

| | | | | | |
|--|----|-----|-----|-----|-----|
| Clubs, Lodges and Fraternal Organizations | X | CU | P | P | P |
| Cold Storage and Freezer Locker Facilities | X | X | P | P | P |
| Commercial Recreation Areas, subject to Article 16, Section 16-11 | X | P | P | P | X |
| Communication Towers | X | CU | CU | P | P |
| Construction Offices with equipment | X | P | P | P | P |
| Convenience Food and/or general merchandise stores | P | P | P | X | X |
| Convenience Gas Stations - Subject to Article 16, Section 16-14 | X | P | P | X | X |
| Drug Stores | X | P | P | X | X |
| Dry Cleaning Stations - limited to 2,500 sq.ft floor area | X | P | P | X | X |
| Dry Cleaning Stations - unlimited | X | X | P | P | P |
| Eating and Drinking Establishments, - including drive through service | X | P | P | P | X |
| Educational Facilities | CU | CU | CU | X | X |
| Exterminating, fumigating, septic tank pumping, furnace cleaning and well drilling and like services | X | X | P | P | P |
| Fairgrounds | X | X | X | P | P |
| Florists, Greenhouses, Nurseries | X | P | P | P | P |
| Farm equipment sales and services | X | X | P | P | P |
| Freight Trucking Terminals | X | X | X | P | P |
| Funeral Establishments | X | P | P | P | P |
| Gasoline distributors, distributors of fuel oil, agricultural chemicals, fertilizers, and liquified petroleum gas distributors | X | X | X | P | P |
| Gift or Card Shops | X | P | P | X | X |
| Hotels and Motels | X | P | P | P | X |
| USE | P | C-1 | C-2 | I-1 | I-2 |
| Indoor amusement or entertainment facilities including bowling alleys, billiard | X | P | P | X | X |

parlors, theaters, health studios, and similar indoor recreation/entertainment facilities

Industrial Group Developments subject to Article 13

Junk yards, salvage yards, scrap yards and second hand material operations, including processing, display and sale thereof

Kennels

Light manufacturing operations including predominately indoor industrial activities involving only those operations generating no significant particular or gaseous emissions which could create harmful or unpleasant effects outside the immediate area of activity, including operations such as assembly, binding, bottling, engraving, fabricating, freezing, optical goods, grinding, packaging, printing physical processing, research, storage or testing of previously manufactured components or previously prepared materials.

Liquor Stores, Package

Lumber, Sales and Storage

Manufacturing plants, processing plants and industrial uses which would not produce excessive noise, vibration, smoke or particulate matter in the atmosphere, offensive odors, excessive levels of toxic or noxious matter in the atmosphere or into water bodies, dangerous levels of radiation, hazards of fire or explosion, excessive heat, humidity or glare, or electromagnetic interference, or other similar conditions which would be incompatible with adjacent development outside of the Heavy Industrial District in which the use is located.

Meat processing and slaughtering plants

Medical and Dental Clinics

Mini Warehouses

Manufactured Home and Trailer Sales

Mobile Offices subject to Article 6 , Section 6-6

Museums, Art Galleries and similar uses

USE

Monument Sales

Neighborhood Shopping Centers

| | | | | | |
|--|-----|-----|-----|-----|-----|
| | X | X | X | P | P |
| | X | X | X | X | P |
| | X | X | X | P | P |
| | X | X | X | P | P |
| | N/A | N/A | N/A | N/A | N/A |
| | X | X | P | P | P |
| | X | X | X | X | P |
| | X | X | X | X | P |
| | P | P | P | X | X |
| | X | X | P | P | P |
| | X | X | P | P | X |
| | X | P | P | P | X |
| | X | P | P | X | X |
| | P | C-1 | C-2 | I-1 | I-2 |
| | X | X | P | X | X |
| | P | P | P | X | X |

| | | | | | |
|---|----|-----|-----|-----|-----|
| Offices for accountants, architects, dentists, doctors, engineers, insurance agents lawyers, real estate agents and similar professionals | P | P | P | X | X |
| Outdoor amusement and entertainment facilities (including temporary operations) | X | X | P | X | X |
| Outdoor storage lots and yards, <u>including</u> wrecking and salvage yards. Any storage yards used not in conflict with this or any other resolutions of the state or federal statutes; any such use found to be potentially noxious, dangerous or offensive to adjacent districts or to the general public shall be permitted only on the written approval of the Waynesboro Zoning Board/Planning Commission and shall be subject to such conditions or safeguards as may be required by the commission. | X | X | X | X | P |
| Outdoor storage yards and lots, <u>excluding</u> auto wrecking, junk and salvage yards. | X | X | X | P | P |
| Parking Garages - Commercial | X | P | P | P | P |
| Parking Garages - Private | P | P | P | P | P |
| Post Offices | X | P | P | X | X |
| Printing, Publishing, photo, data processing and communication studios | X | P | P | X | X |
| Personal Care Homes | CU | CU | CU | CU | CU |
| Public and Private Schools, Colleges and Universities of general education | CU | CU | P | P | P |
| Public utilities including equipment supply and storage or uses associated therewith | CU | CU | P | P | P |
| Retail or wholesale outlets operated as part of a manufacturing establishment | X | X | X | P | P |
| Restaurants and drinking establishments, without Drive Through Service | x | P | P | P | P |
| Restaurants, Fast Food including Drive Through Service | X | P | P | P | P |
| USE | P | C-1 | C-2 | I-1 | I-2 |
| Sales and Storage of lumber, metal and building, electrical, heating, plumbing, welding and similar contractors and industrial suppliers | X | X | P | P | P |
| Scientific, technical and medical laboratories and research facilities | X | X | P | P | P |

| | | | | | |
|--|---|---|---|---|---|
| Schools, trade and technical engaging in activities of an industrial nature | X | X | X | P | P |
| Self Service Laundry | X | P | P | X | X |
| Shopping Centers and Malls | X | X | P | X | X |
| Signs, subject to Article 16, Section 16-4 | P | P | P | P | P |
| Tailors, dressmakers, millinery shops | P | P | P | X | X |
| Truck Shops, including en route services and minor repairs but excluding truck terminals and their storage warehouses | X | X | P | P | X |
| Truck and Bus Terminals | X | X | X | X | P |
| Wholesale and distributing centers not requiring over 5,000 square feet for storage of wares to be distributed or wholesaled | X | P | P | P | P |
| Wholesale trade and warehousing of goods sold at retail by uses within commercial districts but excluding distributors sales and storage of hides, furs, skins, livestock, live poultry or other odor producing animal products. | X | X | X | X | P |

ARTICLE 14 PROJECT DEVELOPMENTS

14-1 Residential, Commercial and Industrial Group Developments:

In order to prevent the creation of traffic hazards, insure the provision of off-street parking and access, and the provision of necessary utilities, all plans for Group Developments shall be submitted to the Planning Commission for review and approval. Group Developments include shopping centers; commercial, office, and industrial parks; condominiums; mobile home parks; apartment complexes; and other single-family and multi-family residential complexes where the site is not divided into lots and public streets, but is retained in one ownership.

14-1.1 Procedures for Group Development Approval

I. Site Plan

- a) The developer shall submit at least two (2) copies of a site plan to the Planning Commission for review and approval. The Planning Commission shall approve or disapprove the site plan within thirty (30) days after submittal;
- b) The Planning Commission shall review and approve, disapprove, or approve with modifications the site plan within thirty (30) days after submission. Pertinent comments and recommendations shall be noted in the minutes of the Planning Commission meeting at which the report is made;
- c) Failure of the Planning Commission to act within these time limits shall be deemed to constitute site plan approval and a certificate to that effect shall be issued by the Planning Commission upon request.

II. Construction Drawings

- a) The developer shall submit at least two (2) copies of the construction drawings along with supporting data to the Planning commission
- b) Upon determination that the construction drawings conform to the approved site plan, the Planning Commission shall submit these plans to their designated City Planning Consultant for review and comment;

- c) Upon receipt of the report from the City Planning consultant, the Planning Commission shall review and approve, disapprove or approve with modifications the construction drawings within thirty (30) days after submission. Pertinent comments and recommendations shall be noted in the minutes of the Planning Commission meeting at which the report is made.
- d) If the Planning Commission fails to act within thirty (30) days after submission of the construction drawings, the Plans shall be automatically approved and a certificate to that effect shall be issued by the Planning Commission upon request;

14-1.2 General Plat Information

I. Site Plan

- a) Total acreage in the tract proposed for group development and a statement of the total contiguous acreage owned by the developer;
- b) Tentative access and /or street layout;
- c) Approximate right-of-way of existing and proposed streets, alleys easements and other rights-of-way;
- d) Arrangement of existing and proposed buildings and structures;
- e) Existing and proposed uses of land throughout the tract;
- f) Existing uses of land and all existing street intersections surrounding the tract;
- g) Average daily traffic volumes on all existing streets surrounding the tract;
- h) Topography by contours at vertical intervals of at least five (5) feet and extending at least one hundred (100) feet outside the tract. The Planning Commission shall have the authority to require vertical intervals up to two (2) feet, if deemed necessary;
- i) Name, date, north point and graphic scale of not less than two hundred (200) feet to one (1) inch;
- j) A vicinity map at a scale of not less than one (1) inch equals one (1) mile showing the relationship of the proposed group development to surrounding development especially schools, parks, and shopping areas.

II. Construction Drawings

- a) A plat of the tract drawn to a scale at least one hundred (100) feet to one (1) inch, and shall include the name of the development, north point, graphic scale, and date;
- b) The location of the parcel with respect to adjacent right-of-way;
- c) The shape, dimensions, and location of all buildings and property lines, existing and proposed, on said parcel;
- d) The nature (commercial, industrial, etc.) of the proposed uses of the buildings and/or land;
- e) Topography by contours at vertical intervals of at least five (5) feet and extending at least one-hundred (100) feet outside the tract. The Planning Commission shall have the authority to require vertical intervals up to two (2) feet, if deemed necessary;
- f) The location and dimensions of off-street parking and loading spaces and the means of ingress and egress to and from such;
- g) The location and size of all proposed utility, storm drainage facilities, and solid waste collection points;
- h) Such other information as the Planning Commission may deem necessary because of the physical characteristics peculiar to the particular development.

14-1.3 Standards for Group Development

- 1) **Uses Permitted:** In no case shall a use be permitted in connection with group developments that is not permitted by this Ordinance in the district in which the project is to be located.
- 2) **Street Access:** Any building established in connection with a group development which cannot properly be served by emergency or service vehicles from an abutting street shall be made accessible to such vehicles by a paved driveway having a roadbed width of not less than twenty (20) feet, exclusive of parking space. Vehicular access shall be only from major streets except where unusual circumstance make minor accessways from local streets practical without adverse effects on property along such local streets.

- 3) **Off-Street Parking Facilities:** Off-street parking facilities established in connection with a group development shall be landscaped and of such design that it will not interfere with the safe movement of pedestrians, the efficient flow of traffic through the area and will not interfere with the access of emergency or service vehicles. Group development shall follow the parking requirements set forth in **Article 5 Section 5-2.**
- 4) **Separation Within Development:** all buildings within a group development shall be at least twenty (20) feet apart; but at least (40) feet apart when front-to-front.
- 5) **Limitation on Length of Residential Building:** In residential group developments, no single row of dwelling units which are physically attached shall be greater than two hundred (200) feet in length.
- 6) **Setback Requirements:** Unless otherwise provided by this Ordinance, all buildings and structures established in connection with such development shall comply with the front yard, side yard, and rear yard setbacks established for the district in which located.
- 7) **Residential Area Requirements:** A group residential development shall conform to the minimum lot area per dwelling unit for the district in which it is located, excluding mobile home parks (See Article 16).
- 8) **Residential General Requirements:** Residential developments shall be designed to complement and enhance the character of the area in which it is located. At least ten percent (10%) of the total acreage of a residential group development shall be devoted to open space uses. Such uses shall consist of predominantly undeveloped land which has utility value for park and recreational purposes, including play grounds and other outdoor recreational uses; conservation of land and other natural resources, including land covered by forest, lakes, rivers, or streams; or historic or scenic purposes. Open space uses do not include streets, parking areas, or the end spaces between buildings.

Every dead end street shall have an adequate turn around facility.

- 9) **Water, Sewerage, and Drainage:** Adequate provisions for water supply, sanitary sewerage, and storm drainage shall be installed by the developer in accordance with accepted engineering principles.

14-2 Mobile Home Parks/ Manufactured Home Communities

The following minimum standards shall apply to mobile home parks in Waynesboro, Ga.

- (a) Each Mobile Home Park shall have a minimum area of five acres; and a maximum density of 8 dwelling units per acre. Each individual mobile home/manufactured home space will be completed according to the following Section 14-2.1, before occupancy of the park will be permitted.
- (b) Each individual mobile home shall meet the area, yard and height requirements established for the R-3 District in Article 16, Section 16-1
- (c) Each park shall have a minimum frontage of 200 feet, including two (2) driveways for entrance and exit between 25 and 50 feet wide and at least 100 feet shall exist between the two (2) adjacent driveway pavement edges;
- (d) Each park shall contain a privately owned, constructed and maintained street system with a minimum pavement width of 20 feet. Paving and base materials shall be approved by the City Street Department before any paving may commence.
- (e) Mobile home parks and each mobile/manufactured home within the park shall be served by the city's water and sewerage system. The park developer shall be responsible for service connections.
- (f) A recreation area shall be provided within the park providing a minimum of 5% of the total area of the park.
- (g) Mobile home parks shall provide facilities for refuse collection
- (h) Shelters: Every mobile home park shall have a shelter for the protection of persons within the park in case of storm or disaster. Each shelter shall be placed below ground level, either as a basement of another structure or centrally located within the park and clearly identified as a shelter. The shelter shall be designed and built in compliance with City of Waynesboro building codes. The size of the shelter shall be at a ratio equal to five (5) square feet per mobile home unit (to be computed based upon the maximum # of units planned for the park in its ultimate configuration).

14-2.1 Minimum Individual Space Requirements Within Mobile Home/Manufactured Home Parks

Each mobile home/manufactured home space within a mobile home/manufactured home park shall meet the following minimum requirements:

- (a) Each mobile home/manufactured home shall be located no closer than twenty five (25) feet from the center of any interior park street; twenty feet (20) feet from any other mobile home/manufactured home; thirty five feet from the abutting right of way of any public street; and fifteen (15) feet from any park property line;
- (b) Each mobile home/manufactured home space will have a minimum individual lot size of 4,000 square feet with a minimum frontage of thirty five (35) feet; and access way not less than 12 feet wide to each mobile home/manufactured home stand; two (2) off street parking spaces at least (9) by nineteen (19) feet each; a permanent concrete patio not less than 150 square feet in area located convenient to the entrances of the mobile/manufactured homes; and a connection to public electric power.

14-3 Planned Unit Developments (PUD's)

14-3.1 Purpose

This section is intended to permit greater flexibility in the development of residential areas and establish a review process by the Planning Commission for such development plans.

14-3.2 Definition

A Planned Unit Development (PUD'S) is defined as a development project comprehensively planned as an entity with an overall site plan which permits flexibility in building staling, mixtures of land uses, and the provision of open spaces. A PUD'S shall be primarily residential in character, and may include the following:

- (a) Single-family detached dwellings;
- (b) Single-family attached dwellings such as, townhouses, condominiums, and duplexes;
- (c) Multi-family dwellings;
- (d) Public or semi-public institutions such as schools, churches, and community or club facilities;

- (e) Recreational facilities, including swimming pools, golf courses, tennis courts and other recreational facilities intended for the primary use of the residents of the development;
- (f) Open space;
- (g) Commercial, retail, and professional uses subject to the following limitations;
 - (1) The commercial, retail or professional use is designed to primarily serve the residents of the development;
 - (2) The uses shall not, have adverse affects on the residential uses within the development or in adjacent developments, or create traffic hazards to pedestrian or vehicular traffic;

14-3.3 Size of Tract

The minimum size of any tract zoned and developed as a Planned Unit Development (PUD'S) shall be five (5) acres. Such PUD'S shall also have permanent, paved access to a public road.

14-3.4 Area Limitations

- (a) A maximum of five percent (5%) of the total area of the development may be devoted to commercial, retail, or professional;
- (b) A maximum of seventy-five percent (75%) of the remaining (non-commercial) area of the development may be devoted to residential use. This percentage includes streets, parking areas, private yards and courts, and accessory residential uses;
- (c) A minimum of twenty-five percent (25%) of the remaining (non-commercial) area of the development shall be devoted to recreational and/or open space. This percentage may include public and semi-public buildings, recreational facilities and buildings, and common open space.

14-3.5 Standards for Planned Unit Developments (PUD'S)

- (a) **Street Access:** Any building established in connection with a PUD that cannot properly be served by emergency or service vehicles from an abutting street shall be made accessible to such vehicles by a paved driveway with a width of not less than twenty (20) feet, exclusive of parking space.
- (b) **Off-street Parking:** Off-street parking facilities established in connection with a PUD shall be of such a design that it will not interfere with the safe movement of pedestrians, the efficient flow of traffic, and will not interfere with the access of service and delivery

vehicles. The requirements for off-street parking for uses in a PUD shall follow the requirements set forth in Section 13-2.

- (c) Separation Within Development: All buildings within a PUD shall be at least twenty (20) feet apart; but at least forty (40) feet apart when front to front.
- (d) Building Length: In residential buildings, no single row of dwelling units which are physically attached shall be greater than two hundred (200) feet in length.
- (e) Setback Requirements: There shall be no minimum lot size, no minimum setbacks, and no minimum lot widths within the PUD, provided, however, that measures be taken to provide reasonable visual and acoustical privacy for dwelling units. There shall be provided a minimum of ten (10) foot buffer between any PUD and adjacent residential areas. Further, each dwelling unit shall have access to a street, walkway, or other common area, and no structure or building shall be erected within fifteen (15) feet of any other structures.
- (f) Water, Sewerage, and Drainage: Adequate provisions for water supply, sanitary sewerage, and storm drainage shall be installed by the developer in accordance with accepted engineering principles.

14-3.6 Procedures for Planned Unit Development (PUD) Approval

Each planned unit development (PUD) shall be subject to independent review and approval by the Planning Commission. This review process shall conform in general to the "Subdivision Regulations of the City of Waynesboro". In addition, the following requirements must be met:

The developer shall submit a site plan to the Planning Commission for review and approval. The Planning Commission shall approve or disapprove the site plan within thirty (30) days after submittal. The site plan shall include the following;

- (1) Total acreage in the tract proposed for the PUD;
- (2) Street access and street layout;
- (3) Arrangement of existing and proposed buildings and structures;
- (4) Existing and proposed land uses throughout the tract;
- (5) Topography by contours at intervals of at least five (5) feet and extending at least two hundred (200) feet outside the tract;
- (6) Name, date, north arrow, and graphic scale;
- (7) A vicinity map showing the relationship of the proposed PUD to surrounding development;

- (8) The location and dimensions of off-street parking spaces;
- (9) The location and size of all proposed utility and storm drainage facilities, and solid waste collection points;
- 10) Such other information as the Planning Commission may deem necessary because of physical characteristics peculiar to the particular development.

ARTICLE 15
FLOOD HAZARD AREAS, DRAINAGE AND STORM WATER
MANAGEMENT

15-1 FLOOD HAZARD AREAS

Purpose

The flood hazard areas of the City of Waynesboro are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. These flood losses are caused by the cumulative effects of obstructions in flood plains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other properties which are inadequately elevated, flood proof or otherwise protected from flood damages. Therefore, it is the purpose of this Article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions.

15-2 Application of Flood Hazard Areas

The Flood Hazard (FH) designation is not intended to be utilized as a district classification, but as a designation which identifies areas subject to regulations which are supplementary to the regulations of the district to which they are attached, appended or overlaid. Regulations which apply to areas designated on the Zoning Map as being within FH areas must be determined by joint reference to the regulation of the basic district classification and the appended classification. Permitted uses and structures, minimum yard requirements, maximum lot coverage, minimum height of structures, off-street parking and loading requirements, regulation of signs, and all other general and special regulations of this Ordinance shall apply as provided for the basic district to which the FH is appended.

15-3 Definition of Terms as Used in This Article

15-3.1 Areas of Special Flood Hazard: Land in the flood plain subject to a one (1) percent or greater chance of flooding in any given year.

15-3.2 Base Flood: Flood having a one (1) percent chance of being equaled or exceeded in any given year. Also known as the 100 year flood.

15-3.3 Development: Any man-made change to improved or unimproved real estate. Including but not limited to, building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

- 15-3.4 Flood: A general or temporary condition of partial or complete inundation of normally dry land from: one, the overflow of inland waters; and two, the unusual and rapid accumulation or runoff of surface water from any source.
- 15-3.5 Flood Hazard Boundary Map (FHBM): The official map issued by the Federal Insurance Administration where the areas of special flood hazard have been designated
- 15-3.6 Floodway: The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- 15-3.7 Habitable Floor: Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not considered a habitable floor.
- 15-3.8 Substantial Improvement: A structure built prior to the enactment of this Ordinance, any repair, reconstruction, or improvement of a structure the cost of which equals or exceeds fifty (50) percent of the structure's market value either, (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. Substantial improvement occurs 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 structure. It does not include any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or two, any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

15-4 Basis for Establishing the Areas of Special Hazard

- 15-4.1 The areas of special flood hazard identified by the Federal Insurance Administration in its Flood Hazard Boundary Map (FHBM) No. H0104, dated March 26, 1976, and any revisions are adopted by reference and declared to be a part of this Ordinance.
- 15-4.2 No structure or land shall hereafter be located, or extended, converted, or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations.

15-4.3 This Article is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this Article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

15-4.4 In the interpretation and application of this Article 15, all provisions shall be: (1) considered as minimum requirements, (2) be liberally construed in favor of the governing body, and, (3) deemed neither to limit nor repeal any other powers granted under state statutes.

15-4.5 The degree of flood protection required by this Article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Article 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 Article shall not create liability on the part of the City of Waynesboro or any of its officers or employees for any flood damages that result from reliance on this Article or any administrative decision lawfully made thereunder.

15-5 Administration

15-5.1 A Building Permit shall be required in meeting the provisions of this Article. Application for a Building Permit shall be made to the Building Inspector on forms furnished by him and may include, but not be limited to, the following: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials; drainage facilities; and, the location of the intended activity. Specifically, the following information is required:

- a) Elevation in relation to Mean Sea Level (MSL) 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-proof;
- c) Certification by a registered professional engineer or architect that the non-residential flood-proof structure meets the flood-proofing criteria in 15-7.2.
- d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

15-5.2 The Building Inspector is appointed to administer and implement this Article by granting or denying building permit applications in accordance with its provisions. Duties of the Building Inspector shall include, but not be limited to, the following:

- a) Review all building permits to determine that the permit requirements of this Article have been satisfied;
- b) Advise permittee that additional federal or state permits may be required, and if specified federal or state permits are known, require that copies of such permits be provided and maintained on file with the building permit;
- c) Review all buildings to determine if proposed development adversely affects the flood-carrying capacity of the flood plain. For purposes of this Article, "adversely affects" means damage to adjacent properties because of rises in flood stage attributed to physical changes of the channel and the adjacent overbank areas;
 - 1) If it is determined that there is no adverse effect, and the development is not a building, then the permit shall be granted without further consideration;
 - 2) If it is determined that there is an adverse effect, then technical justification (i.e., a registered professional engineering analysis) for the proposed development shall be required; and
 - 3) If the proposed development is a building, then the provisions of this Article shall apply.

15-5.3 When base flood elevation data has not been provided in accordance with Section 15-4.1, then the Building Inspector shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state, or other source to obtain the following information in order to administer Section 15-7.

- a) Verify and record the actual elevation (in relation to Mean Sea Level) of the lowest floor (including basement) of all new or substantially improved structures.
- b) Verify and record the actual elevation (in relation to Mean Sea Level) to which the new or substantially improved structures have been flood-proof. Certification of such flood-proofing shall be obtained in accordance with Section 15-7.2.

- c) All records pertaining to the provisions of this Article shall be maintained in the office of the Building Inspector and shall be open for public inspection.

15-5.4 Alteration of Watercourses. If proposed development will cause the alteration of watercourses the following must occur:

- a) Notify adjacent communities and the Department of Natural Resources, Environmental Protection Division, prior to any alteration or relocation of a watercourse, and shall submit evidence of notification to the Federal Insurance Administration.
- b) Require that maintenance is provided within the altered or relocated portion of altered watercourse so that the flood-carrying capacity is not diminished.

15-5.5 Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual physical conditions), the Building Inspector shall make the necessary interpretation.

15-6 Provisions for Flood Hazard Reduction

15-6.1 In all areas of special flood hazard, the following provisions are required:

- a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- b) All mobile homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top ties to ground anchors.
- c) Specific requirement shall be that:
 - 1) Over-the-top ties be provided at each of the four corners of the mobile home, with no additional ties per side at intermediate locations and mobile homes less than 50 feet long requiring one additional tie per side.
 - 2) Frame ties be provided at each corner of the home with five additional ties per side at intermediate points and mobile homes less than 50 feet long requiring four additional ties per side.
 - 3) All components of the anchoring system be capable of carrying a force of 4,800 pounds.
 - 4) Any additions to the mobile home be similarly anchored.

- d) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- e) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.
- f) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- g) 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.
- h) On-site waste disposal system shall be located to avoid impairment to them or contamination from them during flooding.
- i) All subdivision proposals shall be consistent with the need to minimize flood damage.
- j) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electric and water systems located and constructed to minimize flood damage.
- k) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- l) Base flood elevation data shall be provided for subdivision proposals and other proposed development which is greater than the lesser of 50 lots or 5 acres.
- m) The cumulative effect of any proposed development shall not adversely affect the area of special flood hazard. This determination is to be made in accordance with Section 15-5.1 (c).

15-7 Further Requirements

In all areas of special flood hazard where base flood elevation data has been provided as set forth in Section 15-5.3, the following provisions are required:

- 15-7.1 New construction or substantial improvement of any residential structure (including mobile home) shall have the lowest floor, including basement, elevated to or above base flood elevation.

- 15-7.2 New construction or substantial improvement of any commercial, industrial or other non-residential structure (including mobile homes) shall either have the lowest floor, including basement, elevated to the level of the base flood elevation or, together with attendant utility and sanitary facilities, be flood-proof so that below the base flood level the structure is water tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this sub-section are satisfied. Such certification shall be provided to the official as set forth in Section 15-5.1 (c).

15-8 Permitted Uses:

The following uses are permitted in areas designated FH, but only if such uses are permitted within the basic district to which the designation is appended, and excluding buildings in connection with such uses.

- 15-8.1 Single-family dwellings, two-family dwellings, multi-family dwellings and manufactured homes.
- 15-8.2 Agriculture, horticulture, animal husbandry (excluding dairy farming, feed lots, hog operations, and commercial chicken operations) forestry, and similarly agriculturally-related uses.
- 15-8.3 Parking and loading areas.
- 15-8.4 Open-air uses such as lawns, gardens, play areas, and parking areas.
- 15-8.5 Recreational uses which are primarily open-air uses and which do not offer substantial impediment to water flow.
- 15-8.6 Airport runways and landing strips.

15-8.7 Streets, bridges, utility lines, storm drainage facilities, sewerage lines, waste treatment plant outlets, and water supply intake structures.

15-8.8 Open mining, extraction of sand, clay, gravel, minerals, ores, and the like.

15-8.9 Railroads

15-9 DRAINAGE

A) To the extent practicable, all development shall conform to the natural contours of the land and natural and pre-existing man-made drainage ways shall remain undisturbed.

B) To the extent practicable, lot boundaries shall be made to coincide with natural and pre-existing man-made drainage ways within subdivisions to avoid the creation of lots that can be built upon only by altering such drainage ways.

15-9.1 Development Must Drain Properly

A) All developments shall be provided with a drainage system that is adequate to prevent the undue retention of surface water on the development site. Surface water shall not be regarded as unduly retained if:

(1) The retention results from a technique, practice or device deliberately installed as part of an approved sedimentation or storm water runoff control plan; or

(2) The retention is not substantially different in location or degree than that experienced by the development site in its pre-development stage, unless such retention presents a danger to health or safety.

B) No surface water may be channeled or directed into a sanitary sewer.

C) Whenever practicable, the drainage system of a development shall coordinate with and connect to the drainage systems or drainage ways on surrounding properties or streets.

D) Private roads and access ways within un-subdivided developments shall utilize curb and gutter and storm drains to provide adequate drainage if the grade of such roads or access ways is too steep to provide drainage in another manner or if other sufficient reasons exist to require such construction.

E) The building inspector shall be responsible for determining whether or not the requirements of this Section 15-9 are complied.

15-10 STORM WATER MANAGEMENT:

All development shall be constructed and maintained so that adjacent properties are not unreasonably burdened with surface waters as a result of such developments.

Specifically as determined upon review by the Building Inspector;

- A) No development may be constructed or maintained so that such development unreasonably impedes the natural flow of water from higher adjacent properties across such development thereby unreasonably causing substantial damage to such higher adjacent properties; and
- B) No development may be constructed or maintained so that surface waters from such development are unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties.

ARTICLE 16
AREA, YARD, AND HEIGHT REQUIREMENTS

16-1 Residential Requirements:

| | D | R-1 | R-2 | R-3 |
|--|--------|--------|--------|---|
| Minimum Lot Size^{1,2,3} (in sq. ft.) | | | | |
| Single Family Residence | 40,000 | 15,000 | 7,500 | 7,500 |
| Two Family Residence | n/a | n/a | n/a | 12,000 |
| Multiple Family Residence | n/a | n/a | n/a | 18000 1st 3 DU + 5,112 for each additional DU |
| All other permitted uses | 40,000 | 20,000 | 20,000 | 20,000 |
| Minimum Lot Width at Building Line^{1,2,3} (in ft.) | | | | |
| Single Family Residence | 100 | 100 | 75 | 75 |
| Two Family Residence | n/a | n/a | n/a | 100 |
| Multiple Family Residence | n/a | n/a | n/a | 125 |
| All other permitted uses | 125 | 125 | 125 | 125 |
| Minimum Building Line Setbacks^{1,2,3} (in. ft.) | | | | |
| From Street R.O.W. | 40 | 25 | 25 | 25 |
| From side lot line | 10 | 10 | 10 | 10 |
| From rear lot line | 25 | 20 | 20 | 20 |
| Maximum Percentage of Lot Covered | | | | |
| Single Family Residence | n/a | n/a | n/a | n/a |
| Two Family Residence | n/a | n/a | n/a | 0 |
| Multiple Family Residence | n/a | n/a | n/a | 0 |
| All other permitted uses | 30% | 30% | 30% | 30% |
| Maximum Height of Structures⁴ (in ft.) | 35 | 35 | 35 | 35 |

¹ See Section 17-2 and 17-13 for reduced area and setback requirements in special cases

² See Section 17-15 for modifications to residential lots abutting major streets.

³ See Section 17-7 for expansion of corner lots

⁴ See Sections 17-3 and 17-6 for additional height requirements

N/A - Not Applicable; no regulation is applied

16-2 Non Residential Requirements:

| | C-1 | C-2 | P | I-1 | I-2 |
|---|-----|-------|-------|-----|-----|
| Min. Lot Area ^{1,2} | n/a | 10000 | 10000 | n/a | n/a |
| Min. Lot Width at Building Line | n/a | 75 | 75 | n/a | n/a |
| Min Building Line Setback ^{2,3} | | | | | |
| From Street Right of Way | n/a | 25 | 25 | 25 | 25 |
| From Side Lot Line | n/a | 10 | 10 | 10 | 10 |
| From Rear Lot Line | 20 | 20 | 20 | 20 | 20 |
| Max, Percent of Lot Covered | n/a | n/a | n/a | n/a | n/a |
| Max. Height of Structures ⁴ | 35 | 35 | 35 | 35 | 35 |
| | | | | | |

¹ Multi-family group developments in the C-1 and C-2 zone shall meet all multi-family residence requirements of the R-3 zone.

² See Section 17-2 for setback requirements in special cases

³ See Section 17-9 for additional side and rear setback and buffer requirements when commercial and industrial lots adjoin residential lots.

⁴ See Sections 17-3 and 17-6 for additional height requirements.

N/A - Not Applicable; no regulation is applied.

ARTICLE 17 SUPPLEMENTAL PROVISIONS

17-1 Non-conforming Lots of Record

17-1.1 Single Lots: Where the owner of a lot at the time of adoption of this Ordinance or his successor in title thereto does not own sufficient land to enable him to conform to the dimensional requirements of this Ordinance. Such lot may be used as a building site for a single-family residence in a district where residences are permitted, providing other requirements not including area, width or both, shall conform to the regulations of the district in which the lot is located.

17-1.2 Adjoining Lots: If two or more adjoining lots with continuous frontage are in a single ownership at any time after the adoption of this Ordinance and such lots individually are too small to meet the yard, width, and area requirements of the district in which they are located, such groups of lots shall be considered as a single lot or several lots of minimum permitted size and the lot or lots in one ownership shall be subject to the requirements of this Ordinance.

17-2 Front Yard Setbacks for Dwellings

The setback requirements of this Ordinance for dwelling shall not apply to any lot where the average existing setback line on lots located wholly or in part within two hundred (200) feet on each side of such lot, within the same block and zoning district and fronting on the same side of the street or road as such lot is less than the minimum setback required. In such cases, the setback on such lots may be less than the required setback, but not less than the average setbacks on the aforementioned lots, counting any undeveloped frontage as if it were developed at the required setback distance from the street, and in no case less than ten (10) feet from the street or right-of-way.

17-3 Height Limits

The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, water towers, observation towers, transmission towers, television towers, radio towers, conveyors, flag poles, chimneys, masts, aerials, and similar structures.

17-4 Vision Clearance

On any corner lot, no fence, sign, or other structure, planting, or other obstruction to vision above three (3) feet above the established street grades shall be erected or maintained within the line connecting points on the street right-of-way line twenty (20) feet distant from the corner.

17-5 Yard Requirements - Existing Buildings

The minimum yard requirements set forth in Article 16 shall not be construed as prohibiting the conversion of an existing building which does not meet said yard requirements to another permitted use, so long as no further encroachment is made into the existing yards.

17-6 High-Rise Structures

General: For the purposes of this Ordinance, a high-rise structure is defined as a structure having four (4) or more stories. The high-rise structure shall comply with the following minimum standards:

- 17-6.1 Minimum lot sizes as required by Article 16 and maximum height as limited by Article 13 shall not apply, provided other requirements listed below are met;
- 17-6.2 Minimum yard requirements as listed in Article 16 shall be met. However, in no case shall any front, side, or rear yard be less than twenty-five (25) feet;
- 17-6.3 All off-street parking and loading requirements as listed in Article 5 Section 5-3 and 5-4 shall be met;
- 17-6.4 Maximum lot coverage for high-rise structures containing residential units shall be not more than thirty (30) percent. Maximum lot coverage for high-rise structures containing no residential units shall be not more than fifty (50) percent;
- 17-6.5 Elevators or escalators shall be provided;
- 17-6.6 Residential density shall not exceed fifty (50) residential units per gross acre;
- 17-6.7 All fire codes and other codes relating to high-rise structures shall be met.

17-8 Sign Regulations

- 17-8.1
 - a) Signs may be erected within required front-yard setbacks;
 - b) No portion of any sign shall overhang any public right-of-way;
 - c) No sign shall be erected in a manner which materially impedes visibility of or from automobiles or pedestrians, or which creates a traffic safety hazard;
 - d) Signs imitating warning signals or utilizing flashing lighting or noise-making devices are prohibited;

17-8.2 The following are not subject to sign regulations:

- a) Signs not exceeding one (1) square foot in area and bearing only property numbers, post box numbers, or name of occupants on premises;
- b) Flags and insignias of any government, except when used in commercial displays;
- c) Legal notices, identification, informational or directional signs erected by governmental bodies or required to be erected by governmental bodies;
- d) Integral decorative or architectural features of buildings or grounds except letters, trademarks, moving parts, moving or apparently moving lights, or advertising in any form;
- e) Signs directing and guiding traffic on private property, but bearing no advertising matter.

17-8.3 Temporary Signs:

Temporary signs are permitted in any zone, provided they are non-illuminated and conforms to the following provisions:

- a) Temporary signs, not exceeding forty (40) square feet in area announcing a land subdivision development are permitted on the premises of the subdivision. They shall be set back not less than ten (10) feet from any street right-of-way or from any property line, and shall be spaced not less than three hundred (300) feet apart. They shall be kept in a good state of repair, and shall be removed within thirty (30) days from the time when seventy-five percent (75%) of the lots are conveyed.
- b) One sign, not exceeding sixty (60) square feet in area, and displaying the names of the building, the contractors, the architects, the engineers, the owners, and the financial, selling, and development agencies, is permitted upon the premises of any work under construction, alteration, or removal. The sign shall be removed within thirty (30) days after completion of the project.

- c) Signs, not exceeding fifteen (15) square feet in area, and displaying the names of house painters, craftsmen, contractors, and others involved in repair, remodeling, or other improvements are permitted on the premises on which the work is taking place. The signs shall be removed within seven (7) days of the completion of the work.
- d) In advertising any property for sale, rent, or lease, temporary signs may be erected. These signs shall not have a combined total surface area exceeding five (5) square feet per one hundred (100) feet of street frontage.

17-8.4 In Residential Zones:

- a) For home occupations or professional offices in residences: One (1) non-illuminated sign, not to exceed two (2) square feet of sign area;
- b) For group housing developments, not more than one (1) identification sign per street frontage totaling not more than thirty (30) square feet;
- c) For other permitted nonresidential uses:
 - (1) Not more than two (2) identification signs with combined surface area not exceeding twenty (20) square feet; plus
 - (2) Not more than two (2) bulletin or notice boards with combined surface area not exceeding thirty (30) square feet;
- d) In single-family or duplex subdivisions, not more than two (2) permanent identification signs are permitted per entrance totaling not more than thirty (30) square feet.

17-8.5 In All Other Zones:

Not more than two (2) sign structures per street frontage with combined sign surface area not to exceed one (1) square foot per foot of street frontage.

17-9 Required Separation Between Commercial and/or Industrial and Residential Lots:

When the rear or side lot line of a lot zoned and used for commercial or industrial purposes adjoins the rear or side lot line of a lot zoned or used for residential purposes, the commercial or industrial development shall comply with the following requirements:

- 17-9.1 The required setback line for buildings on the commercial or industrial lot shall be increased to twenty (20) feet from the property line of the residential lot;
- 17-9.2 A vision screening buffer shall be provided along the rear or side lot line used and zoned for commercial or industrial purposes. This buffer shall consist of a vegetative, opaque screen designed to be at least six (6) feet deep and eight (8) feet tall at maturity, a solid wall or fence at least eight (8) feet tall, or any combination of the above as deemed necessary by the Building Inspector;
- 17-9.3 The provisions shall not apply when the aforesaid side or rear lot lines do not meet due to the presence of a street, easement, water course or other right-of-way greater than twenty-five (25) feet in width. In such cases said street, easement, water course or other right-of-way shall be deemed as a sufficient buffer for the purposes of this Ordinance.

17-10 Side and Rear Yard Parking Setbacks for Residential Districts:

Parking facilities shall not be permitted in the side and rear yard setbacks for a distance of four (4) feet from the property line for lots in residential districts.

17-11 Recreational Facilities Adjacent to Residential Uses:

Outdoor recreational facilities which are adjacent to lots which are zoned or used for residential purposes shall comply with the following standards:

- 17-11.1 No swimming pool, playground, miniature golf course, ball field, or game court shall be closer than fifty (50) feet from the property line of a lot zoned or used for residential purposes;
- 17-11.2 No lighting shall be installed in connection with outdoor recreational facilities which is closer than fifty (50) feet to the property line of a lot zoned or used for residential purposes, unless such lighting is of such a nature, as determined by the Planning Commission, that it will not be a nuisance to an adjacent residential use;
- 17-11.3 A solid wall or fence, or vegetative screening which furnishes equal protection against noise and light, shall be provided when determined appropriate by the Planning Commission;

17-11.4 No commercial activities shall be permitted in conjunction with recreational uses in residential zones except as listed below:

- a) Charges and fees for the use of recreational facilities, and
- b) Other activities which are directly in conjunction with the recreational facility and which, in the judgement of the Planning Commission, would not be in conflict with the residential nature of the neighborhood.

17-12 Cemeteries Adjacent to Residential Uses

Cemeteries which are adjacent to lots which are zoned or used for residential purposes shall comply with the following standard:

17-12.1 No cemetery plots or other facilities for the burial of the dead shall be closer than fifty (50) feet from the property line of a lot zoned or used for residential purposes.

17-13 Variances in Lot Sizes, Lot Lines, and Building Lines

Under the provisions of the land subdivision regulations of Waynesboro, Georgia, the Planning Commission may authorize variances in lot size, lot line, and building line for specific sites in subdivisions. When such reductions are made by the Planning Commission and the resulting requirements are less stringent than the lot size, lot lines, and building line requirements of this Ordinance shall not apply in those specific cases.

17-14 Gasoline Service Stations and other Establishments Which Dispense Gasoline

Automobile service stations and other establishments which dispense gasoline shall comply with the following standards:

17-14.1 Product displays, parked vehicles, signs, and other obstructions which impair visibility to or from station driveways shall be prohibited.

17-14.2 No driveways parallel to the street or road shall be constructed on the right-of-way in front of gasoline pumps, loading or unloading platforms or other structures requiring an outside or frontage driveway.

17-14.3 Pump islands or other structures requiring an outside driveway should be located at a minimum distance of 20 feet from the right-of-way line in order that the outside driveway and service area should not encroach on the right-of-way line. In instances where angle pump island or pump islands are to be located opposite any part of the driveway, the end of the pump island nearest the right-of-way shall be a minimum of forty (40) feet behind the right-of-way line. Pump islands which must be less than twenty (20) feet behind the right-of-way shall in all cases require the

erection of an acceptable barrier along the right-of-way line for at least the length of the pump island. This twenty (20) feet distance from the right-of-way line to the pump islands should be increased if space is available when planning to accommodate tractor-trailers, recreation vehicles, buses or other long-wheelbase vehicles.

17-14.4 An island with right-of-way barrier is required opposite all structures which will function as traffic obstacles (such as bumper curbs, sidewalks, front of buildings, etc.) located or to be located less than forty (40) feet from the right-of-way line. Except that such a right-of-way barrier may not be necessary in cases where such structures will not have an outside driveway or service area between the right-of-way and the front of the structure.

17-15 Modification for Residential Lots Abutting Major Streets

In all residential districts and where a lot abuts and is served by or which may be served by a major street as identified on the street map, the following minimum requirement shall apply;

- a) The minimum building line setback from abutting street rights-of-way shall be not less than fifty (50) feet, excluding sales pumps at gasoline service stations.

17-16 Modification of Radial Lot Frontage

In all residential districts, the minimum lot frontage required in district regulations may be reduced where radial lots are platted, except that in no case shall the lot frontage for a radial lot be reduced to less than fifty (50) feet. This provision shall apply only to lots abutting minor streets as identified on the zoning map, and in no case shall the minimum required frontage be reduced for lots abutting major streets, except through the process of hardship appeal to the Board of Adjustment.

17-17 Street Access Control

In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict, the following regulations shall apply to all non-residential uses abutting non-state maintained routes;

- 17-17.1 No entrance or exit shall be so constructed that any part of such entrance or exit shall be less than fifteen (15) feet from the side property lines, except for the radius returns which may extend to and become tangent to a point not less than seven (7) feet from the property line.

- 17-17.2 No driveway shall exceed forty (40) feet measured parallel with the roadway or, if roadway is on a curve, parallel with the tangent of the curve at the point where the centerline of the driveway intersects the curb, or edge of pavement where no curb exists. Furthermore, forty (40) foot driveways shall be approved only where long wheelbase vehicles are to be a majority of the traffic to a building. Service stations will not exceed thirty-five (35) feet unless catering to truck traffic; banks, grocery stores, drive-in restaurants, or similar uses shall not exceed thirty (30) feet, "Exit Only" driveways from drive-in windows and other facilities will not exceed thirty (30) feet.
- 17-17.3 The angle of driveways with the street or road shall not be less than sixty (60) degrees.
- 17-17.4 The maximum width of a joint driveway shall be forty (40) feet. A joint driveway may be at any angle between sixty (60) degrees and ninety (90) degrees with the street.
- 17-17.5 The two sides of any driveway shall be parallel one with the other.
- 17-17.6 Any two driveways connecting with a street or road shall be separated by an island area. The side of the island adjacent to the travel lane shall be located at the existing curb line, if any. Otherwise, the side of the island shall be ten (10) feet from the edge of the pavement.
- 17-17.7 When a curbed turning lane lies within the frontage of the property, the island shall extend to the existing curb of the turning lane, where no turning lane curb exists, the side of an uncurbed island will be at the roadside ditch. If the island is required to be curbed by the planning commission, the curb shall be installed twenty-four (24) inches from the edge of the turning lane pavement (where this pavement is greater than ten (10) feet from the edge of the pavement of the normal section) utilizing paved concrete gutter between the edge of the pavement and the curb.
- 17-17.8 Islands shall extend to the right-of-way and shall be a minimum length of twenty (20) feet, including radii at that point. The length of the island at the shoulder will be determined by the angle of the driveway and right-of-way depth, but shall not be less than twenty (20) feet. Where a roadside ditch exists, providing an acceptable obstacle to prevent vehicular traffic over the island, the condition may be retained on approval of the planning commission.
- 17-17.9 All driveways shall be so located, designed, and constructed so that vehicle operators using them will have adequate sight distance in both directions along the street or road. The stopping sight distance for any designated road speed is found in the Georgia Department of Transportation's Geometric Design standards in

determining the sight distance for driveways the height of the eye will be considered as 3.75 feet and the height of the object as 0.5 feet. In instances where frontage is limited and a driveway cannot be constructed due to inadequate sight distance, a plan may be required by the Planning commission which incorporates a service or approach road off of the right-of-way to a point where a satisfactory and safe intersection with the street or road is possible.

17-18 Satellite Dish Signal Receiving Stations

All Satellite Dish Stations are subject to the following conditions:

- 1) Such stations shall be located in the Rear Yard as defined herein
- 2) The height of the station shall not exceed fifteen (15) feet above the ground when said station is in a position perpendicular to the ground; and the maximum diameter of any dish antenna shall not exceed twelve (12) feet.

17-19 Customary Home Occupations

17-19.1 Permitted Customary Home Occupations include:

- 1) Barber Shop and Beauty Shop operated by not more than (2) members of the residence
- 2) Artist, dressmaker, seamstress, tailor and interior decorator;
- 3) Professional office of architect, accountant, lawyer, engineer, doctor or dentist provided that not more than (1) paid assistant is employed;
- 4) Teaching, including tutoring, musical instruction, or dancing, but limited to not more than three (3) pupils at a given time.
- 5) Any similar use, not listed herein, which the Planning Board, upon review deems to be a home occupation by reason or acceptance as a home occupation in the community.

17-19.2 All customary home occupations must meet the following conditions:

- a) The occupation, profession, or trade is carried on wholly within the principal building;
- b) Not more than twenty five (25) percent of the floor area of the principal building is used for the conduct of said home occupations;

- c) No merchandise or articles are displayed for advertising purposes, nor are displayed in such a way as to be visible from outside the dwelling;
- d) No merchandise or articles are stored other than inside the principal building;
- e) There is no alteration of the residential character of the building or premises;
- f) No person who is not a resident on the premises is employed on the premises.
- g) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in residential neighborhoods, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.

17-20 Junk Yards, Salvage Yards and Automobile Wrecking Yards:

The following regulations shall apply to all automobile wrecking, junk and salvage yards in the City of Waynesboro.

- a. No automobile wrecking, junk or salvage yard, shall be permitted closer than three hundred (300) feet to any residential district.
- b. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed fence or wall or chain link fence, except driveway areas. Fences and walls shall be not less than eight (8) feet in height. Storage between such fences or walls and the street or property line is expressly prohibited. Any fence or wall erected for screening purposes shall be properly painted or otherwise maintained in good condition.
- c. Wrecking, junk and salvage yards are permitted only in the I-2 or I-2 districts as provided for in this ordinance.

ARTICLE 18
ADMINISTRATION, ENFORCEMENT AND PENALTIES

18-1 Zoning Enforcement Officer

The provisions of this Ordinance shall be administered and enforced by the Building Inspector of the City of Waynesboro or his delegated representative who is hereby given the authority to perform these functions. His duties shall include receiving applications, inspecting premises and issuing building permits and certificates of occupancy for uses and structures that meet the requirement of this Ordinance.

18-2 Building Permit Required

It shall be unlawful to commence the excavation or filling of any lot for the construction of any building or to commence construction of any building or to commence the moving or alteration of any building or to commence the development of land for a use not requiring a building until the Building Inspector has issued a building permit for such work.

18-3 Application for Building Permit

18-3.1 In applying to the Building Inspector for a building permit, the applicant shall submit a dimensional sketch or scale plan indicating the shape, size and location of the lot to be built upon and the shape, size, height, use, and location of the buildings already on the lot, the number of dwelling units the building is designed to accommodate, if any, the setback lines of buildings or adjoining lots, off-street parking space, and such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this Ordinance are being observed.

18-3.2 If the proposed excavation, filling or construction, as set forth in the application are in conformity with the provisions of this Ordinance and other Ordinances of the City of Waynesboro, Georgia, then in force; the Building Inspector shall issue a building permit. If a building permit is refused, the Building Inspector shall state such refusal in writing with the cause.

18-3.3 The building permit shall contain at least the following information: The name and address of the applicant, the block or street number of the lot to which the permit applies, the zoning district in which the property is located, whether the permit authorizes excavation or construction (if construction, the type of structure to be built), the date of the application, and the signatures of the applicant and the Building Inspector.

18-3.4 Before commencing either excavation or construction, the building permit (or copy thereof) shall be placed conspicuously on the front property line therein described for the duration of the excavation or construction and in such a way that it is protected from the weather.

18-4 Construction Progress

Any building permit shall become invalid unless the work authorized by it has been commenced within six (6) months of the date issue of the permit, or if the work authorized by it is suspended or abandoned for a period of one (1) year or more.

18-5 Certificate of Occupancy Required

18-5.1 A certificate of occupancy issued by the Building Inspector is required in advance of the occupancy or use of;

- a) Any building, structure, land or premises;
- b) Any building or structure hereafter erected or moved;
- c) Any building hereafter altered, so as to effect the front, side or rear yards thereof, or its height;
- d) Any building, structure, or premises in which there is a change of the type of occupancy or use.

18-5.2 Within three (3) days after the application for a certificate of occupancy, the Building Inspector shall sign and issue a certificate of occupancy if the building, structure, land or premises is found to conform to the applicable provisions of this Ordinance, and complies with the plans submitted for the building permit.

18-6 Denial of Certificate of Occupancy

A certificate of occupancy shall not be issued unless the proposed use of a building or land conforms to the applicable provisions of this Ordinance and other ordinances of the City of Waynesboro, Georgia, or unless the building, as finally constructed, complies with the sketch or plan upon which the building permit was issued. The Building Inspector shall state in writing the reasons for denying such certificate of occupancy.

18-7 Records of Application and Certificate

Records of applications for building permits, records of plats and plans in connection with said permits, and records of all occupancy certificates and denials shall be kept on file in the office of the Building Inspector and copies shall be furnished on request to any person interested in the building or land involved.

18-8 Penalty for Violation

The violation of any provision of this Ordinance shall constitute a misdemeanor, and any person, firm, corporation or agent who shall in any manner violate any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished in the discretion of the court. Each and every day such violation of this Ordinance shall continue shall be deemed a separate offense.

18-9 Remedies

If any building or structure is or is proposed to be erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is or is proposed to be used in violation of this Ordinance, the Building Inspector or any other appropriate official of the City of Waynesboro, or any adjacent or neighboring property owner or resident of the City of Waynesboro who would be damaged by such violation may, in addition to other remedies, under authority of this section and under authority of applicable sections of the Georgia Code, annotated, institute legal action for injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use; or to correct or abate the violation, or to prevent the occupancy of the building, structure or land.

18-10 Creation of Planning Commission and Duties

There is hereby created the City of Waynesboro Planning Commission ("Planning Commission"), to consist of five (5) members who shall be appointed by the City Council.

The term of office of the members of the Board shall be three 3 years. Members may be removed for cause by the Council upon written charges and after a public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. Members shall not hold any other elected or appointed public office except that they may also be a member of the Zoning Board of Adjustments of the City of Waynesboro.

The duties of the Planning Commission shall include:

- (1) Review and approval of Group Project Developments in accordance with Article 14 of this Code.

- (2) Annually assess the City's Comprehensive Land Use Plan with regard to changing conditions, rezoning approvals and other data as appropriate.
- (3) Recommend to the City Council approval or disapproval of all amendments to the Land Use Plan.
- (4) Recommend to the Zoning Board of Adjustment, approval or disapproval on all variances and conditional use permit applications (See Article 19, Section 19-2).
- (5) Recommend to the City Council, approval or disapproval of all requests for Zoning Changes.
- (6) Determination of unclassified uses.
- (7) Determine approval of unlisted home occupations.
- (8) Conduct such other business and affairs as may be from time to time designated by the Waynesboro City Council.

ARTICLE 19 ZONING BOARD OF ADJUSTMENT

19-1 Establishment, Membership, and Proceedings of the Board

A Zoning Board of Adjustment is hereby established which shall consist of five (5) members who are residents of the City of Waynesboro, appointed by the Waynesboro City Council. The term of office of the members of the Board shall be three (3) years. Members may be removed for cause by the Council upon written charges and after a public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. Members shall not hold any other elected or appointed public office except that they may also be a member of the Planning Commission of the City of Waynesboro.

19-1.1 Proceedings of the Board of Adjustment: The Board shall elect one (1) of its members Chairman, who shall serve for one (1) year or until he is reelected or his successor is elected and qualified. The Board shall appoint a Secretary who may be an officer of the governing authority. The Zoning Board of Adjustment shall adopt rules in accordance with the provisions of any ordinance or resolution adopted pursuant to this Ordinance. Meeting of the Board shall be held at the call of the Chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses by subpoena. The Board shall keep minutes of these proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the administrator and shall be a public record.

19-1.2 Hearings, Appeals, and Notices:

- a) Appeals to the Board of Adjustment may be taken by any person aggrieved by any officer, department, board or bureau of the city affected by any decision of the Building Inspector. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board, by filing with the Inspector and with the Board of Adjustment a notice of appeal. The Building Inspector shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

- b) The Board of Adjustment shall fix a reasonable time for hearing the appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

19-1.3 Stay of Proceedings: An appeal stays all proceedings in furtherance of the action appeal from, unless the Building Inspector certifies to the Board of Adjustment after notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application, on notice to the administrative official from whom the appeal is taken and on due cause shown.

19-2 Powers and Duties of the Board of Adjustment

The Board of Adjustment shall have the following powers and duties:

19-2.1 Administrative Review: To hear and decide appeals when it is alleged that there is error in any order, requirement, decision or determination made by the administrative official in the enforcement of this Ordinance.

19-2.2 Variances: The Board of Adjustment may authorize upon appeal in specific cases such variances from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement to the provisions of this Ordinance would result in unnecessary hardship. A variance from the terms of this Ordinance shall not be granted by the Board of Adjustment unless and until:

- a) A written application for a variance is submitted demonstrating:
 - 1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;
 - 2) The application of the ordinance to this particular piece of property would create an unnecessary hardship;
 - 3) Such conditions are peculiar to the particular piece of property involved;
 - 4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the ordinance or the land use plan, provided, however, that no variance may be granted for a use of land or

building or structure that is prohibited in a given district by this ordinance.

- b) Notice of public hearing shall be posted on the property for which the variance is sought and shall be published at least fifteen (15) days prior to the public hearing in a newspaper or general circulation.
- c) The hearing shall be held. Any party may appear in person, or by agent or by attorney.
- d) The Board of Adjustment shall make findings that the requirements of Section 19-2.2 (a) have been met by the applicant for a variance.
- e) The Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- f) The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
- g) In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safe guards, when made part of the terms under which the variance is granted, shall be deemed a violation of the Ordinance.
- h) With respect to uses of land, buildings and other structures, this Ordinance is declared to be a definition of the public interest by the Waynesboro City Council and the spirit of this Ordinance will not be observed by any variance which permits a use not generally permitted in the district involved or any use expressly or by implication prohibited by the terms of this Ordinance in said district. Therefore, under no circumstances shall the Board of Adjustment grant a variance to permit a use not generally permitted in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

19-2.3 Conditional Use Review/Approval:

1) Procedures for authorizing conditions uses - Application to Planning Commission.

An application requesting a conditional use of land or structure as provided for in district regulations and Article 7, shall first be filed with the Planning Commission for review, at least fifteen working days prior to the date of the Planning Commission meeting at which it is considered. Said application shall show the location and intended uses of the site, the name of the property owners and existing land uses within four hundred (400) feet, and other material pertinent to the request, which the Planning Commission may require.

Such application and planning commission recommendation shall then be passed to the Zoning Board of Appeals for final decision.

2) Planning Commission Review and Recommendation:

The Planning Commission shall hold a public hearing on all applications for conditional use permits and consider the merits of the application. In making a determination to recommend that the Zoning Board of Adjustment grant or deny the conditional use permit, the Planning Commission shall use the following general guidelines for its inquiry:

- (a) the effect of the proposed activity on traffic flow along the joining streets;
- (b) the location of off street parking facilities;
- (c) the number, size and type of signs proposed for the site;
- (d) the amount and location of open space;
- (e) protective screening and buffers;
- (f) hours and manner of operation of the proposed use;
- (g) outdoor lighting requirements;
- (h) ingress and egress to the property;
- (i) compatibility with the surrounding land uses.

- (j) The benefits of and need for the proposed use are greater than any possible depreciating effects and damages to the neighboring properties.

After hearing testimony from all interested parties, the Planning Commission shall have thirty days to render its recommendation.

The planning commission shall submit its recommendation to the Board of Adjustment for Final Decision. The Board of Adjustment shall notify the Planning Commission of its decision to deny or grant the conditional use permit.

The Planning Commission shall instruct the Building Inspector to issue a conditional use permit. When an application for a conditional use is disapproved, the applicant shall be notified in writing of the reasons for such disapproval.

3) Conditional Use Restrictions

In the exercise of its approval, the Planning Commission may recommend and the Board of Adjustment may impose such conditions regarding the location, character, or other features of the proposed uses or buildings as it may deem advisable and necessary in the furtherance of the general purpose of this chapter.

4) Validity of Plans

All approved plans, conditions, restrictions and rules made part of the approval of the Board of Adjustment shall constitute certification on the part of the applicant that the proposed use shall conform to such regulations.

5) Conditional Use Permit

Upon approval of all plans by the Board of Adjustment, including any restrictions, the Planning Commission shall instruct the Building Inspector to issue a conditional use permit.

6) Time Limit

All applications for Conditional Uses shall be decided within forty (40) days of the date of application and the applicant shall be provided with a written notice of either approval or denial.

7) Public Hearing

Prior to taking any action on a request for a conditional use permit, the Planning Commission shall hold a public hearing. The procedure for advertising and holding the public hearing shall be as provided in Article 20, Section 20-5 and 20-6, except the Planning Commission shall conduct the hearing.

19-2.4 Actions of Board Concerning Appeals

In exercising the powers set forth in Section 19-2.1 to 19-2.3 above, the Board may, in conformity with the provisions of this Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as ought to be made, and to that end shall have the powers of the administration official from whom the appeal is taken.

19-3 Appeals from the Board of Adjustment

Any person or person jointly or severally aggrieved by any decision of the Board of Adjustment, or any taxpayer or any officer, department, board, or bureau of the City of Waynesboro may present to the Superior Court in and for the County a petition, duly verified, setting forth that a decision of the Board of Adjustment is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the Court within thirty (30) days after the filing of the decision.

19-4 Functions of Building Inspector, Board of Adjustment, City Council, and Courts on Interpretation, Administration, and Appeal

19-4.1 It is the intent of this Ordinance that all questions of administration and enforcement shall first be presented to the Building Inspector and then the Planning Commission, and that such questions shall be presented to the Board of Adjustment only upon reference by, or appeal from, the Building Inspector and Planning Commission, and that recourse from the decisions of the Board of Adjustment shall be to the courts as provided by law;

19-4.2 It is further the intent of this Ordinance that the function of the City Council under this Ordinance shall not include hearing and deciding questions of interpretation and enforcement which may arise, but that the City Council shall have only the responsibility for acting on proposals for amendment or repeal of this Ordinance.

ARTICLE 20 AMENDMENTS

20-1 Amendments

In amending the text of this Ordinance or in amending the zoning map, the procedure shall be as follows:

20-2 Initiation of Proposal for Amendments

Any individual, corporation, or agency, public or private, may initiate a proposal for amendment. Such request shall be submitted in writing to the Building Inspector, accompanied by a fee of \$100.00, on an application provided by the City of Waynesboro.

20-3 Relation to the Land Use Plan

All amendments to the zoning ordinance and the zoning map adopted pursuant to the zoning ordinance shall be based on and interpreted in relation to the land use plan for the development of the City of Waynesboro. The application for tentative approval of an amendment shall include a written statement by the landowner setting forth the reasons why, in his opinion, the proposed amendment would be in the public interest and would be consistent with the land use plan for the development of the City of Waynesboro.

20-4 Planning Commission Study and Report to City Council

All proposed amendments shall be submitted to the Building Inspector, who shall then refer the proposal for amendment to the planning commission. The planning commission shall have thirty (30) days within which to submit a report and recommendation to the City Council. Failure of the planning commission to act within these time limits shall be deemed to constitute amendment approval. Such recommendation shall be advisory only.

20-5 Public Hearing on Proposed Amendment

Before an amendment to this Ordinance is enacted, a public hearing on the amendment shall be held. At least fifteen (15) days prior to the public hearing, the Building Inspector shall file a notice of public hearing which shall be published in a newspaper of general circulation in the city. Such notice shall indicate the nature of the change proposed, identification of the property affected, and time, date and place of the hearing. The Waynesboro City Council shall hold this hearing.

20-6 Posting of Property

When a proposed amendment affects the district classification of particular pieces of property, the Building Inspector shall cause to be conspicuously located on or adjacent to the property affected, A sign of not less than nine (9) square feet, with not less than three (3) inch black letters upon a white background which shall read as follows:

NOTICE OF THE PUBLIC

A petition for zoning amendment has been filed with the City Council requesting that this property be changed from zone (insert present zone) to zone (insert zone requested). A public hearing will be held at (insert place) on (date) at (time). All those in favor of or objecting to this petition should be present to voice their support or objection.

Such notice shall be posted at least fifteen (15) days prior to the hearing.

20-7 Newly Annexed Areas

Newly annexed areas shall be considered to be zoned as R-1 (single family residential) in the interim between date of annexation and city council action.

Within sixty (60) days of annexation, the Planning Commission, after public hearing shall recommend to City council and zone classification for such newly annexed areas which will carry out the objectives of the Land Use Plan and this Ordinance.

ARTICLE 21
LEGAL STATUS

21-1 Conflict with Other Laws

Whenever the provision of this Ordinance impose more restrictive standards than required under any other Ordinance, the regulations contained in this Ordinance shall prevail, except as provided in Section 17-13. Whenever the provisions of any other Ordinance require more restrictive standards than are required herein, the regulations shall prevail.

21-2 Separability

Should any section or provision of this Ordinance be declared by the Courts to be declared unconstitutional or invalid, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof other than the part declared to be unconstitutional or invalid.

21-3 Effective Date

This Ordinance shall be ordained effective the _____ day of _____, 20____.

21-4 Adoption Clause

The governing authority hereby enacts the foregoing zoning regulations.

ATTEST:

MAYOR:

Jerry L. Coalson, City Administrator

Martin H. Dolin, Mayor