subdivision*: Means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before October 1, 1991, the effective date of the FIRST floodplain management regulations adopted by Pike County.
- O. *Expansion to an existing manufactured home park or subdivision*: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.
- P. *Flood or flooding*: A general and temporary condition of partial or complete inundation of normally dry land areas from:
1. The overflow of inland or tidal waters; or
  2. The unusual and rapid accumulation or runoff of surface waters from any source.
- Q. *Flood hazard boundary map (FHBM)*: An official map of a community, issued by the Federal Insurance Administration, where the boundaries of areas of special flood hazard have been defined as Zone A.
- R. *Flood insurance rate map (FIRM)*: An official map of a community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.
- S. *Flood insurance study*: The official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles and water surface elevations of the base flood.
- T. *Floodplain*: Any land area susceptible to flooding.
- U. *Flood proofing*: Any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- V. *Floodway*: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- W. *Freeboard*: A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.
-

- 
- X. *Highest adjacent grade*: The highest natural elevation of the ground surface, prior to construction, adjacent to the proposed foundation of a building.
- Y. *Historic structure*: Any structure that is:
1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the secretary of the interior as meeting the requirements for individual listing on the National Register;
  2. Certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district:
    - a. Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the secretary of the interior; or
    - b. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
      - i. By an approved state program as determined by the secretary of the interior, or
      - ii. Directly by the secretary of the interior in states without approved programs.
- Z. *Lowest floor*: The lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this Code.
- AA. *Manufactured home*: A building, transportable in one (1) or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for one hundred eighty (180) consecutive days or longer and intended to be improved property.
- BB. *Manufactured home park or subdivision*: A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.
- CC. *Mean sea level*: The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.
- DD. *National Geodetic Vertical Datum (NGVD)*: As corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.
- EE. *New construction*: For the purposes of determining insurance rates, structures for which the "start of construction" commenced after October 1, 1991 and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced after October 1, 1991 and includes any subsequent improvements to such structures.
- FF. *New manufactured home park or subdivision*: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed after October 1, 1991.
- GG. *North American Vertical Datum (NAVD)*: Replaced the National Geodetic Vertical Datum of 1929 in existing and future FEMA flood modernization maps.
-

---

HH. *Recreational vehicle*: A vehicle, which is:

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

II. *Start of construction*: The date the development permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of the structure such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or part of the main structure. (Note: Accessory structures are not exempt from any ordinance requirements.) For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

JJ. *Structure*: A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank.

KK. *Subdivision*: The division of a single lot into two (2) or more lots for the purpose of sale or development.

LL. *Substantial damage*: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

MM. *Substantial improvement*: Any reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during a five-year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure prior to the "start of construction" of the improvement. NOTE: The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures, which have incurred "substantial damage", regardless of the actual amount of repair work performed.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include (1) those improvements of a structure required to comply with existing violations of state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions and which have been identified by the code enforcement official, and not solely triggered by an improvement or repair project, or (2) any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure".

NN. *Substantially improved existing manufactured home parks or subdivisions*: Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty (50) percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

---

OO. *Variance*: A grant of relief from the requirements of this ordinance, which permits construction in a manner otherwise prohibited by this ordinance.

PP. *Violation*: The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, or other certifications, or other evidence of compliance required by this ordinance is presumed to be in violation until such time as that documentation is provided.

### **Sec. 1703. General provisions.**

A. *Lands within the S-1 District.*

1. Areas subject to periodic flooding are included within the S-1 District. These areas, known as areas of special flood hazard within Pike County, Georgia, areas of special flood hazard, are identified by the Federal Emergency Management Agency (FEMA) in its most recent flood insurance study (FIS), dated September 11, 2009, which with accompanying maps and other supporting data and any revision thereto, are adopted by reference and declared a part of this ordinance. The boundaries shown thereon for areas of special flood hazard are the boundaries of the S-1 District.
2. Areas of special flood hazard may also include those areas known to have flooded historically or defined through standard engineering analysis by governmental agencies or private parties but not yet incorporated in a FIS.
3. Areas of shallow flooding, as designated in the AO and AH zones on the flood insurance rate map(s) are included in the S-1 District.
4. The repository for public inspection of the flood insurance study (FIS), accompanying maps and other supporting data is located: Pike County Planning and Development Department.

B. *Establishment of development permit.* A development permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities.

C. *Compliance.* No structure or land within the S-1 District shall hereafter be located, extended, converted or altered without full compliance with the terms of this ordinance and other applicable regulations.

D. *Abrogation and greater restrictions.* This ordinance does not repeal, abrogate, or impair any existing ordinance, easements, covenants, or deed restrictions. Where the provisions of this ordinance and another conflict or overlap, the more stringent restrictions shall prevail.

E. *Interpretation.* The provisions of the ordinance shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

F. *Warning and disclaimer of liability.* The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Pike County or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

G. *Penalties for violation.* Failure to comply with the provisions of this ordinance or with any of its requirements, including conditions and safeguards established in connection with grants of a variance or a special use permit shall constitute a violation. Any person who violates this ordinance or fails to comply with

---

any of its requirements shall, upon conviction thereof, be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than thirty (30) days, or both, and in addition, shall pay all costs and expenses involved in the case. Each day that such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Pike County from taking such other lawful actions as is necessary to prevent or remedy any violation.

**Sec. 1704. Administration.**

- A. *Designation of ordinance administrator.* The zoning administrator is hereby appointed to administer and implement the provisions of this ordinance.
- B. *Permit procedures.* Application for a development permit shall be made to the zoning administrator on forms furnished by Pike County prior to any development activities may be conducted on property within the S-1 District. Such activities may include but are limited to the following: plans in duplicate drawn to scale showing the elevations of the area in question and the nature, location, dimensions, of existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities.

The following information is required:

- 1. *Application stage.*
  - a. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
  - b. Elevation in relation to mean sea level to which any non-residential structure will be flood-proofed;
  - c. Design certification from a registered professional engineer or architect that any proposed non-residential flood-proofed structure will meet the flood-proofing criteria of subsection 1705 B.2.; and
  - d. Description of the extent to which any watercourse will be altered or relocated as a result of a proposed development.
- 2. *Construction stage.* For all new construction and substantial improvements, the permit holder shall provide to the zoning administrator an as-built certification of the regulatory floor elevation or flood-proofing level immediately after the lowest floor or flood proofing is completed. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood proofing is utilized for non-residential structures, certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.

Any work undertaken prior to submission of these certifications shall be at the permit holder's risk.

The zoning administrator shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being allowed to proceed. Failure to submit certification or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

- C. *Duties and responsibilities of the administrator.* Duties of the zoning administrator shall include, but shall not be limited to:
  - 1. Review proposed development to assure that the permit requirements of this ordinance have been satisfied.
  - 2. Review the proposed development to assure that all necessary permits have been received from governmental agencies from which approval is required by Federal or State law, including section 404

- 
- of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. Require that copies of such permits be provided and maintained on file.
3. Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding.
  4. When base flood elevation data or floodway data have not been provided in accordance with subsection 1703 B., the zoning administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other sources in order to administer the provisions of section 1705.
  5. Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new or substantially improved structures in accordance with subsection 1704 B.2.
  6. Review and record the actual elevation, in relation to mean sea level to which any new or substantially improved structures have been flood-proofed, in accordance with subsection 1704 B.2.
  7. When flood-proofing is utilized for a structure, the zoning administrator shall obtain certification of design criteria from a registered professional engineer or architect in accordance with subsections 1704 B.1.c. and 1705 B.2. or D.2.
  8. Make substantial damage determinations following a flood event or any other event that causes damage to structures in flood hazard areas.
  9. Notify adjacent communities and the Georgia Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).
  10. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to the FEMA to ensure accuracy of community flood maps through the letter of map revision process. Assure flood carrying capacity of any altered or relocated watercourse is maintained.
  11. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the zoning administrator shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in subsection 1706 B.
  12. All records pertaining to the provisions of this ordinance shall be maintained in the office of the zoning administrator and shall be open for public inspection.

### **Sec. 1705. Provisions for flood hazard reduction.**

- A. *General standards.* In all areas of special flood hazard the following provisions are required:
  1. New construction and substantial improvements of existing structures shall be anchored to prevent flotation, collapse or lateral movement of the structure;
  2. New construction and substantial improvements of existing structures shall be constructed with materials and utility equipment resistant to flood damage;
  3. New construction or substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage;
  4. Elevated buildings. All new construction or substantial improvements of existing structures that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be

---

designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.

- a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
    - i. Provide a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
    - ii. The bottom of all openings shall be no higher than one (1) foot above grade; and
    - iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both direction.
  - b. So as not to violate the "lowest floor" criteria of this ordinance, the unfinished of flood resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area, and
  - c. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
5. All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
  6. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
  7. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
  8. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
  9. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and
  10. Any alteration, repair, reconstruction or improvement to a structure, which is not compliant with the provisions of this ordinance, shall be undertaken only if the non-conformity is not furthered, extended or replaced.
- B. *Specific standards.* In all areas of special flood hazard the following provisions are required:
1. *New construction and/or substantial improvements.*
    - a. Where base flood elevation data are available, new construction and/or substantial improvement of any structure or manufactured home shall have the lowest floor, including basement, elevated no lower than one (1) foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with standards of subsection 1705 A.4., "Elevated buildings."
    - b. All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be elevated at or above one (1) foot above the base flood elevation.
  2. *Non-residential construction.* New construction and/or the substantial improvement of any structure located in A1-30, AE, or AH zones, may be flood-proofed in lieu of elevation. The structure, together
-

---

with attendant utility and sanitary facilities, must be designed to be water tight to one (1) foot above the base flood elevation, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and in subsection 1704 C.6.

3. *Standards for manufactured homes and recreational vehicles.* Where base flood elevation data are available:
    - a. All manufactured homes placed and/or substantially improved on: (1) individual lots or parcels, (2) in new and/or substantially improved manufactured home parks or subdivisions, (3) in expansions to existing manufactured home parks or subdivisions, or (4) on a site in an existing manufactured home park or subdivision where a manufactured home has incurred "substantial damage" as the result of a flood, must have the lowest floor including basement, elevated no lower than one (1) foot above the base flood elevation.
    - b. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision may be elevated so that either:
      - i. The lowest floor of the manufactured home is elevated no lower than one (1) foot above the level of the base flood elevation, or
      - ii. The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) or no less than thirty-six (36) inches in height above grade.
    - c. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement (Ref. subsection 1705 A.6.).
    - d. All recreational vehicles placed on sites must either:
      - i. Be on the site for fewer than one hundred eighty (180) consecutive days.
      - ii. Be fully licensed and ready for highway use, (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or
      - iii. The recreational vehicle must meet all the requirements for "new construction", including the anchoring and elevation requirements of subsections 1705 B.3.a.—c., above.
  4. *Floodway.* Located within areas of special flood hazard established in subsection 1703 A., are areas designated as a floodway. A floodway may be an extremely hazardous area due to velocity floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:
    - a. Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway. Development may be permitted, however, it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof.
    - b. Only if subsection 1705 B.4.a. above is satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of this section.
-



- 
- C. *Building standards for streams without established base flood elevations and/or floodway (A-Zones).* Located within the areas of special flood hazard established in subsection 1703 A., where streams exist but no base flood data have been provided (A-Zones), or where base flood data have been provided but a floodway has not been delineated, the following provisions apply:
1. When base flood elevation data or floodway data have not been provided in accordance with subsection 1703 A., then the zoning administrator shall obtain, review, and reasonably utilize any scientific or historic base flood elevation and floodway data available from a federal, state, or other source, in order to administer the provisions of section 1705. Only if data are not available from these sources, then subsections 2. and 3. shall apply.
  2. No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty (17) feet, whichever is greater, measured from the top of the stream bank, unless certification by a registered professional engineer is provided demonstrating that such encroachment shall not result in more than a one-foot increase in flood levels during the occurrence of the base flood discharge.
    - a. In special flood hazard areas without base flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. The lowest floor may be elevated one (1) foot above the estimated base flood elevation in A-Zone areas where a limited detail study has been completed. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of subsection 1705 A.4., "Elevated buildings."
    - b. All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be elevated no less than three (3) feet above the highest adjacent grade at the building site.
  3. The zoning administrator shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.
- D. *Standards for areas of special flood hazard (Zones AE) with established base flood elevations without designated floodways.* Located within the areas of special flood hazard established in subsection 1703 A., where streams with base flood elevations are provided but no floodways have been designated, (Zones AE) the following provisions apply:
1. No encroachments, including fill material, new structures or substantial improvements shall be located within areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
  2. New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with subsection 1705 B.
- E. *Standards for areas of shallow flooding (AO/AH Zones).* Areas of special flood hazard established in subsection 1703 A. may include designated "AO" shallow flooding areas. These areas have base flood depths of one (1) to three (3) feet above ground, with no clearly defined channel. The following provisions apply:
1. All new construction and substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, elevated to the flood depth number specified on the flood insurance rate map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of flood waters shall be
-

---

provided in accordance with standards of subsection 1705 A.4., "Elevated buildings". The zoning administrator shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

2. New construction or the substantial improvement of a non-residential structure may be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus one (1) foot, above highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and as required in subsections 1704 B.1.c. and B.2.
3. Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

F. *Standards for subdivisions.*

1. All subdivision and/or development proposals shall be designed and constructed to minimize flood damage;
2. All subdivision and/or development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
3. All subdivision and/or development proposals shall have adequate drainage provided to reduce exposure to flood hazards; and
4. For subdivisions and/or developments greater than fifty (50) lots or ten (10) acres, whichever is less, base flood elevation data shall be provided for subdivision. Any changes or revisions to the flood data adopted herein and shown on the FIRM shall be submitted to FEMA for review as a conditional letter of map revision (CLOMR) or conditional letter of map amendment (CLOMA), whichever is applicable. Upon completion of the project, the developer is responsible for submitting the "as-built" data to FEMA in order to obtain the final LOMR.

G. *Standards for critical facilities.*

1. Critical facilities shall not be located in the 100-year floodplain or the 500-year floodplain.
2. All ingress and egress from any critical facility must be protected to the 500-year flood elevation.

H. *Standards for dams*

Dams, provided they are constructed in accordance with the requirements of the United States Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), or Agencies of the Department of Natural Resources (Environmental Protection Division), the US Army Corps of Engineers and Pike County.

A. Dams.

Any land disturbing activity that involves a property, which is proposed to contain a dam, shall comply with the provisions of this section:

1. New dams which become subject to the requirements of the Georgia Safe Dams Act and Rules for Dam Safety, which are proposed to be 25 feet or more in height or proposed to have an impounding capacity of 100 acre-feet or more at maximum water storage elevation or otherwise defined by the Georgia Safe Dams Act shall be subject to the following:
  - (a) The owner of any new dam in which development exists within the proposed breach zone shall be subject to the requirements of the Georgia Safe Dams Act and Rules for Dam Safety

---

adopted by the Georgia Department of Natural Resources. The owner shall obtain necessary approvals and permits from the Environmental Protection Division of the Georgia Department of Natural Resources for the project and the dam prior to securing a development permit from the Pike County Department of Planning & Development. The owner of any new dam which development does not exist within the proposed breach zone shall submit four (4) copies of the construction plans to the Pike County Planning & Development Department for review of the project and the dam prior to securing a development permit.

- (b) If the owner elects to construct the new dam according to the design standards for new dams as contained in the Rules for Dam Safety, then new development shall be permitted within the dam breach zone. However, the dam shall meet the design standards for new dams as contained in Rules for Dam Safety if development currently exists or is proposed in the dam breach zone.
  - (c) If the owner elects not to construct the new dam to the design standards for new dams as contained in the Rules for Dam Safety, the 4 copies of a dam breach analysis for the dam shall be submitted along with 4 copies of the construction plans for review prior to securing a development permit from the Pike County Planning & Development Department. The design engineer shall utilize the computer model entitled "DAMBRK" for the dam breach analysis.
  - (d) Should the new dam not meet the design standards for new dams as contained in the Rules for Dam Safety, only the following uses and structures shall be permitted within the dam breach easement:
    - (i) Agriculture, which requires no structures for human habitation within the dam breach zone including forestry, livestock raising and agricultural forestry access roads.
    - (ii) Fences having sufficient open area to permit the free flow of water and/or debris.
    - (iii) Outdoor advertising signs provided the signs meet the minimum requirements as specified under the Pike County Sign Ordinance.
    - (iv) Roads and driveways, provided they are designed and constructed to permit the free flow of flood waters by means of culverts or bridges and are approved by the Georgia Department of Transportation and/or Pike County.
    - (v) Utility poles, towers, pipelines, water treatment outfalls and facilities or other similar facilities and structures, provided they are constructed to permit the free flow of flood waters.
    - (vi) Parking, provided the design allows for proper drainage and the free flow of flood waters.
    - (vii) Public, semipublic, private and commercial recreational uses.
    - (viii) Greenbelts.
2. For any new dam proposed not to meet the design for new dams as contained in the Rules for Dam Safety, the owner shall obtain a dam breach easement, recorded with the Clerk of the Superior Court, from any off-site property owner where it is proposed for the dam breach zone to extend off the property where the dam is being constructed. The owner shall also cause a dam breach easement to be recorded upon the property being developed.
  3. Prior to recording of a plot plan or at completion of a building foundation, an as-built certification from a registered professional shall be submitted to the Pike County Planning & Development

---

Department. The certification shall state that the dam is constructed according to the provisions of these regulations as well as authorized construction plans.

B. Quality assurance plan.

1. When an existing Category II Dam may be reclassified to a Category I Dam because of proposed development downstream of the dam, the developer shall provide to the governing authority the following information for transmittal and review by the Safe Dams Program, prior to issuing the permit for the development:
  - (a) Location of the Category II Dam and the proposed development;
  - (b) A surveyed cross section as required by the Georgia Safe Dams Act of the stream valley at the location of the proposed development including proposed finished floor elevations; and
  - (c) A dam breach analysis using the "DAMBRK" computer model to establish the height of the flood wave in the downstream floodplain. The dam break modeling shall be completed according to the safe dams program quality assurance program by a qualified registered engineer.

C. Inventory.

1. Inventory information regarding the Category II Dams within Pike County may be obtained through the Georgia Safe Dams Program.

**Sec. 1706. Variance and appeal procedures.**

- A. The Pike County Planning and Zoning Board shall hear and decide requests for appeals or variances from the requirements of this ordinance in accordance with article 4 of this ordinance.
- B. The board shall hear and decide appeals from a decision or action of the zoning administrator in accordance with section 407 of this ordinance.
- C. Any person aggrieved by the decision of the Pike County Planning and Zoning Board may petition the Superior Court of Pike County for a writ of certiorari.
- D. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.
- E. Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this ordinance are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.
- F. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- G. In reviewing such requests, the Pike County Planning and Zoning Board shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this ordinance.
- H. Conditions for variances.
  1. A variance shall be issued only when there is:
    - a. A finding of good and sufficient cause;
    - b. A determination that failure to grant the variance would result in exceptional hardship; and

- 
- c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  2. The provisions of this ordinance are minimum standards for flood loss reduction; therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and, in the instance of a Historic Structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.
  3. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.
  4. The zoning administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.
  5. Upon consideration of the factors listed above and the purposes of this ordinance, the Pike County Planning and Zoning Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

**Sec. 1707. Severability.**

If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

## **ARTICLE 18. S-2 SENSITIVE LAND-WATERSHED PROTECTION DISTRICT**

### **Sec. 1801. Purpose.**

In order to provide for the health, safety and welfare of the public and a healthy economic climate within Pike County and surrounding communities, it is essential that the quality of public drinking water be assured. The ability of natural systems to filter stormwater runoff can be threatened by unrestricted development. Land-disturbing activities associated with development can increase erosion and sedimentation that threatens the storage capacity of reservoirs, in addition, stormwater runoff, particularly from impervious surfaces, can introduce toxins, nutrients and sediment into drinking water supplies, making water treatment more complicated and expensive and rendering waters resources unusable for recreation. Industrial land uses that involve the manufacture, use, transport and storage of hazardous or toxic waste materials result in the potential risk of contamination of nearby public drinking water supplies.

The purpose of this article is to establish measures to protect the quality and quantity of the present and future water supply of Pike County; to minimize the transport of pollutants and sediment to the water supply; and to maintain the yield of the water supply watershed. This article shall apply to all existing and proposed water supply watersheds within Pike County.

Additionally, the S-2 Watershed Protection District is intended to maintain a high-water quality of the surface water (rivers, creeks, streams and springs) and underground water to assure that a high quality of drinking water is maintained in the future. The district is intended to provide for certain development uses, while maintaining and protecting area water sources from polluting effects of more intense development and from encroachments of those uses that are not compatible with a protected watershed area.

### **Sec. 1802. Relationship to other zoning districts.**

S-2 is an overlay district which applies additional definitions and standards for development to specific areas which lie within any of the zoning districts identified in Articles 5—19 of this ordinance. To the extent the boundaries of the S-2 district overlay property located within other districts, the regulations of both districts shall apply. However, if required development standards are specified in both districts, the more stringent provision shall control.

### **Sec. 1803. Definitions.**

The following definitions (in addition to those definitions contained within Article 2 of this ordinance) apply to S-2 districts:

- A. *Buffer*: A natural or enhanced vegetated area with no or limited minor land disturbances, such as trails and picnic areas, located adjacent to reservoirs or perennial streams within a water supply watershed.
- B. *Corridor*: All land located within the buffer areas established adjacent to reservoirs or perennial streams within a water supply watershed and within other setback areas specified in section 1804 of this article.
- C. *Impervious surface*: A manmade structure or surface which prevents the infiltration of storm water into the ground below the structure or surface, including (for purposes of example only), but not limited to, buildings, roads, driveways, parking lots, swimming pools and patios.
- D. *Large water supply watershed*: A watershed containing one hundred (100) square miles or more of land within the drainage basin upstream of a governmentally owned public drinking water supply intake.

- 
- E. *Perennial stream*: A stream which flows throughout the whole year as indicated on a USGS quadrant map.
  - F. *Reservoir boundary*: The edge of a water supply reservoir defined by its normal pool level.
  - G. *Small water supply watershed*: A watershed that contains less than one hundred (100) square miles of land within the drainage basin upstream of a governmentally owned public drinking water supply intake.
  - H. *Utility*: Public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, storm water system and railroads or other utilities identified by a local government.
  - I. *Water supply reservoirs*: A governmentally owned impoundment of water for the primary purpose of providing water to one (1) or more governmentally owned public drinking water systems. This excludes any multipurpose reservoirs owned by the U.S. Army Corps of Engineers.
  - J. *Water supply watershed*: The area of land upstream of a governmentally owned public drinking water intake.

#### **Sec. 1804. Designation and classification of water supply watersheds.**

The following water supply watershed districts and reservoirs are hereby defined and designated by this article on the S-2 Watershed Protection District Map, as follows:

1. City of Griffin/Flint River Intake Watershed.  
A large water supply watershed which provides an intake for the City of Griffin on the Flint River in Pike County, Georgia. This watershed does not contain a reservoir.
2. City of Griffin/Still Branch Reservoir Watershed.  
A small water supply watershed which provides an intake for the Still Branch Reservoir.
3. City of Zebulon/Elkins Creek Intake Water Supply Watershed.  
A small water supply watershed which provides a supplementary intake for the City of Zebulon, Georgia. This watershed does not contain a reservoir.
4. City of Thomaston/Potato Creek Intake Water Supply Watershed.  
A small water supply watershed which provides an intake for the Thomaston Reservoir. Although the reservoir itself is located in the City of Thomaston, a portion of the Potato Creek Water Supply Watershed lies within southern Pike County.

#### **Sec. 1805. Permitted uses.**

Each zoning district article of this ordinance specifies a list of permitted principal uses, special use permit uses and accessory uses (including special use permit accessory uses). The list of permitted uses, special use permit uses and accessory uses for each primary zoning district must be adhered to on land to which the S-2 district also applies.

#### **Sec. 1806. Uses exempt from S-2 criteria.**

- A. *Existing uses*: Any land use within an area designated as a watershed area existing prior to the adoption of this ordinance.
- B. *Agriculture and forestry*: Specific forestry and agricultural activities in the stream corridor buffer and setback areas in accordance with the following conditions:

- 
1. The activity shall be consistent with best management practices established by the Georgia Forestry Commission and/or the Georgia Department of Agriculture.
  2. The activity shall not impact the quality of the drinking water stream.
- C. *Mining*: Mining activities are exempt, if permitted by the Georgia Department of Natural Resources pursuant to the Georgia Surface Mining Act of 1968, as amended.
- D. *Utilities*: Utilities from the stream corridor buffer and setback area provisions in accordance with the following conditions if the utilities to be located in the buffer or setback areas cannot be feasibly located outside these areas:
1. The utilities shall be located as far from the stream bank as possible.
  2. The installation and maintenance of the utilities shall protect the integrity of the buffer and setback areas as best as reasonably possible.
  3. The utilities shall not impair the quality of a drinking water stream.

### **Sec. 1807. Development and protection criteria.**

- A. The following regulations shall apply to the City of Griffin/Flint River intake identified on the “Watershed, Wetlands and Groundwater Recharge Area Protection Map” as a large water supply watershed without a reservoir.
1. The corridors of all perennial streams within a seven mile radius drawn within the actual watershed drainage boundary and upstream of the reservoir boundary must be protected by the following criteria:
    - a. The buffer shall be maintained for a distance of 100 feet on both sides of the stream as measured from the stream banks;
    - b. No impervious surface shall be constructed within the 150-foot setback area on both sides of the stream as measured from the stream banks; and
    - c. Septic tanks and septic tank drain fields are prohibited within the 150-foot setback area on both sides of the stream as measured from the stream banks.
  2. Any new facility, located within the seven mile area stipulated in (A)(1) above of a water supply intake or water supply reservoir, which handles hazardous materials of the types listed in section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day, shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.
  3. A buffer shall be maintained for a distance of 150 feet from the reservoir boundary. The allowable buffer vegetation and disturbance is specified in the reservoir management plan.
  4. The City of Griffin/Flint River intake is owned by the City of Griffin, Georgia.
- B. The following regulations shall apply to the City of Griffin/Still Branch Reservoir Watershed identified on the “Watershed, Wetlands and Groundwater Recharge Area Protection Map” as a small water supply watershed with a reservoir.
1. The corridors of all perennial streams within a seven mile radius drawn within the actual watershed drainage boundary and upstream of the reservoir boundary of the Still Branch Reservoir must be protected by the following criteria. (These criteria apply to all property parcels entirely or partially contained within the watershed drainage boundary.)



- 
- a. The buffer shall be maintained for a distance of 100 feet on both sides of the stream as measured from the stream banks;
  - b. No impervious surface shall be constructed within the 150-foot setback area on both sides of the stream as measured from the stream banks;
  - c. Septic tanks and septic tank drain fields are prohibited within the 150-foot setback area on both sides of the stream as measured from the stream banks.
2. The impervious surface area, including all public and private structures, utilities or facilities of the entire water supply watershed shall be limited to 25% or existing use, whichever is greater.
  3. Any new facility which handles hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.
  4. A buffer shall be maintained for a distance of 150 feet from the reservoir boundary. The allowable buffer vegetation and disturbance is specified in the rules and regulations governing lake shore management and public use of Still Branch Reservoir.
  5. The City of Griffin/Still Branch Reservoir is owned and maintained by the City of Griffin, Georgia.
  6. New sanitary landfills are allowed only if they have synthetic liners and leachate collection systems, and comply with all standards of Chapter 51 "Waste Management" of the Pike County Code.
  7. New hazardous waste treatment or disposal facilities are prohibited.
- C. The following regulations shall apply to the City of Zebulon/Elkins Creek Intake Water Supply Watershed identified on the "Watershed, Wetlands and Groundwater Recharge Area Protection Map" as a small water supply watershed without a reservoir:
1. The corridors of all perennial streams within a seven mile radius drawn within the actual watershed drainage boundary and upstream of the intake point of the Elkins Creek Intake Water Supply Watershed must be protected by the following criteria: (These apply to all property parcels entirely or partially contained within the watershed drainage boundary.)
    - a. The buffer shall be maintained for a distance of 100 feet on both sides of the stream as measured from the stream banks;
    - b. No impervious surface shall be constructed within the 150-foot setback area on both sides of the stream as measured from the stream banks.
    - c. The impervious surface area, including all public and private structures, utilities or facilities of the entire water supply watershed shall be limited to 25% or existing use, whichever is greater.
  2. Any new facility which handles hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.
  3. New sanitary landfills are allowed only if they have synthetic liners and leachate collection systems, and comply with the standards of Chapter 51 "Waste Management" of the Pike County Code.
  4. New hazardous waste treatment or disposal facilities are prohibited.
-

- 
- D. The following regulations shall apply to the City of Thomaston/Potato Creek Intake Water Supply Watershed identified on the "Watershed, Wetlands and Groundwater Recharge Area Protection Map" as a small water supply watershed with a reservoir.
1. The corridors of all perennial streams within a seven mile radius drawn within the actual watershed drainage boundary and upstream of the reservoir boundary of the Thomaston Reservoir must be protected by the following criteria. (These criteria apply to all property parcels entirely or partially contained within the watershed drainage boundary.)
    - a. The buffer shall be maintained for a distance of 100 feet on both sides of the stream as measured from the stream banks;
    - b. No impervious surface shall be constructed within the 150-foot setback area on both sides of the stream as measured from the stream banks;
    - c. Septic tanks and septic tank drain fields are prohibited within the 150-foot setback area on both sides of the stream as measured from the stream banks.
  2. The impervious surface area, including all public and private structures, utilities or facilities of the entire water supply watershed shall be limited to 25% or existing use, whichever is greater.
  3. Any new facility which handles hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.
  4. New sanitary landfills are allowed only if they have synthetic liners and leachate collection systems and comply with all standards of Chapter 51 "Waste Management" of the Pike County Code.
  5. New hazardous waste treatment or disposal facilities are prohibited.

**Sec. 1808. Administration and enforcement.**

- A. *Site plans:* Application for a local development permit within the S-3 district shall include a site plan, drawn at a scale of 1" = 50' containing the following information:
1. A map of all planned excavation and fill, including calculations of the volume of cut and fill involved, cross-sectional drawings showing existing and proposed grades. Elevations, horizontal scale and vertical scale must be shown on the cross-sectional drawings.
  2. A map of any wetland boundaries occurring within the site must be provided. This boundary may be included on other maps provided by the applicant.
  3. Location, dimensions and area of all impervious surfaces, both existing and proposed, on the site and adjacent to the site for a distance of two hundred (200) feet.
  4. The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or water body.
  5. Elevations of the site and adjacent lands within two hundred (200) feet of the site at contour intervals of no greater than two (2) feet; and no greater than one (1) foot for slopes less than or equal to two (2) percent.
  6. Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials.
  7. All proposed temporary disruptions or diversions of local hydrology.
-

- 
- B. *Activities to comply with site plan.* All development activities or site work conducted after approval of the site plan shall conform with the specifications of said site plan. Significant changes to the site plan that would alter the amount and velocity of stormwater runoff from the site, increase the amount of impervious surface within the development, alter the overall density of development, result in a considerable increase in the amount of excavation, fill or removal of the overall appearance of the development as proposed, can be amended only with the approval of the building official or designated appointee. Minor changes, such as the realignment of streets or minor alterations to drainage structures and other infrastructure to meet unexpected conditions are exempted from this requirement.
- C. *Exemptions from site plan requirements.* The following activities and developments are exempt from the requirement for detailed site plans:
1. Single-family detached dwellings constructed within a subdivision of fewer than five (5) parcels.
  2. Repairs to a facility that is part of a previously approved and permitted development.
  3. Construction of minor structures, such as sheds or additions to single-family residences.
- D. *Review procedures.* The application shall be made to the building official or designated appointee and will be reviewed within fifteen (15) days. At the time of the application, the applicant shall pay a filing fee as specified by Pike County. Filing fees up to \$500.00 or \$100.00 per acre, whichever is larger, may be required to evaluate the application. This fee may be used to retain expert consultants who will provide service pertaining to functional assessment, mitigation, and wetland boundary determinations, as deemed necessary by the building official or designated appointee. The review period shall include the preparation of findings, i.e. approval, approval with conditions or disapproval by the building official or designated appointee. The applicant will receive written notification of the findings of the building official or designated appointee. Decision of the building official or designated appointee may be appealed to the Pike County Planning and Zoning Board.
- E. *Duration of permit validity.*
1. If construction described in the development permit has not commenced within twelve (12) months from the date of issuance, the permit shall expire.
  2. If construction described in the development permit is suspended or abandoned after work has commenced, the permit shall expire twelve (12) months after the date that work ceased.
  3. Written notice of pending expiration of the development permit shall be issued by the building official or designated appointee, provided however, that failure of the building official or designated appointee to provide notice to the applicant shall not extend the period of validity of the development permit.
- F. *Penalties.*
1. When a building or other structure has been constructed in violation of this article, the violator may be required to remove the structure at the discretion of the building official or designated appointee.
  2. When removal of vegetative cover, excavation or fill has taken place in violation of this article, the violator may be required to restore the affected land to its original contours and to restore vegetation, as far as practicable, at the discretion of the building official or designated appointee.
  3. If the building official or designated appointee discovers a violation of this article that also constitutes a violation of any provision of the Clean Water Act, as amended, Pike County shall issue written notification of the violation to the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, and the landowner.
- G. *Suspension and revocation.* The building official or designated appointee may suspend or revoke a permit if the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the
-

---

scope of the work set forth in the permit. The building official shall cause notice of denial, issuance, conditional issuance, revocation or suspension of a permit to be published in the Griffin Daily News.

- H. *Relief assessment.* The Pike County Board of Tax Assessors shall consider the requirements of this section in determining the fair market value of land.

### **Sec. 1809. Variances.**

A variance from the terms and conditions in this article may be granted pursuant to the procedures and criteria for granting variances set forth in section 408, along with compliance with the terms of this section. A variance from the provisions of this article may be granted only in individual cases of practical difficulty or unnecessary hardship upon a finding by the Planning and Zoning Board that all of the following conditions exist:

- A. The existence of extraordinary and exceptional conditions pertaining to the particular piece of property due to size, shape or topography;
- B. Application of the provisions of this article would create an unnecessary hardship;
- C. Relief by means of variance, if granted, would not cause substantial detriment to the water quality within any watershed area identified herein or otherwise impair the purposes and intent of this article;
- D. The variance request is not based on circumstances that are self-created;
- E. The variance request would not, if granted, permit a use of land, buildings or structures not otherwise permitted within the applicable zoning district;
- F. The variance request would not, if granted, increase the impervious surface of development within the watershed area beyond that prescribed in this article; and
- G. The property for which the variance is requested existed as a separate tract on or before July 1, 2001.

The Planning and Zoning Board shall have the authority to impose conditions on any variance granted herein to facilitate achievement of the purposes of this article.

### **Sec. 1810. Adoption of Pike County Watershed Protection Map.**

The S-2 district consists of the area located within the water supply watersheds established in section 1804(A) as are shown and designated on a certain map identified as the "S-2 District, Pike County Watershed Protection Map," which map is adopted hereby adopted into and made a part of this ordinance as if fully set forth. Such map shall be signed by the Chairman of the Board of Commissioners of Pike County and bear the seal of the county or that of a Notary Public under the following words: "This certifies that this is the Official S-2 District Pike County Watershed Protection Map," referred to in Article 18 of the Zoning Ordinance of Pike County.

## **ARTICLE 19. S-3 SENSITIVE LAND-GROUNDWATER RECHARGE AREA PROTECTION DISTRICT**

### **Sec. 1901. Purpose.**

The purpose of the S-3 district is to protect those lands identified as recharge areas for underground reservoirs known as aquifers. In order to promote the health, safety and welfare of the public and a healthy economic climate within Pike County and surrounding communities, it is essential that the quality of public drinking water be ensured. For this reason, it is necessary to protect the subsurface water resources on which Pike County and surrounding communities rely as sources of public water.

Groundwater resources are contained within underground reservoirs known as aquifers. These aquifers are zones of rock beneath the earth's surface capable of containing or producing water from a well. They occupy vast regions of the subsurface and are replenished by infiltration of surface water runoff in zones of the surface known as groundwater recharge areas. Groundwater is susceptible to contamination when unrestricted development occurs within significant groundwater recharge areas. It is, therefore, necessary to manage land use within groundwater recharge areas in order to ensure that pollution threats are minimized.

### **Sec. 1902. Relationship to other zoning districts.**

The S-3 groundwater recharge area protection district, is an overlay district which shall include all lands within the jurisdiction of Pike County, Georgia that are mapped as significant recharge areas by the Georgia Department of Natural Resources in Hydrologic Atlas 18, 1989 Edition, which map is hereby adopted and made a part of this ordinance. The S-3 groundwater recharge area protection district applies additional definitions and standards for development to specific areas which lie within any of the zoning districts identified in this ordinance and which are additionally mapped as significant recharge areas, as shown on Hydrologic Atlas 18, 1989 Edition.

### **Sec. 1903. Definitions.**

The following definitions (in addition to those definitions contained within Article 2 of this ordinance) apply to S-3 districts:

- A. *Aquifer*: Any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.
- B. *DHR*: Georgia Department of Human Resources.
- C. *DHR Table MT-1*: The provisions of the Department of Human Resources' Manual for On-site Sewage Management Systems, appearing on Table MT-1, therein, as amended.
- D. *DHR Table MT-2*: The provisions of the Department of Human Resources' Manual for On-site Sewage Management Systems, appearing on Table MT-2, therein, as amended.
- E. *DRASTIC*: The standardized system for evaluating groundwater pollution potential using the hydrogeologic settings described in U.S. Environmental Protection Agency document EPA-600-2-87-035. DRASTIC methodology is the most widely used technique for evaluating pollution susceptibility.
- F. *Pollution susceptibility*: The relative vulnerability of an aquifer to being polluted from spills, discharges, leaks, impoundments, applications of chemicals, injections and other human activities in the recharge area.

- 
- G. *Pollution susceptibility maps*: Maps of the relative vulnerability to pollution prepared by the Department of Natural Resources, using the DRASTIC methodology. (Georgia Department of Natural Resources Hydrologic Atlas 20: Groundwater Pollution Susceptibility Map of Georgia)
  - H. *Recharge area*: Any portion of the earth's surface, where water infiltrates into the ground to replenish an aquifer.
  - I. *Significant recharge areas*: Those areas mapped by the Department of Natural Resources in Hydrologic Atlas 18 (1989 edition).

**Sec. 1904. Coordination with development criteria contained in other zoning districts.**

- A. The provisions of this article apply additional development standards to specific areas which may lie within any zoning district in Pike County. If required development standards are specified for the same item in both articles, the more stringent governs.
- B. Any development must comply with the Pike County Soil Erosion and Sedimentation Control Ordinance, as well as any other applicable development regulation.

**Sec. 1905. Development and protection criteria in S-3 districts.**

The following development criteria apply in S-3 districts:

- A. No construction may proceed on a building or manufactured home to be served by a septic tank unless the Pike County Health Department first approved the proposed septic tank installation as meeting the requirements of the DHR Rules and Regulations for On-Site Sewage Management (DHR Manual) and section B and C, below.
- B. New single-family residential dwellings or duplex dwellings served by septic tank/drain fields system shall be located on lots having the minimum size limitations, as follows, based on application of Table MT-1. The minimums set forth in Table MT-1 may be increased further based on consideration of other factors set forth in sections A—F of the DHR Manual:
  - 1. One hundred fifty (150) percent of the subdivision minimum lot size calculated based on application of DHR Table MT-1, if located in a high pollution susceptibility area;
  - 2. One hundred twenty-five (125) percent of the subdivision minimum lot size calculated based on application of DHR Table MT-1, if located in a medium pollution susceptibility area;
  - 3. One hundred ten (110) percent of the subdivision minimum lot size calculated based on application of DHR Table MT-1, if located in a low pollution susceptibility area.
- C. New manufactured housing parks served by septic tank/drain field systems shall have lots or spaces having minimum lot size limitations as follows, based on application of Table MT-2. The minimums set forth in Table MT-2 may be increased further based on consideration of other factors set forth in section A—F of the DHR Manual:
  - 1. One hundred fifty (150) percent of the subdivision minimum lot or space size calculated based on application of DHR Table MT-2, if located in a high pollution susceptibility area;
  - 2. One hundred twenty-five (125) percent of the subdivision minimum lot or space size calculated based on application of DHR Table MT-2, if located in a medium pollution susceptibility area;
  - 3. One hundred ten (110) percent of the subdivision minimum lot or space size calculated based on application of DHR Table MT-2, if located in a low pollution susceptibility area.
- D. New agricultural waste impoundment sites shall be lined if they are located within:

- 
1. A high pollution susceptibility area;
  2. A medium pollution susceptibility area and exceed 15 acre-feet;
  3. A low pollution susceptibility area and exceed 50 acre-feet.

As a minimum, the liner shall be constructed of compacted clay having a thickness of one-foot and a vertical hydraulic conductivity of less than  $5 \times 10^{-7}$  cm./sec. or other criteria established by the Natural Resource and Conservation Service.

- E. New above-ground chemical or petroleum storage tanks, having a minimum volume of 660 gallons, shall have secondary containment for one hundred ten (110) percent of the volume of such tanks or one hundred ten (110) percent of the volume of the largest tank in a cluster of tanks. Such tanks used for agricultural purposes are exempt, provided they comply with all federal requirements.
- F. New facilities that handle hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and in amounts of 10,000 pounds or more on any one day, shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements and local fire code requirements.
- G. Permanent storm water infiltration basins shall not be constructed in areas having high pollution susceptibility.

### **Sec. 1906. Exemptions.**

Any lot of record approved prior to the date of adoption of this ordinance is exempt from the minimum lot size requirements contained in Section 1905(B., C.) of this ordinance.

### **Sec. 1907. Administration and enforcement procedures.**

- A. *Site plans:* Application for a local development permit within the S-3 district shall include a site plan, drawn at a scale of 1" = 50' containing the following information:
    1. A map of all planned excavation and fill, including calculations of the volume of cut and fill involved, cross-sectional drawings showing existing and proposed grades. Elevations, horizontal scale and vertical scale must be shown on the cross-sectional drawings.
    2. A map of any wetland boundaries occurring within the site must be provided. This boundary may be included on other maps provided by the applicant.
    3. Location, dimensions and area of all impervious surfaces, both existing and proposed, on the site and adjacent to the site for a distance of two hundred (200) feet.
    4. The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or water body.
    5. Elevations of the site and adjacent lands within two hundred (200) feet of the site at contour intervals of no greater than two feet; and no greater than one foot for slopes less than or equal to two (2) percent.
    6. Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials.
    7. All proposed temporary disruptions or diversions of local hydrology.
  - B. *Activities to comply with site plan.* All development activities or site work conducted after approval of the site plan shall conform with the specifications of said site plan. Significant changes to the site plan that would alter the amount and velocity of stormwater runoff from the site, increase the amount of impervious surface
-

---

within the development, alter the overall density of development, result in a considerable increase in the amount of excavation, fill or removal of the overall appearance of the development as proposed, can be amended only with the approval of the building official or designated appointee. Minor changes, such as the realignment of streets or minor alterations to drainage structures and other infrastructure to meet unexpected conditions are exempted from this requirement.

- C. *Exemptions from site plan requirements.* The following activities and developments are exempt from the requirement for detailed site plans:
1. Single-family detached dwellings constructed within a subdivision of fewer than five parcels.
  2. Repairs to a facility that is part of a previously approved and permitted development.
  3. Construction of minor structures, such as sheds or additions to single-family residences.
- D. *Review procedures.* The application shall be made to the building official or designated appointee and will be reviewed within fifteen (15) days. At the time of the application, the applicant shall pay a filing fee as specified by Pike County. Filing fees up to \$500.00 or \$100.00 per acre, whichever is larger, may be required to evaluate the application. This fee may be used to retain expert consultants who will provide services pertaining to functional assessment, mitigation, and wetland boundary determinations, as deemed necessary by the building official or designated appointee. The review period shall include the preparation of findings, i.e. approval, approval with conditions or disapproval by the building official or designated appointee. The applicant will receive written notification of the findings of the building official or designated appointee. Decision of the building official or designated appointee may be appealed to the Pike County Planning and Zoning Board.
- E. *Duration of permit validity.*
1. If construction described in the development permit has not commenced within twelve (12) months from the date of issuance, the permit shall expire.
  2. If construction described in the development permit is suspended or abandoned after work has commenced, the permit shall expire twelve (12) months after the date that work ceased.
  3. Written notice of pending expiration of the development permit shall be issued by the building official or designated appointee, provided however, that failure of the building official or designated appointee to provide notice to the applicant shall not extend the period of validity of the development permit.
- F. *Penalties.*
1. When a building or other structure has been constructed in violation of this article, the violator may be required to remove the structure at the discretion of the building official or designated appointee.
  2. When removal of vegetative cover, excavation or fill has taken place in violation of this article, the violator may be required to restore the affected land to its original contours and to restore vegetation, as far as practicable, at the discretion of the building official or designated appointee.
  3. If the building official or designated appointee discovers a violation of this article that also constitutes a violation of any provision of the Clean Water Act, as amended, Pike County shall issue written notification of the violation to the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, and the landowner.
- G. *Suspension and revocation.* The building official or designated appointee may suspend or revoke a permit if the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the scope of the work set forth in the permit. The building official shall cause notice of denial, issuance, conditional issuance, revocation or suspension of a permit to be published in the Griffin Daily News.
- H. *Relief assessment.* The Pike County Board of Tax Assessors shall consider the requirements of this section in determining the fair market value of land.
-



---

**Sec. 1908. Adoption of Pike County Groundwater Recharge Area Protection District Map.**

- A. The S-3 district consists of the area located within the groundwater recharge area protection district as are shown and designated on a certain map identified as the "S-3 District, Pike County Groundwater Recharge Area Protection Map," which map is hereby adopted into and made a part of this ordinance as if fully set forth. Such map shall be signed by the Chairman of the Board of Commissioners of Pike County and bear the seal of the county or that of a Notary Public under the following words: "This certifies that this is the Official S-3 District Pike County Groundwater Recharge Area Protection Map," referred to in Article 21A of the Zoning Ordinance of Pike County.
- B. The area identified as lying within the S-3 Pike County Groundwater Recharge Area Protection District shall be the same as that area lying within the boundaries of Pike County shown on Hydrologic Atlas 18, 1989 Edition. To the extent of a conflict between Hydrologic Atlas 18, 1989 Edition and the Official S-3 District Pike County Groundwater Recharge Protection Area Map, the provisions of Hydrologic Atlas 18, 1989 Edition shall control.

## **ARTICLE 20. S-4 SENSITIVE LAND-WETLANDS PROTECTION DISTRICT**

### **Sec. 2001. Purpose.**

The purpose of the S-4 district is to protect those lands identified as wetlands. Wetland areas are those areas that are flooded or saturated by surface or groundwater often and long enough to grow vegetation adapted for life in water saturated soil. The wetlands in Pike County are indispensable and fragile natural resources with significant development constraints due to flooding, erosion and soils limitations. In their natural state, wetlands serve man and nature. They provide habitat for fish, wildlife and vegetation; water quality maintenance and pollution control; flood control; erosion control; natural resource education; scientific study; and open space and recreational opportunities. In addition, the wise management of forested wetlands is essential to the economic well being of many communities within the State of Georgia. A considerable number of important wetland natural resources have been lost or impaired by draining, dredging, filling, excavating, building, pollution and other acts. Piece meal or cumulative losses of wetlands will, over time, destroy additional wetlands. Damaging or destroying wetlands threatens public safety and the general welfare.

The purpose of the S-4 district is to promote wetlands protection, while taking into account varying ecological, economic development, recreational and aesthetic values. Activities that may damage wetlands should be located on upland sites to the greatest degree practicable as determined through a permitting process.

### **Sec. 2002. Relationship to other zoning districts.**

S-4 wetlands protection district is an overlay district which shall include all lands within the jurisdiction of Pike County, Georgia that are mapped as wetland areas by the U.S. Fish and Wildlife Service National Wetlands Inventory Maps. This map shall be referred to as the wetlands map and it is hereby adopted by reference and declared to be a part of this ordinance, together with all explanatory matter thereon and attached thereto. The S-4 wetlands protection district applies additional definitions and standards for development to specific areas which lie within any of the zoning districts identified in this ordinance and which are additionally mapped as wetland areas, as shown on the wetlands map.

### **Sec. 2003. Definitions.**

The following definitions (in addition to those definitions contained within Article 2 of this Ordinance) apply to S-4 districts:

- A. *Corps of Engineers*: The United States Army Corps of Engineers, which is given authority pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, for the regulation of wetlands and the permitting of fill material therein.
- B. *Wetlands*: Any areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. The ecological parameters for designating wetlands include hydric soils, hydrophytic vegetation and hydrological conditions that involve a temporary or permanent source of water to cause soil saturation. The definition of "wetlands," as defined in 33 C.F.R. 32.93 is included within this definition, and adopted by reference.
- C. *Wetlands map*: The current U.S. Fish and Wildlife Service National Wetlands Inventory Maps for Pike County, Georgia.

- 
- D. *Jurisdictional wetland*: An area that meets the definitional requirements for wetlands as determined by the Corps of Engineers.
  - E. *Jurisdictional wetland determination*: A delineation of jurisdictional wetland boundaries by the Corps of Engineers, as required by Section 404 of the Clean Water Act, 33 U.S.C. 1344, as amended.
  - F. *Regulated activity*: Any activity which will, or which may reasonably be expected to, result in the discharge of dredged or fill material into waters of the United States, excepting those activities exempted in Section 404 of the Clean Water Act.

**Sec. 2004. Coordination with development criteria contained in other zoning districts.**

- A. The provisions of this article apply additional development standards to specific areas which may lie within any zoning district in Pike County. If required development standards are specified for the same item in both articles, the more stringent governs.
- B. Any development must comply with the Pike County Soil Erosion and Sedimentation Control Ordinance, as well as any other applicable development regulation.

**Sec. 2005. Adoption of Pike County Wetlands Protection District Map.**

- A. The S-4 wetlands protection district consists of and shall correspond to the area located within the wetland protection areas as are shown and designated on a certain map identified as the "S-4 District, Pike County Wetland Protection Map," which map is hereby adopted into and made a part of this ordinance as if fully set forth. Such map shall be signed by the Chairman of the Board of Commissioners of Pike County and bear the seal of the county or that of a Notary Public under the following words: "This certifies that this is the Official S-4 District Pike County Wetlands Protection Map," referred to in Article 21B of the Zoning Ordinance of Pike County.
- B. The area identified as lying within the S-4 wetlands protection district shall be the same as that area lying within the boundaries of Pike County shown on the U.S. Fish and Wildlife Service National Wetlands Inventory. To the extent of a conflict between the U.S. Fish and Wildlife Service National Wetlands Inventory and the Official S-4 District Pike County Wetland Protection Map, the provisions of the U.S. Fish and Wildlife Service National Wetlands Inventory shall control.
- C. The boundaries of the S-4 wetlands protection district, as shown on the Official S-4 District Pike County Wetlands Protection Map do not necessarily represent the complete boundaries of jurisdictional wetlands within Pike County. Further, the boundaries of wetlands as shown on the U.S. Fish and Wildlife Service National Wetlands Inventory do not necessarily represent the complete boundaries of jurisdictional wetlands in Pike County. The boundaries shown on such maps do not substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act.
- D. Any action required by this ordinance does not relieve the landowner from complying with any and all applicable federal or state permitting requirements.

**Sec. 2006. Permits and protection criteria.**

*Requirement for local permit*: No regulated activity will be permitted within the S-4 wetlands protection district without written permission or a permit from Pike County. If the area proposed for development is located within fifty (50) feet of the boundary of the S-4 wetlands protection district, as determined by the building official or designated appointee using the S-4 district, Pike County Wetlands Protection Map, a determination by the corps of engineers shall be required. If the Corps of Engineers determines that wetlands are present on the proposed development site, the local permit or permission will not be granted until a Section 404 permit or letter of permission is issued.

---

### **Sec. 2007. Permitted uses.**

The following uses shall be allowed as of right within the S-4 district to the extent that they are not prohibited by any other ordinance or law, including laws of trespass, and provided they do not require structures, grading, fill, draining, or dredging except as provided herein:

- A. Conservation or preservation of soil, water, vegetation, fish and other wildlife, provided it does not affect water of Georgia or of the United States in such a way that would require a permit under Section 404.
- B. Outdoor passive recreational activities, including fishing, bird watching, hiking, boating, horseback riding and canoeing.
- C. Forestry practices applied in accordance with best management practices approved by the Georgia Forestry Commission and as specified in Section 404 of the Clean Water Act.
- D. The cultivation of agricultural crops. Agricultural activities shall be subject to best management practices approved by the Georgia Department of Agriculture.
- E. The pasturing of livestock, provided that riparian wetlands are protected, that soil profiles are not disturbed and that approved agricultural best management practices are followed.
- F. Educational, scientific research and nature trails.

### **Sec. 2008. Prohibited uses.**

The following uses are not permitted within the S-4 wetlands protection district:

- A. Receiving areas for toxic or hazardous waste or other contaminants.
- B. Hazardous or sanitary waste landfills.

### **Sec. 2009. Administration and enforcement procedures.**

- A. *Site plans:* Application for a local development permit within the S-4 district shall include a site plan, drawn at a scale of 1" = 50' containing the following information:
  - 1. A map of all planned excavation and fill, including calculations of the volume of cut and fill involved, cross-sectional drawings, showing existing and proposed grades. Elevations, horizontal scale and vertical scale must be shown on the cross-sectional drawings.
  - 2. A map of any wetland boundaries occurring within the site must be provided. This boundary may be included on other maps provided by the applicant.
  - 3. Location, dimensions and area of all impervious surfaces, both existing and proposed, on the site and adjacent to the site for a distance of 200 feet.
  - 4. The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or water body.
  - 5. Elevations of the site and adjacent lands within (200) feet of the site at contour intervals of no greater than two feet; and no greater than one foot for slopes less than or equal to two (2) percent.
  - 6. Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials.
  - 7. All proposed temporary disruptions or diversions of local hydrology..

- 
- B. *Activities to comply with site plan.* All development activities or site work conducted after approval of the site plan shall conform with the specifications of said site plan. Significant changes to the site plan that would alter the amount and velocity of stormwater runoff from the site, increase the amount of impervious surface within the development, alter the overall density of development, result in a considerable increase in the amount of excavation, fill or removal of the overall appearance of the development as proposed, can be amended only with the approval of the building official or designated appointee. Minor changes, such as the realignment of streets or minor alterations to drainage structures and other infrastructure to meet unexpected conditions are exempted from this requirement.
- C. *Exemptions from site plan requirements.* The following activities and developments are exempt from the requirement for detailed site plans:
1. Single-family detached dwellings constructed within a subdivision of fewer than five parcels.
  2. Repairs to a facility that is part of a previously approved and permitted development.
  3. Construction of minor structures, such as sheds or additions to single-family residences.
- D. *Review procedures.* The application shall be made to the building official or designated appointee and will be reviewed within fifteen (15) days. At the time of the application, the applicant shall pay a filing fee as specified by Pike County. Filing fees up to \$500.00 or \$100.00 per acre, whichever is larger, may be required to evaluate the application. This fee may be used to retain expert consultants who will provide services pertaining to functional assessment, mitigation, and wetland boundary determinations, as deemed necessary by the building official or designated appointee. The review period shall include the preparation of findings, i.e. approval, approval with conditions or disapproval by the building official or designated appointee. The applicant will receive written notification of the findings of the building official or designated appointee. Decision of the building official or designated appointee may be appealed to the Pike County Planning and Zoning Board.
- E. *Duration of permit validity.*
1. If construction described in the development permit has not commenced within twelve (12) months from the date of issuance, the permit shall expire.
  2. If construction described in the development permit is suspended or abandoned after work has commenced, the permit shall expire twelve (12) months after the date that work ceased.
  3. Written notice of pending expiration of the development permit shall be issued by the building official or designated appointee, provided however, that failure of the building official or designated appointee to provide notice to the applicant shall not extend the period of validity of the development permit.
- F. *Penalties.*
1. When a building or other structure has been constructed in violation of this article, the violator may be required to remove the structure at the discretion of the building official or designated appointee.
  2. When removal of vegetative cover, excavation or fill has taken place in violation of this article, the violator may be required to restore the affected land to its original contours and to restore vegetation, as far as practicable, at the discretion of the building official or designated appointee.
  3. If the building official or designated appointee discovers a violation of this article that also constitutes a violation of any provision of the Clean Water Act, as amended, Pike County shall issue written notification of the violation to the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, and the landowner.
- G. *Suspension and revocation.* The building official or designated appointee may suspend or revoke a permit if the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the scope
-

---

of the work set forth in the permit. The building official shall cause notice of denial, issuance, conditional issuance, revocation or suspension of a permit to be published in the Griffin Daily News.

- H. *Relief assessment.* The Pike County Board of Tax Assessors shall consider the requirements of this section in determining the fair market value of land.

## **ARTICLE 21. SUBDIVISION DESIGN STANDARDS**

### **Sec. 2101. Purpose.**

The subdivision design standards of Pike County, Georgia seeks to encourage the development of desirable land use patterns within Pike County in accordance with the Pike County Comprehensive Plan. The promotion of sound land use patterns is intended to reduce or eliminate the occurrence of certain conditions which can threaten the general health, safety, and welfare of the residents of the county. This ordinance should serve the following purposes:

- A. Encourage the development of economically sound and stable communities.
- B. Assure the provisions of required streets, utilities, facilities, and services to new land development.
- C. Assure the adequate protection of safe and convenient traffic access and circulations—both vehicular and pedestrian—in new land development.
- D. Assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes.
- E. Assure in general the wise development of new areas in harmony with the Pike County Comprehensive Plan.
- F. Assure consideration of any environmental impact (past, present and future) as a result of new land development.
- G. Assure site environmental inspection, clean-up and certification.

### **Sec. 2102. Suitability of Land to be Subdivided.**

All land may be subdivided. However, no land will be subdivided into buildable lots when it is unsuitable for reason of flooding, inadequate drainage, severe erosion potential, or any other feature likely to be harmful to the health, safety, or welfare of residents of the community or future residents of the proposed subdivision. In applying this Section, the facts constituting the basis upon which one (1) concludes that the land is not suitable for a proposed use affords the subdivider an opportunity to present evidence regarding suitability.

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

### **Sec. 2103. Name of Subdivision.**

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

### **Sec. 2104. Platting Authority**

- A. Minor Subdivision. The Administrative Official/Zoning Administrator and the Planning and Zoning Board shall have platting authority for all minor subdivision plats, including revised or modified minor subdivision plats; except, however, neither the Administrative Official nor the Planning and Zoning Board shall have platting authority for minor subdivisions that include interior improvements such as interior roads and/or interior utility system(s) and related infrastructure, which are deemed as major subdivisions by definition and shall require the approval process for major subdivision plats described herein. To further clarify, the Administrative Official has

---

the platting authority to approve administratively all plats for minor subdivisions. However, the Administrative Official also has the discretion to refer any minor subdivision plat to the Planning and Zoning Board for its review and approval. Accordingly, the Administrative Official and Planning and Zoning Board have concurrent platting authority for minor subdivision plats.

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

### **Sec. 2105. Plats Required and County Approval Required to Subdivision and Development**

- A. Pike County requires that all properties in Pike County in connection with the subdivision and development of properties in the County be platted or surveyed; and, that said plat/survey be approved by the appropriate platting authority prior to being recorded in the office of the Clerk of Superior Court. However, existing lots of record with adequate metes and bounds legal descriptions that sufficiently and accurately describe the property to be subdivided or developed may be allowed in connection with minor and major subdivisions in the discretion of the Zoning Administrator, Planning and Zoning Board, or Board of Commissioners.
- B. Any plat or survey of property that was not approved by the proper Pike County platting authority prior to being recorded in the office of the Clerk of Superior Court will not be sufficient for the purposes of applying for the subdivision and/or developing of property as either minor or major subdivisions in Pike County. However, and upon the request of the applicant, the proper Pike County platting authority may in its sole discretion review and approve any plat recorded without prior Pike County approval, after said platting authority takes into consideration the reason said plat was not approved by Pike County prior to being recorded.

### **Sec. 2108. Pre-Application Review and Pre-Application Planning Conference**

- A. Pre-Application Review. Any subdivider may consult with the Administrative Official, or other designated person, for a pre-application review and discussion prior to submitting the formal plat application to Pike County for review and consideration. This pre-application review is an informal discussion between the subdivider and the Administrative Official. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout and development of the subdivision. No fee shall be charged and no formal application shall be required. In connection with these informal discussions, the Administrative Official may provide the subdivider with pertinent information or suggestions in connection with the anticipated plat application process. At the discretion of the Administrative Official or upon the request of the subdivider, the Administrative Official may present the information to either the Planning and Zoning Board or the Board of Commissioners for further pre-application review and discussions. The Administrative Official may determine during the pre-application review that proposed subdivision will require a pre-application planning conference. Many minor subdivisions (such as single lot subdivisions) would not need either a pre-application review or a pre-application conference.
- B. Pre-Application Planning Conference. All subdividers of major subdivision are required to participate in a pre-application planning conference. In addition, the Administrative Official may determine that a minor subdivision should undergo a pre-application planning conference. This pre-application planning conference is a formal meeting that is scheduled by appointment only. The subdivider and Administrative Official, and any other person or entity that may be beneficial to the conference, will meet to discuss the proposed application process, related requirements, fees, and the calendar for the review and consideration of the application upon submission. There is no fee related to the pre-application planning conference.



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

### **Sec. 2109. Plat Application, Submission and Reviews**

- A. Initial Review by Administrative Official or Designee. All plat applications, along with the requisite information, documentation, and fees required by this Chapter, shall be submitted to the office of the Administrative Official for initial review. The initial review will determine whether the submitted application is complete with all of the requisite information, documentation, and fees; whether the application constitutes a minor subdivision or major subdivision; and, whether there are any issues that need to be further addressed before deeming the application complete.
- B. Plat Requirements. All plats shall meet the following requirements:
1. CLARITY AND SCALE. All plats shall be clearly and legibly drawn at a scale not smaller than 100 feet equals 1 inch;
  2. SHEET SIZE. All plat sheets may be no smaller than 18" by 24" and no larger than 36" by 38"; and,
  3. NUMBER OF COPIES AND FORMAT. The applicant shall provide 1 hardcopy of the proposed plat and one digitally formatted (pdf preferred) copy of the plat upon submitting the application for plat review.
- C. INCOMPLETE AND COMPLETE APPLICATIONS. If the application is deemed incomplete, then the office of the Administrative Official shall so notify the applicant in writing detailing why the applicant is incomplete. Once an application is deemed complete, the Administrative Official shall so notify the applicant in writing and then proceed to process the application for review as either a minor subdivision plat or major subdivision plat in accordance with this Chapter.

### **Sec. 2110. Minor Subdivisions**

- A. Upon the determination by the Administrative Official that the application for minor subdivision is complete, the Administrative Official/Zoning Administrator shall then either consider the minor subdivision plat for approval or determine that the minor subdivision plat should be reviewed and considered by the Planning and Zoning Board. If the proposed minor subdivision plat is to be considered by the Planning and Zoning Board, then the Administrative Official/Zoning Administrator will place the matter of the proposed minor subdivision plat on the agenda for the next meeting of the Planning and Zoning Board for its review and consideration.
- B. Prohibition of "chain" minor subdivisions. It is the intent of the Board of Commissioners to prohibit the practice of "chain" subdivisions where multiple applications for minor subdivisions for the same property(ies) or contingent property(ies) are filed either simultaneously or during a five (5) year period in an apparent attempt to circumvent the requirements of a major subdivision. The Administrative Official or the Planning and Zoning Board, in the sound discretion of either, may require an applicant to proceed with the filing of a major subdivision application if multiple and/or subsequent minor subdivision applications are filed within a five (5) year period involving the same property or contiguous properties. In such cases, the Administrative Official or Planning and Zoning Board will require the applicant to resubmit an application for major subdivision application for all the properties related to the already submitted minor subdivisions.
- C. Common Contiguous Parcels Shown or Minor Subdivision Plats. Contiguous common parcels, as defined by this Chapter, shall be referenced on all applications for minor subdivisions. Contiguous common parcels shall be considered part of any application for minor subdivision, for purposes of determining whether or not the division of land proposed is a major subdivision or a minor subdivision. Common contiguous parcels shall be counted as lots in the case of a minor subdivision.

---

## **Sec. 2111. Major Subdivisions**

- A. PRELIMINARY AND FINAL PLATS REQUIRED. Major Subdivisions require separate submissions, reviews, and approvals of both the preliminary and final, which are reviewed, and considered for approval separately; except, however, a major subdivision with privately owned and maintained streets and rights of way, that do not have public water, and that do not require further EPD review and approval may be considered for a joint submission, review, and approval of the preliminary and final plats.
- B. REVIEW PROCESS OF PRELIMINARY AND FINAL PLATS.
1. All major subdivision plats (preliminary, final or joint) will first be reviewed by the Administrative Official, who will then forward the plat to the Planning and Zoning Board for its review and recommendation. After the review by the Planning and Zoning Board, the proposed plat (preliminary, final, or joint) along with the recommendations of the Administrative Official and the Planning and Zoning Board will be forwarded to the Board of Commissioners as the final platting authority for all major subdivision plats (preliminary, final, and joint) for its review and consideration.
  2. CONDITIONS PRECEDENT TO THE REVIEW OF MAJOR SUBDIVISION PLATS. Prior to any application for a major subdivision being processed for review and consideration, the owner/applicant must provide and/or obtain the following:
    - (a) The name and address of the owner/applicant/representative to whom the notice of all meetings or hearings shall be sent from the County related to the plat.
    - (b) The approval of the Georgia Department of Transportation for any proposed major subdivision abutting a state highway. No major subdivision plat shall be approved by Pike County until the owner/applicant has obtained the approval of the Georgia Department of Transportation.
    - (c) Where applicable, a statement from the Pike County Health Department stating the soil analysis requirements for the well and septic systems for the proposed subdivision.
    - (d) A statement from the Pike County Water and Sewer Authority stating the availability of water and sanitary sewer lines in the proximity of the proposed subdivision. Subdivisions meeting the County's proximity standards shall be required to tie onto said water lines and follow the permitting procedures of the County.
    - (e) The owner/applicant shall seek statements from the Pike County School Board, the Pike County Sheriff's Department, the Pike County Fire Department and the Pike County Public Works Department regarding the proposed major subdivision with each entity's respective comments and recommendations. If any of these named entities fails to respond to the request of the owner/applicant within 30 days, then the plat may proceed for further review and consideration as if the plat had in fact been reviewed by the non-responding entity.

## **Sec. 2112. Information to be Provided on Preliminary Plat**

The preliminary plat shall contain the following information:

- A. Proposed name of subdivision, including any unit or phase numbers.
- B. Date of plat.
- C. Name of plan preparer.
- D. Land lot and district.
- E. Provide revision block area.

- 
- F. Written scale and graphic scale (Scale shall not be less than 1" = 100').
  - G. North arrow; North point shall be identified as magnetic, true, or grid north.
  - H. Names, addresses, and pertinent telephone and fax numbers of owner(s) or record and of subdivider(s).
  - I. Names, addresses, and pertinent telephone and fax numbers of engineer and/or surveyor, registered in Georgia, who prepared plat.
  - J. Vicinity map showing subdivision and surrounding existing streets, sufficient enough to accurately locate project on county maps.
  - K. Appropriate legend of symbols used on plat.
  - L. Exact boundary lines of the property with a heavy line, accompanied by bearings (degrees, minutes, seconds) and distances (to one-hundredths place).
  - M. Names of owners of record and current zonings of all properties adjacent to proposed subdivision.
  - N. In general notes section, list total acreage and current zoning of subdivided property, and tax parcel identification number(s) of parent tract(s). Verify whether or not parent tract is currently within a CUVA tax classification.
  - O. In general notes section, list proposed number of subdivided lots.
  - P. In general notes section, calculate net and gross densities for proposed development, if applicable for the subdivided property's zoning.
  - Q. In general notes section, list minimum lot area and minimum lot width at building line required for subdivided property.
  - R. In general notes section, list front building setback (from right-of-way), as well as side yard and rear yard setbacks required.
  - S. Show all yard setbacks with dashed lines for all subdivided lots within development; show representative labels and dimensions for all yard setback types at certain intervals throughout the development.
  - T. In general notes section, list source of boundary and right-of-way information, and date of survey.
  - U. In general notes section, list source of topographic information and datum.
  - V. In general notes section, list current FEMA Flood Insurance Rate Map Community Panel Number(s), with effective date, for property. If floodplain occurs on site, show limits of 1% annual chance flood for proposed development, based on current FEMA Panel and/or independent engineering study.
  - W. Statement whether or not state waters and/or wetlands occur on the subdivided property. If they do occur, show their field location with all required buffers.
  - X. Statement whether or not the subdivided property lies within any established Pike County Watershed Protection District.
  - Y. In general notes section, list total length of centerline of road for proposed development, and breakdown of total length of centerline of road of individual proposed streets.
  - Z. In general notes section, list total impervious surface calculations for proposed development in applicable zonings, and for those developments that lie within established Pike County Watershed Protection Districts.
  - AA. Show topographic contours within and adjacent to subdivided property at vertical intervals of not more than two (2) feet where a new street is involved in a subdivision; label representative contours at certain intervals. If no interior streets are involved, then topographic contours within and adjacent to subdivided property at vertical intervals every twenty (20) feet must be shown and labeled.
  - BB. Show soil conditions on the property, as per USDA manual.
-

- 
- CC. Show locations of any natural features on the property – water bodies, water courses, tree lines, orchards, exceptional topography, and significant rock outcroppings.
  - DD. Show any railroads and railroad rights-of-way on or adjacent to proposed subdivision.
  - EE. Show any existing bridges, buildings, and drives on or adjacent to proposed subdivision.
  - FF. Show any existing storm and sanitary sewers, water mains, drains, culverts, and other underground facilities or utilities within easements or rights-of-way on or adjoining the subdivided property.
  - GG. Show layout of all proposed lots, with sequential lot numbers and scaled dimensions; show utility easements with width and use.
  - HH. Show layout of all proposed streets and other access ways with right-of-way and pavement widths, as well as proposed street names. Show sidewalks and ADA ramps if required per the subdivided property's zoning. (if applicable)
  - II. The cross section of proposed streets showing width of roadways and location of sidewalks; (if applicable)
  - JJ. Show open space area and open space calculations for proposed development, if required per the subdivided property's zoning. Show all parcels of land intended to be dedicated for public use or reserved.
  - KK. Show layouts, methods and standards to be used for providing potable water, sanitary sewerage, and storm drainage facilities to each subdivided lot.
  - LL. Preliminary plats initially submitted after the ratification dates of other future Pike County Ordinances shall abide by the requirements of those ordinances.

### **Sec. 2113. Application for Final Plat Approval**

- A. **Timeline for Submitting Final Plat.** Within two (2) years after the preliminary plat of a proposed subdivision has been given approval by the Board of Commissioners, the subdivider may submit an application for final plat approval for the major subdivision. The review and consideration of the application for final plat approval shall be in accordance with the review procedures set forth above.
- B. **Request for Extension.** If within the two (2) years of the approval of the preliminary plat, however, the owner/applicant/developer is not ready to proceed with seeking the final plat approval for the major subdivision, then the owner/applicant/developer may seek an extension from the Board of Commissioners. The request for an extension must be submitted in writing and provide an estimated timeframe for the submission of the application for final plat approval. The Board of Commissioners shall have sole discretion as to whether an extension shall be issued. The Board of Commissioners shall consider the totality of the circumstances when considering such a request for an extension.
- C. **Conditions Precedent to Review of Final Plat.** Prior to any application for final plat approval of a major subdivision, the owner/applicant must provide and/or obtain the following:
  - 1. The name and address of the owner/applicant/representative to whom the notice of all meetings or hearings shall be sent from the County related to the plat;
  - 2. Where applicable, a statement from the Pike County Health Department approving the water supply and sewage disposal systems, as installed; a statement from the Pike County Water and Sewer Authority approving the water supply and sewer disposal system if applicable; and,
  - 3. Where applicable, a statement from the County Manager that all improvements have been made as required by this Chapter or that an adequate bond has been posted to cover the cost of the unfinished improvements as provided in this chapter.

---

## **Sec. 2114. Final Plat Specifications**

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

## **Sec. 2115. Recording of Final Plat**

- A. Upon approval of a final plat by the Pike County Board of Commissioners, the Administrative Official shall have the final plat recorded in the office of the Clerk of the Superior Court of Pike County. The subdivider shall be responsible for the payment of the recording fee at the time of submitting the final plat, as provided in this Chapter and related fee schedules.

- 
- B. Upon recording of the approved final plat, a high-quality reproducible print of the recorded final plat, meeting the size requirements set forth in this Chapter, shall be provided by the subdivider for the records of the Board of Commissioners and filed with the Planning and Development Department.

## Sec. 2115. Effect of Filing Final Plat, Bond Requirements and Acceptance of Deed Dedications

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

### B. BOND—Irrevocable letters of credit, escrow letter of surety or maintenance bond.

1. The applicant/owner/developer shall submit a 3-year maintenance letter of credit or bond on all improvements within public right-of-way (streets, sidewalks, storm sewer, catch basins, cross drains) and stormwater detention facilities to guarantee the maintenance of infrastructure and improvements. On phased developments, certain sections (the construction route) will require a renewed letter of credit or bond if used for construction access to newer phases.
2. For developments with multiple phases of construction, the Director of Public Works shall require that portions of a previously approved phase be placed under an extended letter of credit or maintenance bond if the previously approved phase is used as access for construction traffic for the development of future phases. A plan showing the various streets that will be used as access for the construction traffic through the previously approved phase shall also be provided. The duration of such an extended letter of credit or maintenance bond shall not exceed three (3) years from the date of approval of the final plat for the final phase of the development.
3. A letter of credit or maintenance bond shall be released at the end of the three-year period. Ninety (90) days prior to expiration, a final inspection of all subdivision improvements shall be performed by the county to determine the need for any repairs. If repairs are necessary, the administrator shall provide written notice to the applicant.
4. If the applicant fails to take the necessary action to make repairs within thirty (30) days of notification by the county, the administrator shall authorize the surety or bank issuing the letter of credit or maintenance bond to release to the county all funds.
5. The administrator may require the letter of credit or maintenance bond to be extended to ensure the completion of repairs started but not completed by the application for a period not to exceed one hundred eighty (180) days.
6. Standards for an irrevocable letter of credit, escrow letter of surety or maintenance bond:

- 
- a) The letter of credit, escrow letter of surety or maintenance *bond* shall be issued from a bank having offices in Georgia. Include local contact name, phone number, and physical address of the bank. No post office boxes allowed.
  - b) A letter of credit, escrow letter of surety or maintenance *bond* from other institutions shall be subject to approval by the administrator, or designee who shall be authorized to reject a letter of credit escrow letter of surety or maintenance *bond* if he reasonably determines the obligor or surety is unreliable or there would be practical difficulties in enforcing the obligation of the letter of credit, escrow letter of surety or maintenance *bond* for other reasons.
  - c) The letter of credit, escrow letter of surety or maintenance *bond* shall name the Pike County Board of Commissioners as obligee.
  - d) The amount of the letter of credit, escrow letter of surety or maintenance *bond* shall be determined by the department's most recently adopted fee schedule.

7. Time period for a letter of credit, escrow letter of surety or maintenance *bond*.

- a) A letter of credit, escrow letter of surety or maintenance *bond* for infrastructure and other public improvements shall remain in effect for three (3) years from the date of final plat approval. During the three (3) year period, it shall be the applicant's responsibility to repair any defects that occur in the streets, drainage systems, and stormwater detention systems. Extensions of a letter of credit, escrow letter of surety or maintenance *bond* may be required if deemed necessary by the Public Works Department.
- b) The Pike County Board of Commissioners may draw upon this letter of credit, escrow letter of surety or maintenance *bond* to the amount set forth above upon presentation to the surety company of the following: A letter from the Pike County Public Works Department Director stating that the principal has failed to comply with the requirements of this UDC with regard to making all of the required repairs and that the cost of the repairs equals or exceeds the amount of the letter of credit, escrow letter of surety or maintenance *bond*.

---

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

~~C.—DEED DEDICATION AND CONVEYANCE. When a major subdivision is final platted a right-of-way deed will be required to be submitted to Pike County and recorded dedicating all rights-of-way to Pike County.Until the maintenance bonds has been released the owner/developer/builder shall be responsible for all repairs and maintenance to the rights-of-way. At the end of the two-year Bond period, the rights-of-way infrastructure will be reinspected by Pike County Public Works, who shall provide a report to the County Manager as to whether the rights-of-way infrastructure is satisfactory to proceed with the acceptance of a deed from the owner/applicant/developer conveying title to the rights-of-way to Pike County. If the Public Works determines that the rights-of-way infrastructure are not satisfactory and in need of remediation, the County Manager will advise the owner/applicant/developer. Pike County will also have the right to collect against the Bond to effectuate the remediation necessary to the rights of way infrastructure. If the rights of way infrastructure are satisfactory, the County Manager will so advise the owner/applicant/developer and a Deed of Dedication shall be then presented to the Board of Commissioner for its consideration concerning the acceptance of the title to the rights-of-way whereby Pike County assumes all responsibility for the deeded rights of way.~~

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

## **.Sec. 2117. Access**

Access to every subdivision shall be provided over public streets, or over private streets that have been approved by the Board of Commissioners. All “private streets” shall be developed as per the development requirements set forth in this Chapter and as otherwise specifically approved by the Board of Commissioners, which includes having a minimum right of way of 60’.

## **Sec. 2118. Conformance to Adopted Throughfares and Other Plans**

- A. All streets and other features of the Thoroughfare Plan of Pike County, Georgia, shall be platted by the subdivider in the location and to the dimensions indicated in the Thoroughfare Plan adopted by the Planning and Zoning Board.
- B. When features of other plans adopted by the Board of Commissioners (such as schools or other public building sites, parks, rights-of-way or other land for public uses) are located in whole or in part in a subdivision, such features shall be either dedicated or reserved by the subdivider for acquisition within a reasonable time by the appropriate public agency.



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

### **Sec. 2119. Private Streets**

- A. PRIVATE STREETS MAY BE PERMITTED. The Board of Commissioners may upon application permit private streets within major subdivisions (including minor subdivisions with interior improvements including streets). Any private streets permitted by the Board of Commissioners shall be subject to the development requirements of this Chapter including the minimum 60' right of way.
- B. CONDITIONS REQUIRED FOR PRIVATE STREET SUBDIVISIONS. At the time of any approval of a proposed development with private streets, the Board of Commissioners will make the private street development conditioned upon such conditions to ensure various public purposes and to mitigate potential problems with private streets. Such conditions may include but will not be limited to the following:
  - 1. No final plat involving private street(s) shall be approved unless said final plat conforms to the requirements of this Chapter.
  - 2. Pike County shall not maintain, repair, resurface, rebuild or otherwise improve streets, signs, drainage improvements or any other appurtenances within general-purpose public access and utility easements established for private streets.
  - 3. A private maintenance covenant recorded with the Clerk of the Superior Court shall be required for any private street and any other improvements within general-purpose public access and utility easements established for private streets. The covenant shall specifically include the following terms:
    - a. The Covenant shall establish minimum annual assessments in an amount adequate to defray costs of ordinary maintenance and procedures for approval of additional needed assessments. The Covenant shall also specify that the funds from such assessments will be held by a homeowners or property owners association.
    - b. The Covenant shall include a periodic maintenance schedule.
    - c. The Covenant shall provide for the enforceability by any property owner served by the private street.
    - d. The Covenant shall establish a formula for equitably assessing maintenance and repair costs to the property owners served by the private street.
    - e. The Covenant shall run with the land.
  - 4. The Board of Commissioners may, at its discretion, and as a condition of approving the development with private streets, require a performance bond and/or maintenance bond to be submitted by the subdivider to be held by either the County or a HOA/POA (homeowner or property owners association).

### **Sec. 2120. Continuation of Existing Streets**

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

### **Sec. 2121. Street Names**

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

---

## **Sec. 2122. Street Jogs**

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

## **Sec. 2123 Cul-de-sacs**

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

## **Sec. 2124. Alleys**

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

## **Sec. 2125. Reserve Strips**

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

## **Sec. 2126. Easements**

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

## **Sec. 2127. Development Standards for Drainage Piping and Structures**

- A. Watercourse and drainage easements. Where a proposed subdivision is traversed by a watercourse, drainage way or stream, appropriate provisions must be made to accommodate storm water and drainage through and from the proposed subdivision. Such an easement must conform substantially with the lies of the watercourse and be wide enough and of adequate construction to be satisfactory for the purpose.
- B. Storm drainage. An adequate drainage system, including necessary open ditches, pipes, culverts, interjectional drains, drop inlets, bridges and the like must be provided for the proper drainage of all surface water. Cross-drains, drop inlets, bridges and the like must be provided for the proper drainage of all surface water. Cross-drains must be provided to accommodate all natural water flow and must be extended to 30 feet behind the front-yard setback. All such facilities must be shown in plan and profile, including pipe sizes and invert elevations. Outfall ditching must follow property lines on a 20-foot easement to rear property line or natural drainage course.
- C. Piping. Storm drainage piping within county rights-of-way (except under residential driveways) shall be reinforced concrete pipe or fully bituminous coated corrugated steel pipe meeting current Department of Transportation specifications. All piping shall be at least 18 inches in diameter.

- D. End structures/headwalls. Headwalls flared end, vertical wall with wing walls or other end treatments are required on all culverts (except under residential driveways) and at the ends of all piped collection systems. Headwalls are to be pre-cast concrete or stone masonry with reinforced concrete footings or poured in-place reinforced concrete with reinforced concrete footings.
- E. Storm drain structures. All storm drain structures are to be designed to safely pass the Base Flood Evaluation, as determined by acceptable design practices. Pipe size and material, the contributing drainage area, runoff coefficient, times of concentration, maximum water surface elevations or computed peak flow rates with storm water elevations are to be shown on the construction plans.
- F. Roadways. All roadways are to be constructed so as not to encroach on the flood plain limit and must be designed to be not less than three feet above the projected Special Flood Hazard Evaluation.
- G. Storm drain length. Storm drains shall not exceed 500 feet of continuous length between an inlet, manhole or junction box access. In residential subdivisions, outfall piping from catch basins shall, at a minimum, extend from the street to a point 30 feet behind the front building setback line or to the Special Flood Hazard Evaluation.
- H. Culverts. Culverts carrying streams or ditch flow under a street shall be sized so that the Base Flood Evaluation head water height, or shoulder height where there are no curbs and gutters, does not exceed the curb height of 12". Calculations determining the headwater elevation for the Base Flood Evaluation and Special Flood Hazard Evaluation shall be provided by the design engineer. The backwater area computed for the Special Flood Hazard Evaluation shall be shown and delineated on the final plat.
- I. Easements. Drainage easements for improved ditches and pipe construction shall be cleared, opened and stabilized at the time of development to control surface water run-off. Drainage easements shall be provided according to the following minimum requirements and shall conform to county standards:

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

- J. Ditches. Drainage ditches shall have minimum bottom width of two feet and shall have 3:1 side slopes or greater. Erosion and sedimentation considerations shall be covered in the Erosion and Sedimentation Control Plan.
- K. Streams and Creeks. Where streams or creeks exist within the development, provision shall be made to limit the adverse effects of any increased development.

**Sec. 2128. Street Design Requirements**

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

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

	Type of Street
--	----------------

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

**Sec. 2129. Construction Standards for Streets**

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

- A. Subbase. The subbase must consist either of sand, clay or other approved material. The subbase course shall consist of placing subbase material in layers of maximum thickness of eight inches of compacted material over subgrade surface to support a pavement base course. Specific standards for the subbase are as follows:
  1. Satisfactory soil materials shall be those complying with ASTM D2487 soil classification grips GW, GP, GM, SM, SW and SP;
  2. All subbase materials shall be compacted to a minimum 98% maximum density standard proctor (ASTM D698);
  3. Where subbase material must be moisture conditioned before compaction, uniformly apply water to surface or subbase layer. Apply water in minimum quantity as necessary to prevent free water from appearing on surface. Remove and replace or scarify and air dry soil material that is too wet to permit compaction to specified density;

4. Subbase material must not be deposited or shaped when subgrade conditions are freezing, thawing or otherwise unfavorable for stability;
  5. Provide quality control testing in accordance with ASRM D1556 (soil care method) or ASTGM D2167 (rubber balloon method). Field density tests shall be performed as directed by the Director of Public Works. If, in the opinion of the Director of Public Works, based on testing service reports and inspection, subgrade or fills that have been placed are below specified density, the contractor shall perform additional compaction and testing until specified density is achieved.
- B. Base. The base must consist of graded aggregate base having a minimum thickness after being thoroughly compacted as stipulated in the roadway classification standards identified as § 155.66. The base must be constructed on a prepared subbase in accordance with these specifications and in conformity with the lines, grades and typical cross-section as shown in the approved construction plans. Specific standards for the base are as follows:
1. All materials must be of an approved type;
  2. As soon as the base material has been spread and mixed, the base must be brought to the approximate line, grade and cross-section and then rolled with a sheep's foot roller or bigertor roller until the roller walks out. Then the base material must be rolled with a pneumatic tire or general purpose roller until full thickness of the base course has been compacted thoroughly. Defects must be remedied as soon as they are discovered. A representative of Pike County shall measure for proper thickness, line, grade and cross- section prior to placement of any prime coat application;
  3. Base course shall be compacted to 100% maximum dry density;
  4. The base course must be maintained under traffic and kept free from ruts, ridges and dustings. It must be kept true to the approved cross-section until it is primed;
  5. Base material must not be deposited or shaped when subgrade conditions are freezing, thawing or otherwise unfavorable for stability.
- C. Pavement. Wearing surface must conform to mixes found suitable by the Georgia Department of Transportation. Wearing surface must be applied after a prime coat. Unless otherwise approved by the Administrative Official and Director of Public Works, pavement must be constructed as follows:
1. The prime coat must be cut-back asphalt or cut-back asphalt emulsion applied on a clean, slightly damp surface in an amount of from 0.15 to 0.30 gallons per square yard, depending upon the nature and condition of the surface;
  2. The tack coat must be cut-back asphalt or cut-back asphalt emulsion applied on a clean surface in an amount from 0.15 to 0.30 gallons per square yard, depending upon the nature and condition of the surface;
  3. The binder surface must consist of any approved plant mix, type "B" modified, prepared in a central plant and composed of aggregate and bituminous materials having an in-place minimum compacted thickness as described in the roadway classification standards identified in § 155.66;
  4. The wearing surface must consist of an approved plant mix, type "E," prepared in a central plant and composed of aggregate and bituminous material having an in-place minimum compacted thickness as described in the roadway classification standards identified in § 155.66.
- D. Seals. Care and caution must be taken that all points between such structures as manholes and curbs and the surface mixture are well sealed.

## **Sec. 2130. Roadway Classification Standards**

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

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

### Sec. 2131. Block Lengths and Widths

Block lengths and widths shall be as follows:

- A. Blocks shall be not greater than 1,800 feet nor less than 600 feet in length, except in unusual circumstances;
- B. Blocks shall be wide enough to provide two tiers of lots of minimum depth, except where abutting on major streets, limited access highways, railroads or where other situations make this requirement impractical.

### Sec. 2132. Lot Sizes

- A. Lot sizes shall meet the requirements of the Pike County Zoning Code.
- B. In any case where individual sewage disposal systems or water supply systems are used, the Pike County Environmental Health Department shall prescribe minimum lot sizes in excess of the above provisions.

### **Sec. 2133. Lot Lines**

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

### **Sec. 2134. Abutting Streets**

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

### **Sec. 2135. Double and Reverse Frontage Lots**

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

### **Sec. 2136. Required Improvements**

- A. Every major subdivider shall be required to have installed at his or her own expense, and with the prior and ongoing approval of the county, to install the following street improvements and utilities:
  - 1. Street paving and curbs and gutters; provided that in the case of a major thoroughfare, the major subdivider shall only be responsible to install local street improvements or to pay the cost that would be incurred in the construction of a minor thoroughfare;
    - a. Any major subdivider, upon approval of the Pike County Planning and Zoning Board and by the Pike County Board of Commissioners, that divides property into parcels of not less than 87,120 square feet (2 acres) will be allowed to develop streets without the requirement of curb and gutter, provided that a plan of construction detailing proper sloped right of ways and drainage of storm water runoff be provided for technical review. This technical review will occur during the preliminary plat approval stage of the subdividing process. This effectively allows for development of parcels without curb and gutter requirements, provided that all of the above listed conditions apply.
    - b. No major subdivision shall be approved whose entrance(s) do not front a paved road. For major subdivisions proposed on an existing dirt or gravel road, the subdivision developer (at his or her own expense) shall pave the existing dirt or gravel road from the limits of the closest existing paved road to an extent determined by the Planning and Zoning Board at the time of the preliminary plat review.
    - c. Interior streets completely contained within a proposed major subdivision shall require paving, and curb and gutter unless otherwise permitted without curb and gutter in accordance with this Chapter.
    - d. All roads shall be paved to County specifications and shall conform to all County bonding requirements.
    - e. For any public or private streets that allowed without curb and gutter, the developer is required to slope all shoulders in the following manner:
      - i. All slopes for rights of way of streets not requiring curb and gutter must be designed to have a slope of no more than 4 to 1 for the front slope and no more than 3 to 1 for the back slope.
      - ii. All roads would require a shoulder width of five (5) foot minimum.

- iii. All drainage ditches shall have a minimum depth of two (2) feet and shall have a minimum of two (2) feet flat bottom.
  2. Sanitary sewer lines and manholes; provided that if the required sewer lines cannot be connected to a trunk-line sewer at the time of the development of the subdivision, septic tanks shall be installed by and at the expense of the subdivider or lot purchaser for interim use in conformity with the requirements of the Pike County Health Department. No part of an individual sewage disposal system shall be within 100 feet of a well or ten feet of an adjoining property lane. Where individual sewage disposal systems are proposed to be used, the County Health Department may require percolation tests to be performed. The subdivider may be required by the County to install any sewer lines which may be needed in the future before the street is paved in order to avoid future destruction of the pavement;
  3. Storm drainage facilities;
  4. Concrete monuments and markers;
  5. Water mains within the subdivision with connections to each lot, whenever a public or community water supply is available, and a plan of construction development has been submitted and approved by the Pike County Water and Sewer Authority; and,
  6. Street name signs shall be subject to the approval of the County Commission.
- B. All required street improvements, utilities and monuments shall be designed, graded, and built to standards specified by the County. All utilities installed in the streets shall be placed and compacted prior to paving. In addition, in subsequent utility work that impacts existing streets must be compacted and/or repaved in accordance with the standards set forth in this Chapter.

### **Sec. 2137. Improvement Bond**

- A. The Board of Commissioners may allow the subdivider to post a bond in lieu of completion of all the improvements as required by this Chapter. The Improvements Bond shall be made payable to Pike County, and shall be of an amount equal to actual costs to ensure the completion of all remaining required improvements, plus twenty (20) percent. The Bond shall be approved and held by the County until all improvements have satisfactorily been completed or until a specified reasonable length of time for completion has passed after which the Bond may be cashed and the improvements installed by the County.
- B. The Board of Commissioners shall require that the developer post a bond to cover any completion or maintenance of any roadway installed by said developer in the subdivision. The bond shall be made payable to Pike County and shall be of an amount equal to or greater than the cost of the base and paving of the improved road. This bond will have a two-year time of duration, at which time the Pike County Public Works Department will have a final inspection of the roadway in question. Any failure of inspection will be the responsibility of the developer or the bond may be cashed and maintenance requirements will be completed by the County.

### **Sec. 2138. Large Scale Developments**

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



## **Sec. 2139. Conservation Subdivisions**

### **Sec 2139.1 Purpose**

This Chapter is adopted with the following purposes and intentions:

- A. To provide for the preservation of greenspace as a nonstructural stormwater runoff and watershed protection measure.
- B. To permit flexibility of design within residential zoning districts that require a minimum lot size of two (2) acres or more, as established in the Pike County Unified Development Ordinance (UDO), in order to promote environmentally sensitive and efficient uses of the land.
- C. To preserve in perpetuity unique or sensitive natural resources such as groundwater recharge areas, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- D. To permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- E. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- F. To promote interconnected greenways and corridors throughout the community.
- G. To promote contiguous greenspace with adjacent jurisdictions.
- H. To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
- I. To encourage street designs that reduce traffic speeds and reliance on main arteries.
- J. To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.
- K. To conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.
- L. To preserve important historic and archaeological sites.

### **Sec 2139.2 Applicability**

These sections on Conservation Subdivisions are an option available in those residential zoning districts requiring a minimum lot size of two (2) acres or more, as established in the Pike County UDO. The applicant shall comply with all other provisions of the zoning districts and all other applicable laws, except those provisions specifically allowed otherwise in these sections.

### **Sec 2139.3 Housing Density Determination**

The maximum number of lots in a Conservation Subdivision shall be determined by either of the following two methods, at the discretion of applicant:

- A. Calculation.

The maximum number of lots is determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning district as outlined in the Pike County UDO. In making this calculation, the following shall not be included in the total area of the parcel:

1. Slopes over 25 percent of at least 5,000 square feet contiguous area;
2. The 100-year floodplain;
3. Bodies of open water over 5,000 square feet contiguous area;
4. Wetlands that meet the definition of the Army Corps of Engineers pursuant to the
5. Road right-of-ways and overhead utility easements.

B. Yield Plan.

The maximum number of lots is based on a separate conventional subdivision design plan, prepared by the applicant, in which the tract of land is subdivided in a manner intended to yield the highest number of buildable lots possible. The plan does not have to meet formal requirements for a preliminary plat as required by this article but must clearly indicate that the proposed design is buildable given site features and all applicable regulations.

**Sec 2139.4 Application Requirements**

Developers and subdividers proposing a conservation subdivision shall make application to the Zoning Administrator which shall include at a minimum the specifications of this Section.

A. Site Analysis Map.

The applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the subdivision, and that the proposed open space will meet the requirements of this Chapter. The site analysis map shall include the following features:

1. Property boundaries;
2. All streams, rivers, lakes, wetlands and other hydrologic features;
3. Topographic contours of no less than 5 foot intervals;
4. All primary and secondary conservation areas labeled by type, as defined in this Chapter;
5. General vegetation characteristics;
6. General soil types;
7. The planned location of protected open space;
8. Existing roads and structures; and,
9. Potential connections with existing greenspace and trails.

B. Open Space Management Plan.

As a part of the application, or no later than prior to the issuance of a development permit, a written open space management plan shall be submitted and reviewed and approved by the Board of Commissioners.

C. Instrument of Permanent Protection.

As a part of the application, or no later than prior to the issuance of a development permit, the applicant shall ensure that open space proposed in the conservation subdivision will be permanently protected, through an instrument such as a conservation easement (defined in this Chapter) or permanent restrictive covenant.

D. Other Requirements. The Applicant shall adhere to all other applicable requirements of the underlying zoning and the Subdivision requirements unless specifically permitted otherwise by these Sections.

### **Sec 2139.5 Processing and Acting on Applications**

An application for approval of a conservation subdivision shall be submitted prior to or concurrent with a required preliminary plat in accordance with the County's Subdivision requirements. The Zoning Administrator shall have up to 15 working days to review and approve or deny the application, if submitted separately from a preliminary plat application. If submitted concurrent with the preliminary plat, the application will be processed within the schedule specified for preliminary plat applications in the County's Subdivision requirements.

### **Sec 2139.6 Criteria for Considering Conservation Subdivisions**

- A. Approval or denial of a conservation subdivision application shall be based on the extent to which the plat meets the following criteria:
  - 1. All primary conservation areas are protected as permanent open space.
  - 2. A sufficient amount of secondary conservation areas are protected as permanent open space, as opposed to being devoted to lots and other uses.
  - 3. The configuration of the open space tract is contiguous and undivided, or open space is provided in relatively undivided tracts that cannot reasonably be reconfigured into one contiguous, undivided tract.
  - 4. The conservation subdivision meets the regulations specified in this ordinance.
- B. Reasons for the denial of a conservation subdivision application include but are not limited to the following:
  - 1. The application fails to fully identify primary and secondary conservation areas.
  - 2. One or more of the lots within the open space conservation subdivision are too small to meet the minimum lot size established in this article.
  - 3. One or more of the lots are significantly large or wide, such that their design contributes to an unnecessary decrease in the amount of open space retained on site.
  - 4. The proposed open space network is divided, not functional, inconsistent with open space plans of the County, or does not provide for the protection of the most valuable secondary conservation areas on the site given the natural and scenic properties inherent on the site.
  - 5. The proposed open space network fails to maximize the length of the common boundary between conservation areas on site and conservation areas or parkland abutting the conservation subdivision site.
  - 6. The preliminary plat appears to be submitted for the major purpose of circumventing minimum lot size or minimum lot width requirements or improvement requirements that would otherwise be required for conventional subdivisions pursuant this UDO.

### **Sec 2139.7 Open Space Requirements**

- A. Minimum Open Space.

Each conservation subdivision shall provide at least 40 percent of the gross land area of the subdivision as restricted open space.
- B. Primary Conservation Areas.

Primary conservation areas, as defined in the UDO, are required to be included within the open space, unless the applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of these sections.
- C. Secondary Conservation Areas.

Secondary Conservation Areas as defined in the UDO, should be included within the open space, to the maximum extent feasible.

D. Contiguity.

At least 60 % of the open space in the conservation subdivision shall be in a contiguous tract.

E. Other Provisions.

The open space should adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space.

**Sec 2139.8 Permitted Uses of Open Space**

Open space within conservation subdivisions may be used for any of the following:

- A. Conservation of natural, archeological or historical resources;
- B. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation- oriented areas;
- C. Walking or bicycle trails, provided they are constructed of porous paving materials;
- D. Passive recreation areas;
- E. Active recreation areas, provided that they are limited to no more than 10 % of the total open space and are not located within primary conservation areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected open space;
- F. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within primary conservation areas;
- G. Nonstructural stormwater management practices;
- H. Easements for drainage, access, and underground utility lines; or
- I. Other conservation-oriented uses compatible with the purposes of these sections.

**Sec 2139.9 Prohibited Uses of Open Space**

Open space within conservation subdivisions shall not be used for any of the following:

- A. Golf courses;
- B. Roads, parking lots and impervious surfaces, except as specifically authorized in these sections;
- C. Agricultural and forestry activities not conducted according to accepted Best Management Practices; and,
- D. Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.

**Sec 2139.10 Ownership and Management of Open Space**

A. Ownership of Open Space.

The applicant must identify the owner of the open space who is responsible for maintaining the open space and facilities located thereon. If a Homeowners Association is the owner, membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. If a Homeowners Association is the owner, the Homeowners' Association shall have lien authority to

ensure the collection of dues from all members. The responsibility for maintaining the open space and any facilities located thereon shall be borne by the owner.

B. Open Space Management Plan.

The applicant shall submit a written plan for management of open space and common facilities ("plan") that meets the requirements of these sections and that:

1. Allocates responsibility and guidelines for the maintenance and operation of the open space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
2. Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the open space and outlines the means by which such funding will be obtained or provided;
3. Provides that any changes to the plan be approved by the Board of Commissioners; and,
4. Provides for enforcement of the Plan.

C. Maintenance. In the event the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, the County may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the owner, Homeowner's Association, or to the individual property owners located within the conservation subdivision and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

**Sec 2139.11 Legal Instrument for Permanent Protection**

The open space within a conservation subdivision shall be protected in perpetuity by a binding legal instrument that is recorded prior to any vesting deed for property or lots within said subdivision. The instrument shall be one of the following:

- A. A permanent conservation easement in favor of either:
  1. A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
  2. A governmental entity with an interest in pursuing goals compatible with the purposes of this Chapter. If the entity accepting the easement is not the Pike County Board of Commissioners, then a third right of enforcement favoring the Pike County Board of Commissioners shall be included in the easement; or
- B. A permanent restrictive covenant for conservation purposes in favor of a governmental entity.
- C. The instrument for permanent protection shall include clear restrictions on the use of the open space. These restrictions shall include all restrictions contained in this Chapter, as well as any further restrictions the applicant chooses to place on the use of the open space.

**Sec 2139.12 Relationship to Zoning and Subdivision Requirements**

- A. Density and Lot Size. Conservation subdivisions approved pursuant to these sections shall not exceed the number of dwelling units per acre for the zoning district in which the conservation subdivision is located. Lots within conservation subdivisions shall not be bound by the minimum lot size requirements established by the underlying zoning district for which the conservation subdivision is located; provided, however, that no lot within a conservation subdivision shall be reduced to less than 50 % of the required minimum lot size for the zoning district in which it is located.

- B. Lot Width. Lots within conservation subdivisions shall not be bound by the minimum lot width requirements established for the zoning district in which the conservation subdivision is located; provided, however, that no lot within a conservation subdivision shall be reduced to less than 50 % of the required minimum lot width for the zoning district in which it is located.
- C. Other Dimensional Requirements. The maximum lot coverage and front, side, and rear yard/building setback requirements for the zoning district in which the conservation subdivision is located shall continue to apply to development within the conservation subdivision; provided, however, that an applicant may propose and the Zoning Administrator may administratively authorize a reduction of the dimensional requirements specified in this paragraph, if the applicant demonstrates there is practical difficulty meeting said zoning district dimensional requirements due to the platting of smaller than conventional lots pursuant to these sections. In no case shall the Zoning Administrator reduce a dimensional requirement specified in this paragraph by more than 50 % of that required by the zoning district in which the lot is located.
- D. Subdivision Improvement Requirements. An applicant may request a variance to the road, lot, block, utility, and other design standards required by this Article. The Planning and Zoning Board is authorized to grant variances to the specific improvement requirements of this Article in order to meet the purposes of these sections. Notice of any proposed variances made as part of a preliminary plat application and/or conservation subdivision application shall be advertised, and the Planning and Zoning Board shall hold a hearing on the preliminary plat and the requested variances. The Planning and Zoning Board shall have final authority on whether to grant the requested variances.

## **ARTICLE 22. MISCELLANEOUS PROVISIONS**

### **Sec. 2201. Purpose.**

These provisions in this article are intended to set standards for miscellaneous provisions in Pike County, Georgia.

### **Sec. 2202. Parking and Storage of Major Recreational Equipment**

Major recreational equipment may be parked or stored on side yards or rear yards or in a carport or enclosed building; provided that the public right-of-way, sidewalk, or sight distance is not obstructed, unless the lot is over five (5) acres and the Major recreational equipment is not visible from the public right-of-way. In addition, temporary parking is permitted within front yards for a period not to exceed twenty-four (24) hours during loading or unloading. Temporary living in such equipment shall only be allowed as outlined in the various residential zoning districts in conjunction with a valid new home construction building permit.

### **Sec. 2203. Abandoned, Wrecked, or Junk Vehicles**

Parking or storing abandoned, wrecked, or junked vehicles, power-driven construction equipment, lumber, metal, or any other miscellaneous scrap or salvageable material is prohibited in all residential zoning districts except in A-R zoning districts, working farms are exempt from the provisions of this section.

### **Sec. 2204. Accumulation of Garbage, Trash and Rubbish**

It shall be prohibited in all residential districts to place, deposit, or allow the accumulation of, household garbage, rubbish, trash, refuse or any condition which provides harborage for rats, mice, snakes and other vermin.

### **Sec. 2205. Encroachment on Public Rights-of-way**

No building, structure, fence, service area, parking facility/area, loading area, except driveways shall be permitted to encroach on public right-of-way. All permanent structures or inorganic objects which are placed near but not within the right-of-way shall be located as not to obstruct, hinder or impede the view or movement of pedestrian and vehicular traffic as to become a nuisance, danger or hazard to the general public.

### **Sec. 2206. Obnoxious Vegetation**

Any *grass* or weeds on lots of three (3) acres or smaller in a platted subdivision, whenever more than fifty (50) percent of the lot or parcel contains vegetation which exceeds twelve (12) inches in height.

### **Sec. 2207. Address Posting**

Each dwelling unit and place of business shall have light-reflective numbers posted and maintained in a prominent place on the property, visible from the street providing public access, the address of the dwelling unit or place of business.

- (1) For residences using mailboxes: Two-inch high light-reflective number with contrasting background;
- (2) For residences which do not use mailboxes and within one hundred (100) feet of roadway: Three-inch high light-reflective numbers with contrasting background;
- (3) For residences which do not use mailboxes and are more than one hundred (100) feet from a roadway: Three-inch high light-reflective numbers visible from the roadway with contrasting background; and
- (4) For all commercial establishments: Three-inch high light-reflective numbers with contrasting backgrounds.

**Sec. 2208. Penalties.**

Any person violating this Article shall be subject to a fine in the amount of \$250 per offense. Each day in which the violation continues to occur shall constitute a separate violation. Violation of this ordinance shall be deemed a misdemeanor and shall be prosecuted in accordance with §10.99 of The Code of Ordinances, Pike County, Georgia and with OCGA §36-1-20 as presently enacted or may be subsequently amended.

~~Any person who violates any provision of this article or any amendment to this article, or who fails to perform any act required hereunder or commits any prohibited act shall be guilty of a misdemeanor and punishable by a fine of not more than one thousand dollars (\$1,000.00) for each offense. Each and every day for which any violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.~~



**ARTICLE 23. OFFICIAL ZONING MAP, PIKE COUNTY, GEORGIA  
(OFFICIAL MAP)**

**Sec. 2301. Official Zoning Map, Pike County, Georgia (Official Map).**

The Official Zoning Map, Pike County, Georgia is hereby incorporated into and made a part of this Zoning Ordinance. Any reference to the "Official Map" in this Ordinance refers to the Official Zoning Map, Pike County, Georgia.

**Sec. 2302. Identification, alteration, and replacement of the official map.**

- A. The official map is signed by the commission chairman and bears the seal of the county or that of a notary public under the following words: "This certifies that this is the official zoning map, Pike County, Georgia referred to in Article 23 of the Zoning Ordinance of Pike County, Georgia", together with the date of adoption of the ordinance.
- B. Any alteration of the official map is an amendment to the ordinance. The procedure by which amendments are proposed and approved is set forth in Article 4. Any amendment involving a change of a zoning district must be entered on the official map as soon as the amendment has been approved by the board of commissioners. The entry must be as follows: "On (date) by Official action of the Board of Commissioners of Pike County, the following change(s) were made in the Official Zoning Map, Pike County, Georgia: (Brief Description of Change)." It must be signed by the commission chairman. No amendment to portions of this ordinance that are illustrated on the official map becomes effective until after the change has been entered as described above on the official map.
- C. Alterations to the official map may be made only by the procedures contained in sections 410 and 2302 of this UDC. Any unauthorized alteration of the official map by any person is a violation of this ordinance.
- D. The official map shall be on display in the office of Planning and Development and is the final authority as to the current status of zoning district boundaries. Unless a file is located that shows the official action taken by the BOC assigning a different zoning designation then the map shows.
- E. If the official map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the board of commissioners may adopt a new official map which will replace the previous official map. The new official map is identified as such in the same manner as described above in this section. When the new official map is adopted, a notation must be made on the previous official map that it is no longer valid, indicating the date that the new official map was adopted, as a reference aid. The previous official map should be preserved, if it has not been lost or destroyed, for possible future reference.

**Sec. 2303. Zoning district boundaries.**

Where uncertainty exists with respect to the exact location of the boundary of a zoning district shown on the official map, the following guidelines will be used in establishing the exact location of the boundary:

- A. Where a zoning district boundary line as appearing on the official map divides a single lot that was a single lot at the time of the enactment of this ordinance, the requirements for the zoning district shall extend only as far as the zoning district boundary line.

- 
- B. Where a zoning district boundary is indicated as approximately following a municipal limits or county line, the municipal limits or county line is the boundary.
  - C. Where a zoning district boundary is indicated as approximately following a property line or such line extended, the line or lines extended is the boundary.
  - D. Where a zoning district boundary is indicated as approximately following the center line of a stream bed, such a center line is the boundary.
  - E. Where a zoning district boundary is indicated as approximately parallel to the center line of a street, road, railroad, or the right-of-way of such a facility, the zoning district boundary is parallel to the line and at a distance from it as indicated by scale on the official map.

**Sec. 2306. Relationship between official map and Pike County Comprehensive Plan.**

- A. The Pike County Comprehensive Plan was prepared by the planning commission and adopted by the Board of Commissioners of Pike County. It should provide the best possible indication of desirable land use patterns that will meet projected future demand for land uses of various types. The Pike County Comprehensive Plan supplies a body of information on which decisions on future development may be made that are guided by sound planning principles. The plan does not legally regulate land uses. It contains a future land use map, which shows suitable areas for various types of land uses. Actual land uses may not necessarily conform to the land use map.
- B. The zoning districts contained on the official map set forth standards with which all new construction and development in Pike County must comply. The application of zoning districts to property located within Pike County is based on land use information contained and shown on the Pike County Future Land Use Map which is a part of the Pike County Comprehensive Plan. Amendment of zoning district boundaries must conform to the Pike County Future Land Use Map.

## **ARTICLE 24. POWERS AND DUTIES OF VARIOUS OFFICIALS CONCERNING THIS UDC**

### **Sec. 2401. Purpose.**

This article formalizes the powers and duties of the administrative officer, the planning and zoning board, the board of commissioners, and other officials as may be appropriate where this ordinance is concerned. It should also provide a convenient list of services provided by each official to aid in complying with the requirements of this ordinance.

### **Sec. 2402. Powers and duties of the zoning administrator.**

The administrative officer has the power and duty to provide the following services related to this ordinance:

- A. Provide initial information about this ordinance upon request.
- B. Advise how to contact members of the planning and zoning board, the board of commissioners, or other officials as may be appropriate for services provided by those bodies or officials.
- C. Maintain official map on public display.
- D. Determine in which zoning district a parcel of land lies.
- E. Issue certificates of occupancy under procedures outlined in section 405 of this ordinance.
- F. Offer practical suggestions on how to comply with the requirements of this ordinance.
- G. Maintain complete records concerning this ordinance and related matters, and make such records available to the public upon request.
- H. Supervise all professional and clerical personnel employed in connection with the performance of the functions of the administrative officer.
- I. Serve as administrative secretary to the planning and zoning board.
- J. Issue certificates of zoning compliance for all permitted uses as well as for variances or other applicable procedures which are granted by planning and zoning board.
- K. Collect data and keep informed as to the best zoning practices, in order that he may be qualified to make recommendations to the planning and zoning board and the board of commissioners concerning amendments to this ordinance.
- L. Research and make reference to the zoning ordinance in connection with each and every application received for variance or other applicable procedures and to make written recommendations to the planning and zoning board on each such application as to whether:
  - 1. The granting of such variance or other applicable procedures would result in an encroachment on existing land uses or zoning districts already established on adjoining or nearby neighborhood properties protected by the zoning ordinance from such adverse impact.
  - 2. Sufficient authority exists in the zoning ordinance to allow the board of appeals to grant the variance or other applicable procedures.
- M. Maintain all written recommendations to other officials of the county in the application file to which each pertains.

- 
- N. Set off-street parking requirements for certain land uses as necessary, according to procedures contained in the Pike County Standard for Off-Street Parking and Service Facilities (Appendix G).

**Sec. 2403. Powers and duties of the building official.**

The building official has the power and duty to provide the following services related to this ordinance:

- A. Issue, and when necessary revoke, building permits under the procedures outlined in section 408 of this ordinance.
- B. Maintain complete records concerning building permits, and make such records available to the public upon request.
- C. Supervise all professional and clerical personnel employed in connection with the performance of the functions of the building official.

**Sec. 2404. Powers and duties of the planning and zoning board.**

Chapter 33 details the establishment of the Pike County Planning and Zoning Board. The planning and zoning board has the power and duty to provide the following services related to this ordinance.

- A. Advise the board of commissioners on applications for amendment to this ordinance by examining amendment applications and providing written recommendations with reasons for the recommendations to the board of commissioners as specified in section 414.
- B. Dispense general information about this ordinance to the public upon request.
- C. Propose amendments to this ordinance.
- D. Maintain and update the Pike County Comprehensive Plan so that it may provide a current data base with which decisions on proposed amendments to this ordinance may be made that utilize sound planning principles.
- E. Carry out an ongoing comprehensive planning program which, like the land use plan (where one exists), will provide current data on which decisions regarding this ordinance may be based that utilize sound planning principles.
- F. Set off-street parking requirements for certain land uses, where called for in the development standards for a zoning district.
- G. Advise the Board of Commissioners on matters of zoning and annexation. PZB, or designee, shall have concurrent platting authority for minor subdivision plats along with the Zoning Administrator.
- H. Advise the Board of Commissioners and make recommendations on all major subdivision plats as specified in Article 21
- I. Authorize variances according to procedures specified in Article 4.
- J. Accept applications for appeal of an action of the administrative officer and render official decisions on them according to procedures specified in Article 4
- K. Advise the Board of Commissioners onAuthorize special use permits under procedures contained in Article 4

**Sec. 2406. Powers and duties of the board of commissioners.**

The Board of Commissioners is considered as the legislative body of Pike County and shall have the power and duty to make all final zoning decisions as defined by state law, including, but not limited to, making decision decisions regarding re-zonings, text amendments, special use permits, and the official zoning map. In addition,

---

the Board of Commissioners can propose or initiate proposed re-zonings, text amendments, special use permits, or changes to the official zoning map.

## **ARTICLE 25. SIGN REGULATIONS**

### **Sec. 2501. Purpose.**

By enacting this Article, the County intends:

- A. To balance the rights of individuals, businesses, and government to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs;
- B. To afford the business community equal and fair opportunity to advertise and promote its products and services without discrimination;
- C. To preserve and promote the public health, safety, and welfare of the citizens of Pike County;
- D. To improve traffic and pedestrian safety;
- E. To maintain and enhance the visual environment, and preserve the right of citizens and visitors to enjoy Pike County's rural scenic beauty;
- F. To protect property values of nearby public and private property by minimizing possible adverse effects and visual blight caused by signs;
- G. To avoid the harmful aspects of the unrestricted proliferation of signs;
- H. To promote economic development;
- I. To enable the fair and consistent enforcement of sign regulations; and
- J. To promote the purposes stated in this Section by regulating signs based on objective standards, including, but not limited to height and size, and without regard to the content of the sign message.

### **Sec. 2502. Applicability.**

The regulations set forth below shall apply and govern in all zoning districts. Within the unincorporated portions of the County no sign shall be erected or maintained unless it is in compliance with this Article.

### **Sec. 2503. General Provisions**

- A. Permit required.

A permit shall be required for the erection, alteration or reconstruction of any sign unless otherwise noted and shall be issued by the Zoning Administrator or his/her designee in accordance with the regulations contained in this Article.

- B. Design, materials and maintenance.

Any sign not meeting the following provisions shall be repaired or rebuilt in accordance with the specifications of this Article:

1. All signs shall be designed and constructed in accordance with applicable provisions of the Uniform Building Code and the electrical code of Pike County at all times;
2. The area on private property around the sign on which it is erected shall be properly maintained clear of brush, trees, and other obstacles so as to make signs readily visible;
3. All burned out bulbs or damaged panels must be replaced;
4. All sign copy shall be maintained securely to the face and all missing copy must be replaced; and
5. All signs shall be maintained in good structural condition at all times so that the public and traffic safety are not compromised.
6. It shall be the responsibility of the sign owner to maintain and insure compliance with the provisions of this Article.

C. Measurement of sign height.

This height shall be measured from the grade at the right-of-way boundary line or the grade of the sign site if such grade is higher than the grade at the boundary line of the street right-of-way to the uppermost part of the sign face, base or structure. If the sign is located below the grade at the boundary line of the street right-of-way, sign height shall be measured from the edge of the right-of-way to the uppermost part of the sign face, base or structure.

D. Minimum sign setbacks.

Except as otherwise specifically provided, for any freestanding sign, the minimum front setback is 10 feet from the edge of the paved road or beyond the right-of-way line, whichever is greater; and 10 feet from the side and rear lot lines. However, in no case will a sign be allowed to obscure vision at a street or driveway intersection, or railway crossing. Setbacks along state highways shall be as required by the Georgia Department of Transportation.

E. Illumination and Electronic Displays.

1. No sign, electronic or otherwise, shall be illuminated by lights and/or graphics that flash, move and/or scroll, or markedly change in intensity, more than once per day, except that a sign may have changeable copy 12 inches high or less that may change. The changeable copy of 12 inches high or less may change not more than every 2 minutes. To prevent glare visible from a public street or adjoining property, the beam of any light shall be directed so as not to be visible beyond the sign at which it is directed, and the light source shall not be visible from any point on an adjacent property or the public right-of-way.
2. Electronic, real-time displays of time and temperature, which may comprise a portion or the entirety of an electronic sign's copy, shall be exempt from the copy change frequency specified in Section 2503 (F), but must remain at a height of 12 inches or less.

F. Movement or animation.

A sign structure shall not rotate, oscillate, or otherwise move or change in appearance, whether such motion is driven by wind, mechanical, electrical, or other means, except in accordance with Section 2503 (E) above, changeable copy of 12 inches high or less may change not more than every two (2) minutes, except in cases where Section 2503 (E)(2) may apply.

G. Sign message.

In any zoning district, any sign, display, or device allowed under this Article may contain any lawful non-commercial or commercial message. No provision of this Article shall be construed to allow regulation of signs based on the content or view point of the sign message.

H. Monument sign materials.

All monument bases for ground signs shall be constructed of materials similar to the primary structure.

## Sec. 2504. Signs Requiring a Permit

The following signs are allowed with a permit (the permit must be approved prior to commencement of any sign construction):

A. Wall Signs.

In non-residential zoning districts only, one wall sign per establishment shall be permitted unless that establishment has street frontage on more than one side.

1. If a business is located in a structure that is located on a lot that has no street frontage, one wall sign

shall be permitted on any single façade for that business establishment in the structure, whether that façade faces the street or not. If a business establishment is located in a structure that is located on a lot that has street frontage, but the portion of the structure where the business establishment is located does not have frontage, the business establishment is entitled to one wall sign on the business establishment's façade. If a business establishment is located in a structure that is located on a lot that has more than one street frontage, one wall sign on each façade of the business establishment which has street frontage for the façade of the business establishment is permitted. A publicly owned alley shall be considered a street.

2. Wall signs attached flat against the exterior surface of a building may extend not more than 12 inches from the wall.
3. The total area for wall signage shall not exceed two square feet for each linear foot of building frontage attributable to the particular business or businesses which the sign will identify, or 15% of the total area of the one building façade upon which the signage is placed or 100 sq. ft., whichever is less. A sign directory is a wall sign. For buildings with multiple tenants having store fronts only, the facade rented by the tenant shall be considered as wall area for a sign.
4. The total area for wall signage shall include any/all awning sign and/or canopy sign area.

B. Residential Subdivision Entrance.

No more than 2 freestanding signs shall be allowed to be placed at each entrance of a residential subdivision. These signs must be placed on common property under the ownership of the Home Owners Association (HOA) and shall not be allowed to be on private property. The sign face shall not exceed ~~35-64~~ sq. ft. in area or five feet in height. Sign structures shall not exceed ~~6-8~~ feet in height and shall be monument based. If the sign or sign structure is attached to a decorative wall or fence, the decorative wall or fence shall not exceed 6 feet in height. The post and/or columns of the decorative wall or fence shall not exceed 8 feet in height. Such signs shall not be internally illuminated. A permit shall be required. The permit shall not be issued until after the final plat is recorded.

C. Signage During Construction.

In all zoning districts one additional sign shall be allowed during construction. The sign shall not be internally illuminated. A permit shall be required.

1. Duration. The sign shall be allowed beginning with the issuance of a land disturbance permit and ending with the issuance of a Certificate of Occupancy or installation of a permanent sign, whichever comes first.
2. Size. The sign shall not exceed 12 square feet in area nor 5 feet in height.

D. Menu Boards.

In all non-residential districts, restaurant menu boards are allowed subject to the following regulations:

1. No more than 8 square feet in area per side with no more than 2 sides;
2. No more than 4 feet in height;
3. No part of the sign shall be legible by the traveling public.

E. Freestanding Signs On Non-Residential Lots.

The owner of nonresidential property or the owner's agent may apply for a permit for one freestanding sign in addition to the signs allowed by general permit.

1. The maximum sign area of the sign shall be 64 sq. ft. for ~~multiple user lots and 32 sq. ft. for~~ single user lots all multiple user lots shall submit a master sign plan to the planning and development office for approval by the zoning administrator. The master sign plan shall provide details for the proposed signage for the overall development. Maximum sign areas shall apply to each face separately, but no freestanding sign shall have



more than two faces. Where sign faces are located in a "V" formation, the angle between the two sign faces shall not be greater than 60 degrees.

2. The maximum height of the sign is 20-8 feet and must be monument based.

F. Free-Standing Sign On Residential Lots Used For Non-Residential Purposes.

The owner of residential property that is used for non-residential purposes or the owner's agent may apply for a permit for one freestanding sign in addition to the signs allowed by general permit ~~in Section 8~~ subject to the following:

1. The residential lot must be 5 acres or greater;
2. The maximum sign area of the sign shall be 32 square feet. Maximum sign areas shall apply to each face separately, but no freestanding sign shall have more than two faces. Where two sign faces are located in a "V" formation, the angle between the two sign faces shall not be greater than 60 degrees; and,
3. The maximum height of the sign is 20-6 feet.

G. Awning/Canopy Signs.

In non-residential districts, awning and/or canopy signs may be permitted. The area of any awning and/or canopy sign(s) shall be limited to the maximum area permitted for wall signs set forth above. In the event a non-residential establishment intends to have an awning and/or canopy sign in addition to the permitted wall sign, the total aggregate sign area for all awning, canopy and/or wall signs may not exceed the limitations set forth in Section 2504(A) above.

H. Electronic Signs.

Prior to issuance of a written permit, proposed electronic signs must document conformance with applicable standards and restrictions of the Sign Ordinance, including, but not limited to, Section 2503 (E) and (F). If the permit applicant cannot document conformance with Section 2503 (E) and (F), then the applicant must declare whether or not they will seek a variance to the standards. Official variance approval must be obtained prior to issuance of a written sign permit for applicants that cannot document conformance with Section 2503 (E) and (F).

## Sec. 2505. Signs Not Requiring a Permit.

No permit is required for the following types of signs in any zoning district, provided that such signs are erected and maintained in compliance with all applicable conditions:

- A. Traffic control signs;
- B. Official notices issued by any court with competent jurisdiction or authorized public agency, department or official;
- C. Temporary signs (signs which are not permanently mounted), including real estate "for sale," "for rent," and directional signs, yard sale signs, and similar signs, etc., shall be restricted to no more than 2 signs per lot. Said signs shall not exceed ~~4-32~~ square feet in area per side and shall not exceed ~~4-6~~ feet in height. Signs shall not have more than 2 sides;
- D. Any flag provided, however, that (1) no more than two flagpoles are permitted per lot, (2) no more than two flags are permitted per flagpole, (3) the maximum dimension of the hoist side of each flag shall not exceed 20% of the height of the flagpole, (4) all flagpoles shall be set back from each property boundary a distance equal to the height of the flagpole or in accordance with 158.7(F), whichever is greater, and (5) all flagpoles shall be maintained in good repair, so as not to constitute a threat to public safety. On officially designated county, state, and federal holidays, there shall be no maximum flag size or number of flags on display;
- E. Individual Parcel Sign. In addition to any other written permit, pursuant to the provisions of this Ordinance, one sign of no more than 4 square feet in area per side and no more than 4 feet in height may be placed on any parcel of land in any zoning district by the property owner or with the property owner's consent. Signs shall not have more than 2 sides. No individual parcel sign shall be allowed to be placed in a public right-of-way. An individual parcel sign may contain any lawful non-commercial or commercial message. In no event shall any individual parcel sign contain obscene material as defined in Section 158.05(K) of this Ordinance;
- F. Window signs provided, however, no more than 25% or 35 sq. ft., whichever is less, of the total available glass area shall be used to display window signs. No window signs are allowed above the first floor unless the building is a multi-tenant office or commercial structure wherein tenants have primary direct access from their space to the outside. The access must include outside walkways and stairways properly designated for public use. In no case shall any window signs be installed above the level of the second floor windows;
- G. Numerals displayed for purpose of identifying property location not to exceed 8 inches in height;
- H. Door signs not to exceed 1 square foot in size and not more than one sign per door;
- I. Out-of-store marketing devices.
- ~~J. Political campaign signs. This ordinance does not regulate the length of time a political campaign sign may be displayed nor the number of political signs which may be displayed on private property for which permission by the property owner has been granted. Political campaign signs shall not exceed 5 feet in height and 16 square feet in area per side. Signs shall not have more than 2 sides. Signs must be attached to an independent mounting device no more than 40 inches above ground level. Political campaign signs shall not be placed within 100 feet of any intersection nor shall any sign be closer than 10 feet to the pavement of a roadway. In no event shall a political campaign sign be placed in a public right-of-way.~~

## **Sec. 2506. Non-conforming Signs**

### **A. Findings.**

The County finds that non-conforming signs may adversely affect the public health, safety and welfare. Such signs may adversely affect the aesthetic characteristics of the County and may adversely affect public safety due to the visual impact of said signs on motorists and pedestrians.

### **B. Non-conforming Signs.**

An existing sign at the time of the adoption of this ordinance that is deemed a non-conforming sign that is permanently affixed to the ground or to a building may continue to be used, except that the non-conforming sign:

1. Shall not be enlarged or altered except in conformance with this Article, but it may be repaired to the extent necessary to maintain it in a safe condition;
2. Shall not be replaced, expanded or modified by another non-conforming sign, except that the substitution or interchange of poster panels, painted boards or dismountable material on non-conforming signs shall be permitted;
3. Shall not be allowed to be increased in height or size or relocated on the property, but may be decreased in height or size; and
4. Is subject to removal if (a) it has deteriorated to a point of making it a hazard, or unsightly; (b) the business advertised ceases at that location; or (c) the sign has been damaged to such extent that more than minor repairs are required to restore the sign.
5. To the extent this section conflicts with O.C.G.A. § 32-6-83 or Ga. Const. Art. 3 §6, ¶ 4(a) in application, this section shall be deemed to provide effected parties the minimum protections provided by O.C.G.A. § 32-6-83 or Ga. Const. Art. 3 §6, ¶ 4(a) as amended from time to time. In no event is it the County's intent to obligate itself to pay any compensation related to the removal of any sign.

## Sec. 2507. Prohibited Signs

Notwithstanding any other provision of this Article, the following types of signs shall be prohibited anywhere in the unincorporated areas of Pike County.

A. Signs imitating warning signals.

No sign shall display intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance or rescue vehicles, nor shall any sign use the words "stop," "danger," or any other word, phrase, symbol or character in a manner that might mislead or confuse an automobile or other vehicular driver;

B. Signs within street or highway right-of-way.

No sign whatsoever, whether temporary or permanent, except traffic control signs and signals and information signs erected by an authorized public agency or department, are permitted within any street or highway right-of-way or at any location where, by reason of position, shape, wording or color, it obstructs the view of pedestrians or vehicular traffic;

C. Certain attached and painted signs. Signs painted on or attached to trees, fence posts and telephone or other utility poles or signs painted on or attached to rocks or other natural features or painted on the roofs shall be prohibited;

D. Fluttering ribbons, balloons and banners. Fluttering ribbons, tethered balloons and banners and similar devices are prohibited. This restriction, however, does not apply to flags;

E. Roof signs. No sign shall be permitted that is mounted on or extends into the air above any roof surface of a building. A sign may be mounted against a parapet of uniform height around the perimeter of a building but may not extend above the parapet;

F. Portable signs. No portable sign shall be permitted unless it qualifies as a temporary sign and complies with all applicable requirements for such signs under this Article; this shall include portable business signs with flashing lights / arrows.

G. Painted wall murals. No painted mural shall be permitted unless it complies with the height and size restrictions contained in this Article as a wall sign; and

H. Obscene signs. Signs or other advertising structures that contain obscene material are prohibited.

I. Abandoned signs. Abandoned signs constitute a violation of this ordinance and are subject to the enforcement provisions set forth herein.

J. Audible signs. Any sign that emits a sound which is audible or otherwise emits a signal that can be converted into audible sound shall be prohibited, shall constitute a violation of this ordinance and shall be subject to the enforcement provisions set forth herein.

K. Beacons/Beacon signs. Any beacon or beacon sign, as defined herein, shall be prohibited, shall constitute a violation of this ordinance and shall be subject to the enforcement provisions set forth herein: except, however, this prohibition shall not apply to any beacon that may be required by Federal and/or State law, rule or regulation.

- L. Marquee signs. Any marquee sign, as defined herein, shall be prohibited, shall constitute a violation of this ordinance and shall be subject to the enforcement provisions set forth herein
- M. Pennant, streamer. Any pennant and/or streamer sign, as defined herein shall be prohibited, shall constitute a violation of this ordinance and shall be subject to the enforcement provisions set forth herein.

## **Sec. 2508. Sign Permit Review and Fees**

### **A. Purpose.**

The purpose of this Section is to provide a timely and standardized mechanism for reviewing applications for sign permits to ensure signs within the County comply with the objective standards of this Article, including, but not limited to, the height and size provisions.

### **B. Authority.**

The zoning administrator or his/her designee is authorized to review and approve or disapprove an application for a sign permit pursuant to the procedures of this Section and the standards of this Article.

### **C. Applicability.**

No sign, except those specified in Section 158.8 of this Article, shall be erected, placed, reconstructed or structurally altered without the sign owner having first obtained a sign permit from the zoning administrator or his/her designee, pursuant to the procedures in this Section and the standards of this Article.

### **D. Generally Permitted signs by ordinance.**

Pursuant to Section 2505 of this Article, a general permit has been granted for those signs listed therein, and no application for a sign permit is required so long as all applicable standards of this Article are met.

### **E. Procedure.**

The following procedure shall govern the application for and the issuance of all written sign permits under this Article.

1. Initial submission and review of application. Application for a sign permit shall be made on the form provided by the zoning administrator or his/her designee and shall be accompanied by the information and documents listed on the form and the fee as required by the County. An application will only be deemed as complete when all required information and accompanying documents are received. The following information will be required at a minimum:
  - a. The type and purpose of the sign as defined in this Article.
  - b. The value of the sign.
  - c. A survey to scale showing the street address of the property upon which the subject sign is to be located, the proposed location of subject sign on the property, the distance of the proposed sign from the property's boundaries, and all existing structures or buildings on the property.
  - d. The square foot area per sign and the aggregate square foot area if there is more than 1 sign face.
  - e. The names(s) and address(es) of the owner(s) of the real property upon which the sign is to be located.
  - f. Written consent of the owner of the property, or his/her agent, granting permission for the placement, maintenance, size and height of the sign to be placed on the property.
  - g. For wall signs: a set of building elevations.
  - h. The name, address, telephone number, and business license number of the sign contractor.

- i. Scaled elevation of the size and height of the proposed sign from ground level and adjacent street level.
2. Action by Zoning Administrator or his/her designee. Within 15 working days after the application is determined complete, the zoning administrator or his/her designee shall review the application in accordance with this Section and determine whether the application complies with the standards in this Article.
3. Approval. If the zoning administrator or his/her designee finds that the application complies with the standards of this Article, the zoning administrator or his/her designee shall approve and issue a written sign permit. Any Sign application for which no action has been taken after 15 working days after the application is complete shall be deemed approved by default. In such an event of default approval, the applicant shall request in writing the issuance of a written sign permit from the zoning administrator or his/her designee.
4. Fails to comply. If the zoning administrator or his/her designee determines the application fails to comply with the standards of this Article, the applicant shall be provided a written notification. If the applicant resubmits the application within 30 days of the written notification of denial, the resubmitted application does not require payment of the fee. The time for resubmission may be extended an additional 30 days for good cause, if requested of the zoning administrator prior to the original deadline for re-submittal.
5. Re-submittal. A revised application shall be resubmitted to the zoning administrator or his/her designee and reviewed within 15 working days after its re-submittal. The zoning administrator or his/her designee shall approve or disapprove the application based on the criteria and time restraints set forth in this Article.
6. Criteria. A sign permit shall be approved upon a finding that the applicant has demonstrated the application complies with the objective standards of this Article.
7. Expiration. A sign permit shall become null and void if the sign for which the permit was issued has not been installed and completed within six months after the date of issuance; provided, however, that when an applicant can demonstrate that a commercial entity was engaged to construct the permitted sign, but the fabrication has not yet been completed, one 90 day extension may be granted by the zoning administrator. No refunds will be made for permit fees paid for permits that expired due to failure to erect a permitted sign. If later an individual desires to erect a sign at the same location, a new application must be submitted and another fee paid in accordance with the fee schedule applicable at such time.

F. Amendments.

A sign permit may be amended, extended, or modified only in accordance with the procedures established for its original approval.

G. Maintenance of permitted signs.

The owner or lessee of a lot containing signs requiring a permit under this Article shall, at all times, maintain in force a sign permit for such property. Sign permits shall be issued for individual lots.

H. Identification Labels.

1. With each permit the zoning administrator or his/her designee shall issue a sticker bearing the same number as the permit with which it is issued. It shall be the duty of the permittee or his/her agent to affix such sticker to the sign in the lower right hand area so it will be easily seen. The absence of a proper sticker shall be prima facie evidence that the sign has been, or is being, erected or operated in violation of the provisions of this article.
2. The zoning administrator or his/her designee shall inspect all existing signs and advertising devices in the County to determine if such signs or devices conform to the provisions of this article. Identification stickers shall be provided for all signs in order to identify existing conforming and nonconforming signs.

I. Assignment of sign permits.

A current or valid sign permit shall be freely assigned or transferred to a successor as owner or lessee of the property or holder of a business license for the same premises, subject only to filing such application as the County may require and paying any applicable fees. The assignment shall be accomplished by filing and shall not require approval.

J. Vested rights.

No person applying for a sign permit or erecting a sign under this Article shall acquire any vested rights to continue maintenance of such signs.

K. Appeals.

The following procedure shall govern the appeal of any decision to deny or grant an application for a sign permit under this Article:

1. Any party aggrieved or affected by the denial of an application for a sign permit may appeal the determination to the Planning and Zoning Board in accordance with the procedures of Article 156.025. The appeal shall be heard at the next scheduled meeting but not more than 45 days from the filing of the written notice of appeal.
2. Any party aggrieved or affected by the decision of the Planning and Zoning Board may appeal to the Board of Commissioners by filing a written notice of appeal with the zoning administrator within 30 days following the decision of the Planning and Zoning Board. Unless otherwise agreed to by the parties, the Board of Commissioners shall hear the appeal within 30 days following the filing of the notice of appeal. The Board of Commissioners shall have 20 working days following the hearing to issue a written decision.
3. Any party aggrieved or affected by the decision of the Board of Commissioners may appeal the decision by filing a writ of certiorari with the Superior Court pursuant to O.C.G.A. § 5-4-1, et seq.

L. Inspections.

The zoning administrator or his/her designee may conduct inspections of all signs requiring the issuance of written sign permits to ensure compliance with the provisions of this Article.

M. Fees.

The Pike County Board of Commissioners may set reasonable fees for the issuance of written sign permits, sign inspections and sign variance applications.

## **Sec. 2509. Variance**

A variance may be granted upon application if an individual case of unnecessary and extraordinary hardship is placed upon the applicant for a sign permit, when such variance will not be contrary to the public interest and the purposes of this Ordinance, except that no variance will be given to extend the size and height maximums of this ordinance.

A. Authority to grant variances.

Pursuant to the provisions set forth in Sections 33.02 of the Code of Ordinances, Pike County, Georgia, the Planning and Zoning Board is authorized to receive, consider, grant, grant with conditions, or deny applications for variances for written sign permits.

B. Variance application. A request for a variance may be initiated by a property owner or his/her authorized agent by filing an application with the zoning administrator. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and position of the proposed sign in relationship to the surrounding properties in addition to the requirements prescribed in the variance application. The zoning administrator may require other drawings or materials essential to an understanding of the proposed sign and variance requested and its relationship to the surrounding properties.

C. Fee. Each application for a variance shall be accompanied by the applicable fee, which shall be established by the

Pike County Board of Commissioners.

- D. Conditions and criteria for granting variances. The Planning and Zoning Board, in cases where specifically authorized, may grant a variance only after consideration and adoption of findings of fact that all of the following conditions and criteria have been met:
1. There exist extraordinary and exceptional conditions pertaining to the property in question resulting from its size, shape, or topography that are not applicable to other lands or structures in the area;
  2. A literal interpretation of the provisions of the sign ordinance would deprive the applicant of rights commonly enjoyed by other similar properties;
  3. Granting a variance requested would not confer upon the property of the applicant any significant privileges that are denied to other similar properties;
  4. The requested variance will be in harmony with the purpose and intent of these regulations and will not be injurious to the neighborhood or to the general welfare;
  5. The special circumstances are not the result of actions of the applicant;
  6. The variance is not a request to permit a sign that exceeds the height and size limitations contained in this Article;
  7. The mere existence of a non-conforming sign or advertising device shall not constitute a valid reason to grant a variance; and
  8. The variance requested is the minimum variance, which will make possible the logical use of the land and sign.

## **Sec. 2510. Enforcement**

- A. Enforcement officer.

The provisions of this ordinance shall be administered and enforced by the zoning administrator or his/her designee.

- B. Notice.

The zoning administrator or his/her designee shall give the permittee a 10 to 30 day written notice, based on the practical considerations of completing measures to conform with the standards of this Article, to correct the deficiencies or to remove the sign which is in violation of this Article. If the permittee refuses to correct the deficiencies or remove the sign, the zoning administrator will have the sign removed at the expense of the permittee.

- C. Penalties.

If the violation is not eliminated within the required time period, the sign permit shall be revoked. In addition, any person violating this Ordinance shall be subject to a fine in the amount of \$250 per offense. Each day in which the violation continues to occur shall constitute a separate violation. Violation of this ordinance shall be deemed a misdemeanor and shall be prosecuted in accordance with §10.99 of The Code of Ordinances, Pike County, Georgia and with OCGA §36-1-20 as presently enacted or may be subsequently amended.

- D. Public Nuisance.

Any violation of this Article is hereby declared to be a public nuisance.

- E. Legal proceedings.

The zoning administrator, upon a finding that any provision of this Ordinance is being violated, is authorized to institute legal proceedings to enjoin violations of this Ordinance. The violator shall be liable for court costs and reasonable attorney fees incurred by the County.



F. Removal.

1. The County may order the removal of any sign in violation of this ordinance by written notice to the permit holder; or if there is no permit holder, then to the owner of the sign; or if the sign owner cannot be found or cannot be determined, then to the sign erector and any party that procured the erection of the sign. If a written notice has been issued, such notice shall operate to revoke the permit.
2. If the sign is not removed within the time required by the County (or the date any appeal becomes final), the County shall remove or cause to be removed the sign and collect the costs thereof after a final determination by a court that the sign is unlawful and should be removed.
3. The County shall have removed any sign in violation of this ordinance, without giving notice to any party if: the sign is upon the public right-of-way or upon other public property or if the sign poses an immediate safety threat to the life or health of any member of the public.

G. Sign(s) removed by the County will be destroyed after 14 days if sign(s) is/are not claimed.

## **ARTICLE 26. LANDSCAPING AND BUFFER REQUIREMENTS**

### **Sec. 2601. Purpose**

The purpose of this chapter is to provide requirements for the landscaping and buffering of developments and for the protection of existing trees in all zoning districts, in order to enrich the urbanized and natural environment of Pike County.

- A. General requirements for landscaping a development site are set forth in section 2604. Requirements for landscaped buffers are set forth in section 2605.
- B. It is the intent of the county to reduce the adverse visual, environmental, and aesthetic effects of development in order to:
  - 1. Minimize the rate of stormwater runoff.
  - 2. Maximize the capability of groundwater recharge in urban or suburban areas.
  - 3. Increase air filtration and the removal of particulate and gaseous pollutants through plant materials.
  - 4. Provide shade and noise attenuation.
  - 5. Filter and reduce the glare of headlights and reflected sunlight from parked automobiles onto the public street rights-of-way and adjacent properties.
  - 6. Improve the appearance of parking areas and vehicular surface areas; and
  - 7. Minimize the visual blight created by large expanses of paved surface area.

### **Sec. 2602. Applicability and Provision of Landscape Plans.**

- A. The requirements of article 26 shall apply to all properties to be used, developed, or redeveloped within the county, except as may specifically be exempted in subsection 2602 (C), below.
- B. In order to demonstrate compliance with the requirements of this chapter, a landscaping plan shall be submitted with applications for development approval for all development subject to these standards.
- C. The following types of development are exempt from the requirements to provide a landscaping plan:
  - 1. Single-family dwellings.
  - 2. Duplex buildings; and
  - 3. Applications for accessory uses, accessory structures, or temporary uses.

### **Sec. 2603. Maintenance requirements.**

- A. All landscaped areas shall be maintained to ensure that plant materials are healthy and thrive. Any diseased or dead plant materials shall be replaced as soon as reasonably possible based on the growing season, but not later than six (6) months following identification of the need for replacement.
- B. Necessary trimming and maintenance shall be performed to maintain the health of the plant materials, to provide an aesthetically pleasing appearance, and to assure that the landscaped and buffer areas serve the intended purpose.

**Sec. 2604. Landscaping requirements.**

**2604.1 Landscape standards for nonresidential development.**

- A. Required landscaped areas, including general landscaping, parking lot landscaping, perimeter landscaping, and buffer areas shall not be disturbed by grading, property improvements, or construction activities, except where necessary to prevent a nuisance, or to thin natural growth which is too dense to permit normal growth, or to remove diseased, misshapen, or dangerous and decayed timbers.
- B. All landscaped areas, including general landscaping, parking lot landscaping, perimeter landscaping, and buffer areas, shall utilize existing natural vegetation in an undisturbed state provided that the existing vegetation is appropriate for inclusion.
- C. A minimum of twelve (12) percent of the total buildable area in any parcel shall be devoted to landscaping.
- D. The requirement to provide landscaping is in addition to any buffers as required in section 2605.
- E. The site design standards for landscaping are shown in the following table:

Table 2604.1(E) Site Design Standards for Nonresidential Landscaping

Location of Landscaping	Number of Plants	Type of Plants
Front yard setback	1 tree per 40 linear feet of frontage Full coverage of pervious areas	50 percent large trees Grass or ground cover
Side yard setback	1 tree per 25 linear feet of frontage Full coverage of pervious areas	50 percent large trees Grass or ground cover
Rear yard setback	1 tree per 25 linear feet of frontage Full coverage of pervious areas	Grass or ground cover

**2604.2. Residential landscape standards.**

- A. Prior to the issuance of a certificate of occupancy, any parcel of land for which a building permit has been requested shall have preserved or planted trees, meeting the following standards:
  - 1. The minimum dbh is one and one-half (1½) inches.
  - 2. A minimum of seventy-five (75) percent of planted trees shall be hardwoods.
  - 3. All recorded lots within a subdivision shall have planted or preserved the required number of trees according to the zoning district, as set forth in subsection 2604.2 (B).
  - 4. Requirements for planting or preserving trees are in addition to requirements for landscaping and buffer areas but can be included in the landscaping and/or buffer areas.
- B. Tree planting requirements.

Table 2604.2 (B) Tree Planting Requirements

Zoning District	Number of Trees Planted or Preserved	
	First three (3) acres	Each additional one (1) acre
A-R, RR	<del>10</del>	<del>2</del>
RR, R1, and R-2	4 trees per parcel	

**2604.3 Landscape requirements for parking lots.**

- A. Perimeter landscaping for parking lots. A minimum of a ten-foot wide strip of land, located between the property line and a parking lot shall be landscaped. Width of sidewalks shall not be included within the ten-foot wide front setback perimeter landscape area.
- B. Interior landscaping.
  - 1. Parking lots with twenty (20) or more parking spaces shall provide interior landscaping.
  - 2. Interior planting areas may be located in tree islands, at the end of parking bays, or between rows of parking spaces. Planting areas may also be located within driveway medians, provided the median is a minimum of ten (10) feet wide.
  - 3. There shall be one (1) tree required for each two hundred fifty (250) square feet of internal landscape areas.
  - 4. Parking lots shall be designed so that no more than twelve (12) parking spaces occur in an unbroken row.
  - 5. Landscape islands, peninsulas, or medians shall conform to the planting area specifications set forth in subsection 2604.4(E).
  - 6. Vehicle stops or curbing shall be used to ensure that vehicles do not overhang in the required landscaped areas.

**2604.4 Landscape plant material standards.**

- A. Trees for landscaped and buffer areas shall be selected from Table 2604.4(A). Where the planting area is within a power line easement, small trees shall be selected. (Plants noted with \* are preferred for buffers; recommended trees for all landscaping and reforestation are noted with #)

Large Trees (Also called shade trees or canopy trees; height at maturity 35 or more feet)	Medium Trees (Also called under story trees; height at maturity 25 to 35 feet)	Small Trees (Also called under story trees; height at maturity less than 25 feet)
# Willow Oak	Mountain Silverbell	Japanese Maple
# Sugar Maple	Saucer Magnolia	Star Magnolia
# Scarlet Oak	# Sourwood	# Japanese Dogwood
# Red Maple	Weeping Cherry	# Flowering Dogwood
English Oak	# Leyland Cypress	# Crape Myrtle
# Bald Cypress	Yoshino Cherry	# Eastern Redbud
# Schumard Oak	# Golden Rain Tree	# Wax Myrtle
# Dawn Redwood	Kwansan Cherry	Amur Maple
# White Oak	Mountain Ash	*# Yaupon Holly
Chinese Elm	Redmond Linden	Crabapple
Darlington Oak	Yellowwood	# Sweetbay Magnolia
Littleleaf Linden	*# American Holly	# Service Berry
Gingko (male only)	# Pistachio	
Bradford Pear	Japanese Black Pine	
Japanese Cedar	*# Cherry Laurel	
# Tulip Poplar	* Arizona Cypress	
Japanese Katsura Tree	*# Virginia Pine	
# London Plane-Tree	* Eastern Red Cedar	
(Sycamore)	# River Birch	
Japanese Pagoda	# Fosters Holly	
American Beech		

Japanese Zelkova		
# Southern Magnolia		
Deodar Cedar		
Sequoia		
# Loblolly Pine		
# Sawtooth Oak		
# Red Oak		
# Blackgum or Tupelo		
# Black Walnut		
# Sweetgum		

B. Shrubs to be installed in landscaped or buffer areas shall be selected from the following list:

Table 2604.4(B) Landscape Materials — Shrubs

Large Screening Shrubs	Small Shrubs (Height at maturity is approximately 36 inches)	
American Holly	Warty Barberry	Forsythia
	Dwarf Burford Holly	Dwarf Burning Bush
Burford Holly	Dwarf Chinese Holly	Spirea (all varieties)
Osmanthus	Japanese Holly	Viburnum
Nellie R. Stevens Holly	Dwarf Yaupon Holly	Oakleaf Hydrangea
Thorny Eleagnus	Mugo Pine	Japanese Flowering Quince
Savannah Holly	Juniper	Weigela
Hetz Juniper	Oregonholly Grape	Azalea
Ligustrum	Nandina	Flowering Jasmine
Arborvitae	Dwarf Nandina	Winter Jasmine
Russian Olive	Leatherleaf Vinburnum	Chinese Privet
Eastern Red Cedar	Winter Honeysuckle	Chinese Witchhazel
	* Northern Bayberry	* Cleyera
	* Pittosporum	* Euonymus
	* Japan Yew	* Japanese Privet
	* Red Tip	* California Privet
		* European Privet

C. Grass and ground cover shall be selected from the following list:

Table 2604.4(C) Landscape Plant Materials — Grass and Ground Cover

Grass	Ground Cover
Fescue	* Shore Juniper
Bermuda	English Ivy (shade)
Centipede	* Periwinkle (shade)
Zoysia	Purpleleaf Wintercreeper
	Dwarf Roses
	Aaronsbeard St. Johnswort
	* Evergreen Candytuft (border)
	Rockyspray Cotoneaster
	Lily-Turf
	Willowleaf Cotoneaster

	Creeping Lilyturf (shade)
	Pachysandra (shade)
	Hybrid Daylily
	Ornamental Grasses
	* Liriope

- D. All plant materials shall meet the following general requirements:
1. All plant material shall be nursery grown, number 1 grade, and installed according to accepted planting procedures.
  2. All plant materials shall meet current American Association of Nurseryman Standards.
- E. Plant materials shall meet the following specifications for size and location:

2604.4(E) Plant Material Specifications

Plant	Size at Planting	Maximum Spacing
Large trees	2 inches, dbh	40 feet apart, on center
Medium and small trees — single trunk	1 inch, dbh	25 feet apart, on center
Medium and small trees — multiple trunks	5 feet in height	25 feet apart, on center
Large screening shrubs	4 feet in height	5 feet apart, on center
Shrubs	18 inches in height	24 inches apart, on center
Ground cover	Installed in a manner that presents a finished appearance and complete coverage	
Grass	Sodded, sprigged, plugged, or seeded, except that solid sod shall be used in drainage swales or other areas subject to erosion. Lawn grasses shall be planted so as to achieve complete coverage within 2 calendar years from the time of planting.	

- F. Where both large and medium/small trees are planted, they shall be planted in a double staggered row, alternating large and medium/small trees.
- G. Spacing requirements for trees shall include consideration of trees planted on abutting properties. Trees may be grouped, so long as a sufficient planting area is provided as set forth in paragraph I., below.
- H. Trees shall be planted to avoid septic tanks and drain fields.
- I. Planting areas shall meet the following specifications:
1. A planting area of one hundred twenty-five (125) square feet shall be required for each medium or large tree.
  2. A planting area of ninety (90) square feet shall be required for each small tree.
  3. The minimum dimension of any side of a planting area shall be ten (10) feet.
- J. Notwithstanding the above, street trees shall be shown on a development landscape plan.

---

## Sec. 2605 Buffer requirements.

### 2605.1. Purpose and intent.

The intent of these requirements shall be to enhance the visual and aesthetic appearance of the county. The purpose of these buffer requirements is to:

- A. Provide space definition and landscape continuity within the built environment;
- B. Provide screening and relief from traffic, noise, heat, glare, odor, and the spread of dust and debris;
- C. Reduce the impact of development on the drainage system and reduce flooding;
- D. Provide for a sense of privacy;
- E. Provide for reduction or elimination of incompatibility;
- F. Reduce the visual impact of unsightly aspects of adjacent development; and
- G. Provide for the separation of spaces.

### 2605.2 Location, measurement, and design of buffers.

- A. Buffers shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Buffers shall not occupy any portion of an existing, dedicated, or reserved public or private street, or right-of-way.
- B. Buffer width is normally measured from the property line; however, design variations are allowed. Average width shall be measured at the two (2) end points of the buffer and two (2) additional points which are each approximately one-third ( $\frac{1}{3}$ ) of the total linear distance from the end point.
- C. The buffer shall be designed to avoid or minimize plantings within drainage, utility, or other easements.
- D. Buffers shall be designed taking into consideration the site's soils conditions, topography, and natural resources. Native vegetation shall be used for landscaping and buffering unless the applicant demonstrates that the use of non-native, drought-resistant plants would best serve the site.
- E. Buffers shall be established by the owner of the proposed development site.
- F. Buffers shall be maintained by the property owner.

### 2605.3. Buffer area standards.

Table 2605.3 Buffer Area Standards

Proposed Land Use	Adjacent Zoning District	Minimum Buffer Area
Professional Office Institutional Commercial Industrial	A-R, RR, R-1, R-2	40 feet

### 2605.4 Plant materials in buffers.

- A. Buffers required for nonresidential uses: Buffers shall be planted with a combination of plant materials.
- B. Existing plants within the designated buffer area shall not be removed, unless the plants are dead or diseased. Where the administrator determines the existing buffer to be inadequate the following plant materials are required for each fifty (50) linear feet of buffer:
  - 1. One (1) large tree.

- 
2. Two (2) medium or small trees.
  3. Ten (10) screening shrubs.
- C. Buffers for residential uses: The following plant materials are required for each fifty (50) linear feet of buffer:
1. One (1) large tree.
  2. Two (2) medium or small trees.
  3. Ten (10) screening shrubs.
- D. Buffer areas shall meet the standards for landscape plant materials set forth in section 2604.4.



## **ARTICLE 27. OFF-STREET PARKING REQUIREMENTS**

### **Sec. 2701. Scope.**

This standard covers specifications for off-street parking and service facilities in Pike County. Requirements for such facilities are specified by zoning district in the Pike County Unified Development Code (UDC).

### **Sec. 2702. General standards for parking space design.**

- A. *Parking spaces must not be reduced:* Off-street parking spaces must not be reduced below the minimum required number for the use or facility to which they are assigned.
- B. *Drainage, construction, and maintenance:* All off-street parking, loading, and service areas must be drained so as to prevent damage to abutting properties and/or public streets, and must be improved with an asphalt or concrete surface and curb and gutter. An approved porous concrete, porous asphalt or grassed paving are also permitted. All such areas must be at all times maintained at the expense of the owners in a clean, orderly, and dust-free condition to the extent that it does not create a nuisance. Porous paving and grass paving systems shall be maintained to function as designed.

Gravel or other materials which will assure a surface resistant to erosion may be used for surplus parking in manufacturing zoning districts.

- C. *Separation from walkways, sidewalks and streets:* All off-street parking, loading and service areas must be separated from walkways, sidewalks and streets by curbing or other suitable protective device.
- D. *Parking area design:* Parking stalls must have a minimum width of nine and one-half (9½) feet and length of twenty (20) feet. There must be provided adequate interior driveways to connect each parking space with a public right-of-way. Interior driveways must be at least twenty-four (24) feet wide where used with ninety (90) degree angle parking, at least eighteen (18) feet wide where used with sixty (60) degree angle parking, at least twelve (12) feet wide where used with forty-five (45) degree angle parking and at least twelve (12) feet wide where used with parallel parking. Where there is no parking, interior driveways must be at least twelve (12) feet wide for one-way traffic movement and at least twenty-four (24) feet wide for two-way traffic movement.
- E. *Handicap parking requirements:* Handicapped spaces shall be provided in accordance with the following scale:

Total Parking Requirements Required	Handicapped Spaces
Up to 25	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
500+	2% of total required

- 
- F. *Joint parking facilities:* Two (2) or more adjacent uses of the same or different types may provide joint parking facilities as long as the number of off-street parking spaces are not less than the sum of the individual requirements for each use.
  - G. *Pavement markings and signs.* Each off-street parking space must be clearly marked and directional arrows or signs must be provided wherever necessary. Markers, directional arrows and signs must be properly maintained so as to ensure their maximum efficiency.

### **Sec. 2703. Number of parking spaces required.**

Off-street parking space must be provided and maintained as specified in the following schedule. For uses not specifically listed here the parking requirements for the listed use most similar to the unlisted use in question, as determined by the administrative officer, will apply. Parking requirements by use are as follows:

- A. *Auditorium, stadium, assembly hall, gymnasium, theater, community recreation center, or church:* Whichever of the following three (3) standards is the greatest:
    - 1. One (1) space per four (4) fixed seats in largest assembly room or area or:
    - 2. One (1) space for each forty (40) square feet of floor area available for the accommodation of moveable seats or combination of fixed and moveable seats in the largest assembly room, or:
    - 3. One (1) space per each one hundred fifty (150) square feet of gross floor area.
  - B. *Automobile fueling station:* Two (2) spaces (in addition to service area) for each pump and grease rack but not less than four (4) spaces.
  - C. *Automobile sales and repair, service station, car wash:* Two (2) spaces (in addition to service area) for each pump and grease rack, but not less than four (4) spaces, plus one (1) space for each five hundred (500) square feet of gross floor area of the shop or car wash.
  - D. *Bowling alley:* Four (4) spaces per alley, plus requirements for any other use associated with the establishment such as a restaurant, etc.
  - E. *Club or lodge:* One (1) space for each two (2) employees plus one (1) space for each two hundred (200) square feet of gross floor area within the main assembly area, plus additional spaces for other uses permitted within the premises.
  - F. *Combined uses:* The total number of required parking spaces must be equal to the sum of the spaces required for each separate use established by this schedule.
  - G. *Commercial recreation area (indoor or outdoor) such as YMCA or similar use:* Whichever of the following two (2) standards is the greatest:
    - 1. One (1) space for each one hundred fifty (150) square feet of gross floor building, or ground area, or:
    - 2. One (1) space for each four (4) seats or facilities available for patron use.
  - H. *Dance school:* One (1) space for each employee plus one (1) space per one hundred fifty (150) square feet of gross floor area plus adequate area for safe and convenient loading and unloading of students.
  - I. *Dwelling—Single-family or two-family:* Two (2) spaces for each dwelling unit. Residential driveways will satisfy this need.
  - J. *Fraternity, sorority, college dormitory:* One (1) space for each two (2) residents plus one (1) space for each two (2) employees.
  - K. *Golf course:* Two (2) spaces for each hole and one (1) space for each two (2) employees, plus requirements for any other use associated with the golf course.
-

- 
- L. *Hospital, personal care home, intermediate care home, nursing home: One (1) space for each three (3) beds plus one (1) space for each two (2) employees (nurses attendants, etc.) plus one (1) space for each staff or visiting doctor.*
  - M. *Hotel: One (1) space for each three (3) guest rooms, suites, or units plus one (1) space for each two (2) employees.*
  - N. *Kindergarten, nursery school: One (1) space for each employee plus adequate area for safe and convenient loading and unloading of students.*
  - O. *Manufacturing activity, industry, warehouse: Two (2) spaces for each three (3) employees on shift of greatest employment plus one (1) space for each vehicle used directly in the conduct of the business.*
  - P. *Motel: One (1) space for each unit plus one (1) space for each two (2) employees, plus requirements for any other use associated with the establishment such as a restaurant, etc.*
  - Q. *Office, professional building, or similar use: One (1) space for each three hundred (300) square feet of gross floor area plus one (1) space for each two (2) employees.*
  - R. *Personal service establishment: One (1) space for each two hundred (200) square feet of gross floor area but not less than two (2) spaces for each employee.*
  - S. *Restaurant, or place dispensing food, drink, or refreshment: One (1) space for each three (3) seats plus one (1) space for each two (2) employees on shift of greatest employment.*
  - T. *Retail store of any type not otherwise specified in this schedule: One (1) space per two hundred (200) square feet of gross floor area.*
  - U. *School—Elementary: One (1) space for each teacher plus one (1) space for each two (2) employees and administrative personnel, plus one (1) space for each classroom plus adequate area for safe and convenient loading and unloading of students.*
  - V. *School—High, trade: One (1) space for each two (2) teachers, employees, administrative personnel and students, plus adequate area for safe and convenient loading and unloading of students.*
  - W. *Shopping center: One (1) space for every two hundred (200) square feet of gross floor area.*
  - X. *Swimming pool, public: One (1) space for every two hundred (200) square feet of water surface, plus requirements for any other use associated with the establishment, such as a restaurant, etc.*
  - Y. *Wholesale establishment: One (1) space for each employee plus sufficient space, plus one (1) space for each vehicle used directly in the conduct of the business.*

#### **Sec. 2704. Number of loading spaces required.**

Manufacturing, industrial, wholesale and retail operations must provide loading space as follows:

- A. *Spaces appropriate to functions:* Off-street loading spaces must be provided as appropriate to the functions and scope of operation or individual or groups of buildings and uses.
- B. *Design of loading spaces:* Off-street loading spaces must be designed and constructed so that all maneuvering to park vehicles for loading can take place entirely within the property lines of the premises. Loading spaces must be provided so as not to interfere with the free normal movement of vehicles and pedestrians on public rights-of-way.
- C. *Ingress and egress:* Ingress and egress to off-street loading spaces must conform to curb cut requirements specified in this standard.

---

## **Sec. 2705. Curb cut requirements.**

In any case in which provision for ingress and egress involves the lowering or cutting away of curbs such a curb cut is subject to the following provisions:

- A. Only one (1) combined entrance and exit is allowed for any parcel of property with a frontage on any one (1) street of less than fifty (50) feet. No more than two (2) combined entrances and exits are allowed for any parcel of property with a frontage on any one (1) street of between fifty (50) feet and two hundred (200) feet. For parcels of property having frontage on any one (1) street of more than two hundred (200) feet, additional entrances or exits are permitted only after the developer demonstrates to the satisfaction of the planning commission that more curb cuts are needed for safety reasons, and such additional curb cuts are approved by the zoning administrator.
- B. At street intersections, curb cuts must be located at least twenty-five (25) feet from the intersections of the two (2) curb lines (or such lines extended) or at least fifteen (15) feet from the intersection of the two (2) intersecting property lines (or such lines extended), whichever is less.
- C. The distance between any two (2) curb cuts on the same side of the street and located on one (1) property must be at least ten (10) feet. That distance is measured between the points at which the two (2) curb cuts begin to deviate from the established curb line of the abutting street (in other words between the intersections of the curb return radii and the established curb line of the abutting street).
- D. The maximum permitted width of any driveway at the right-of-way line of the abutting street is thirty-five (35) feet.
- E. The maximum permitted width of any curb cut, including the points at which the curb cut begins to deviate from the established curb line of the abutting street at either end of the curb cut (in other words, including the curb returns) is fifty (50) feet. However, the zoning administrator may approve a specified larger width for a truck stop, if he determines that a larger curb cut is needed for safety reasons.