

PIERCE COUNTY/BLACKSHEAR/PATTERSON/OFFERMAN DEVELOPMENT CODE

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ARTICLE I

General Provisions

Section 101 Title

This ordinance shall be known and may be cited as "The Development Code of Pierce County, Georgia".

Section 102 Enactment

Article IX of The Constitution of the State of Georgia, 1976, grants authority to the governing body of each county and municipality to regulate subdivisions and land development: In accordance with the Pierce County/Blackshear/Patterson/Offerman Comprehensive Plan 2010 and in Pursuance of Authority granted by the Georgia Act Number 358, General County and Enabling Act of 1957, as amended, by HB.51 amending Title 36 of the Official Code of Georgia Annotated to include Chapter 66, " The Zoning Procedures Law" as enacted by the Georgia General Assembly: the Board of Commissioners of Pierce County, the City Council of Blackshear, and the City Council of Patterson, Georgia, and the City of Offerman, ordain and enact into law, The Development Code of Pierce County.

Section 103 Purpose

This Development Code is to provide for the best and maximum use of property promoting the health, safety, morals, convenience, order, prosperity, and general welfare of the people of Pierce County. This Code establishes the administrative agencies and the method of administration, zoning districts with accompanying regulations, minimum design standards for the subdividing of land into streets, alleys and lots, defining certain terms used herein; providing the method of variance and amendment; providing penalties for violation; repealing conflicting ordinances; and for other regulatory purposes.

Section 104 Objectives

These regulations are designed to:

1. Conserve and protect the natural, economic, and scenic resources of Pierce County;
2. Prevent and reduce the traffic congestion and traffic hazards resulting from poorly designed streets and major traffic arteries;
3. Secure safety from fire, panic, structural failure, and other dangers;

4. Promote health and general welfare;
5. Provide adequate light and air;
6. Prevent overcrowding of the land, avoiding undue concentration of population;
7. Aid the adequate provision of transportation, parks, schools, sewage, water, and other public requirements;
8. Sustain the character of the county and its suitability for particular uses;
9. Promote desirable living conditions and stability of neighborhoods;
10. Protect property from blight and depreciation;
11. Secure economy in governmental expenditures;
12. Conserve the value of buildings;
13. Encourage the most appropriate use of land and buildings within the county; and
14. Promote the health, safety, prosperity, and welfare of the citizens of Pierce County.

Section 105 Jurisdiction and Scope

The Development Code of Pierce County, Georgia shall apply to all areas within the boundaries of Pierce County, including incorporated municipalities, subject to the approval of said municipalities, as provided herein. The scope of this document, encompasses and:

1. defines certain terms used herein;
2. utilizes the creation of districts to regulate the uses, location, condition, bulk, number of stories, and size of buildings, structures and lands for trade, industry, residence, recreation, agriculture, forestry, conservation, water supply, sanitation, public safety, public activities, preservation of scenic areas, protection against floods, and other purposes;
3. defines the percentage of lot which may be occupied;
4. defines the sizes of yards and other open spaces
5. regulates the density and distribution of population;

6. establishes minimum design standards for the subdividing of land into streets, alleys, and lots;
7. incorporates eight mandated construction codes for standardized building quality;
8. provides for the method of administration of each Development Code element, appeal and amendment and duties;
9. provides penalties for violations, and;
10. enumerates other administrative and regulatory requirements.

Section 106 Regulation of Land Subdivision

The legal subdivision of land by deed or transfer of title, except stated exemptions, is regulated by this Code when the following conditions are present:

1. The division of land into two or more parcels, lots or tracts; and
2. The dedication, vacation, reservation or improvement of any public or private access easement or right-of-way through any tract of land regardless of the area involved.

Section 107 Minimum Requirements

In their interpretation and application, the provisions of this Code shall be held to be minimum requirements, adopted for the promotion of public health, safety, morals, and general welfare. Wherever the requirements of this Code are at variance with the requirements of an other lawfully adopted rules, regulations, codes, deed restrictions, ordinances, or covenants, the most restrictive or that imposing the higher standards, shall govern.

Section 108 Validity

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

Section 109 Repeal of Conflicting Ordinances

All Ordinances and parts of Ordinances of Pierce County, the City of Blackshear, the City of Patterson, and the City of Offerman (Pierce County) in conflict herewith are hereby repealed.

Section 110 Effective Date

This Code shall take effect and be enforced from and after its adoption on February 1, 2005, enacted and ordained by the Pierce County Board of Commissioners, the City of Blackshear, the City of Patterson, and the City of Offerman (either by direct action from the City Council or on behalf of by the Pierce County Board of Commissioners).

ARTICLE II

Interpretation of Terms and Definitions

Section 201 Interpretation of Terms

For the purpose of this Code, the following definitions shall apply:

1. Words used in the singular shall include the plural, and the plural shall include the singular.
2. Words used in the present tense shall include the future tense and past tense.
3. The word "shall" is mandatory and not discretionary.
4. The word "may" is discretionary.
5. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for".
6. When the title of Code Inspector is used, it shall be construed to mean the Community Development, County and/or Building Department, Director, or designee.
7. Words not defined herein shall be construed to have the meaning given by common and ordinary use.

Section 202 Definitions

1. **ACCESSORY BUILDING.** A building customarily incidental and subordinate to the main buildings.
2. **ACCESSORY USE.** A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings located upon the same premises.
3. **ADVERTISING SIGN OR STRUCTURE.** Any cloth, card, paper, metal, painted, glass, wooden, plastic, plaster, stone, or other sign, device, or structure of any character whatsoever, including statuary, placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure. The term "placed" shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing, or making visible in any manner whatsoever. The area of an advertising structure other than a sign shall be determined as the area of the largest cross-section of such structure. Neither directional, warning, nor other signs posted by public officials in the course of their

public duties nor merchandise or materials being offered for shall be construed as advertising signs for the purpose of this definition.

4. **ALLEY.** A minor right-of-way dedicated to public use which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.
5. **APARTMENT HOUSE OR MULTI-FAMILY DWELLING.** A dwelling unit designed to be occupied by two or more families living independently of each other as separate housekeeping units, including apartment houses, apartments, and flats, but not including auto or trailer courts or camps, hotels or resort type hotels.
6. **AVERAGE DAILY TRAFFIC (ADT).** The number of trips generated during a twenty four hour period by the total number of residential units having access to the street. Ten trips per day per residential unit shall be used for design purposes in this Code.
7. **BOARD.** The Board of Commissioners of Pierce County.
8. **BOARDING HOUSE.** A dwelling unit other than a hotel where, for compensation and by prearrangement for definite periods, meals or lodging and meals are provided for three or more unrelated persons.
9. **BONDS.** Any form of security including a cash deposit, security bond, collateral, property, or instrument of credit in an amount and form satisfactory to the affected local government. (All instruments of surety shall be reviewed by the affected local government Attorney and approved by the affected local government wherever a bond is required by these regulations.)
10. **BUFFER.** Land area used to visibly separate one land use from another, or to shield or block noise, lights, or other nuisances.
11. **BUILDING.** Any structure intended for shelter, housing, or enclosure of persons, animals, or chattel.
12. **BUILDING HEIGHT.** The vertical distance, from the average line of the highest and lowest ground elevations of that portion of the lot covered by the building, to the highest point or the roof or other structure of the building, excluding chimneys, smoke stacks, and other similar venting devices.
13. **BUILDING LINE.** That line which represents distance a building or structure must be set back from a lot boundary line or a street right-of-way line or street centerline, according to the terms of this ordinance.
14. **BUILDING OFFICIAL.** see Community Development Director

15. **BUILDING, PRINCIPAL.** A structure in which the primary use of the lot, on which said structure is situated, is conducted.
16. **BUILDING SITE.** A single parcel of land under one ownership, occupied or intended to be occupied by a building or structure.
17. **CENTRAL SEWAGE SYSTEM.** A community sewage system including collection and treatment facilities serving more than one lot in a subdivision.
18. **CENTRAL WATER SYSTEM.** A community water system including treatment and distribution facilities serving more than one lot in a subdivision.
19. **CERTIFICATE OF OCCUPANCY.** A permit issued by the Community Development Director or designee, stating the use of the building or land in question is in conformity with the Code, or a legal variance has been granted, as provided by this Development Code.
20. **CLUB.** A building or facilities owned or operated by and for educational or recreational purposes, but not primarily operating rendering a service customarily carried on for gain.
21. **CLUSTER HOUSING.** Residential development which provides for the grouping of attached and/or detached single-family dwelling units. Lots may be smaller than normally permitted in a land development district, for purposes of preserving open space and natural features of the terrain and promoting economy in providing public facilities and services. Such development shall be limited to not more than four units occupying one structure.
22. **COMMUNITY DEVELOPMENT DIRECTOR.** The individual employed to enforce the Pierce County Development Code regulations, perform plat and subdivision development reviews, issue building permits and certificates of occupancy. The Community Development Director serves as a resource for the Pierce County Commission regarding issues of zoning, development, code, and ordinances.
23. **COMMISSION.or AFFECTED LOCAL GOVERNMENT.** The County Commission of Pierce County, Georgia. and/or City of Blackshear Council and/or City of Patterson Council and/or City of Offerman Council
24. **CONDITIONAL EXCEPTION.** A use within certain zoning districts specified by this Code and is not permitted as a matter of right, but may be permitted by meeting the specified requirements and approval of the affected local government. A conditional exception is of temporary nature for up to one year.
25. **CONDITIONAL USE.** A use which is not permitted as a matter of right within the development districts, but is a permitted use upon approval by the affected local government. Such a use can be approved if it does not detract or disturb the intended

activities for the district in which the proposed use is located. A conditional use, once permitted, is permanent.

26. **DEVELOPMENT.** The performance of any construction or mining operation, the making of any material change in the use of any structure or land, or the division of land into two or more parcels, lots, building sites or units.
27. **DWELLING.** Any building, or portion thereof, which is designed or used as living quarters for one or more families.
28. **DWELLING, SINGLE-FAMILY.** A structure designed to be occupied by one family.
29. **DWELLING, TWO FAMILY.** A structure designed to be occupied by two families living independently of each other.
30. **DWELLING, MULTI-FAMILY.** A structure designed for occupancy by two or more families living independently of each other, exclusive of auto or trailer courts or camps, hotels or resort type hotels.
31. **DWELLING UNIT.** One or more rooms within a structure, constituting a separate, independent housekeeping establishment, with provisions for cooking, eating and sleeping, and physically set apart from any other rooms or dwelling units in the same structure.
32. **EASEMENT.** A grant by a property owner of the use of land for a specified purpose or purposes for the general public, corporation or a certain person.
33. **FAIR MARKET VALUE.** The value of property or structures, as determined by the county tax assessor, either before the improvement was started, or if the structure has been damaged and is being restored, before the damage occurred.
34. **FINAL PLAT.** A complete and exact subdivision plat prepared for official recording of that subdivision in accordance with the Plat Laws of the State of Georgia.
35. **FLAG LOT.** A lot fronting on a public or private street which is reached via an access strip having a minimum frontage and width of 25 feet. A flag lot shall meet all requirements of these regulations.
36. **FLOOD OR FLOODING.** A general and temporary condition of partial or complete inundation of normally dry land areas and/or the unusual and rapid surface water accumulation of runoff from any source.
 - a. **FLOOD PLAIN.** The land area subject to inundation by waters of the 100 year flood as delineated by the Department of Housing and Urban Development, Federal Insurance Administration. The 100 year flood has a

one percent chance of occurring during any given year. Agricultural areas or farms which are adjacent to fresh water courses and which are irrigated by the use of floodgates or other mechanical devices shall be considered to be the part of the Flood Fringe Area rather than the Floodway.

- b. **FLOOD PROOFING.** A combination of structural and/or non structural additions, changes, adjustments, or provisions to properties or structures subject to flooding which will reduce or eliminate flood damages to properties, water and sewer facilities, structures and contents of buildings.
 - c. **FLOOD FRINGE AREA.** The area of the flood plain lying outside the floodway, but still lying within the area of special flood hazard, i.e., within the 100 year flood plain.
 - d. **FLOODWAY.** The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the velocity waters of the regulatory flood.
 - e. **REGULATORY FLOOD.** For purposes of this ordinance, a flood event having a one percent chance of occurring in any given year, although the flood may occur in any year, i.e., the 100 year flood.
 - f. **REGULATORY FLOOD ELEVATION.** The crest elevation in relation to mean sea level expected to be reached by the regulatory flood at any given point in an area of special flood hazard.
37. **HOME OCCUPATION.** Any occupation or profession carried on by dwelling unit inhabitants, which is clearly incidental and secondary to the use of the structure for residential purposes, does not change the character thereof, and which is conducted entirely within the main or accessory buildings.
38. **HOTEL.** A building or group of buildings under one ownership containing six or more sleeping rooms occupied, intended or designed to be occupied as the more or less temporary abiding place of persons who are lodged with or without meals for compensation, but not including an auto or trailer court or camp, sanitarium, hospital asylum, orphanage or building where persons are housed under restraint.
39. **IMPROVEMENTS.** Those physical additions and changes to the land that may be necessary to produce useable and desirable lots.
40. **INDIVIDUAL SEWAGE DISPOSAL SYSTEM.** A septic tank and seepage tile sewage disposal system or any other sewage treatment device for one lot as approved by the County Health Department.
41. **JUNK YARDS.** An open area where waste, used or secondhand material are bought and sold, exchanged, stored, baled, packed, disassembled, or handled, including but

not limited to scrap iron and other metals, paper, rags, rubber tires and bottles, a "junk yard" includes automobile wrecking yards and includes any area for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings.

42. **KENNEL, COMMERCIAL.** Any lot, structure or premises where two or more dogs and/or cats are kept for a fee.
43. **LOADING SPACE, OFF STREET.** Space logically and conveniently located for pickups and deliveries, scaled to delivery vehicles expected to service, and accessible to such vehicles.
44. **LOT.** A parcel of land of varying size which is designed as a single unit of property and which is intended to be occupied by one building, or group of buildings, and accessory buildings and uses as required by this Code. A lot is also that portion of a subdivision intended as a unit for transfer or for development, or both. The word "lot" includes the word "plot" or "parcel". (see illustration, Appendix A)
 - a. **LOT, AREA.** The total acreage or square footage included within lot boundaries.
 - b. **LOT, CORNER.** A lot of which at least two adjacent sides abut, for their full lengths on different streets, provided that the interior angle at the intersection of such two sides is less than 135 degrees.
 - c. **LOT, DOUBLE LOADED.** A lot with frontage on two streets, at a point other than at their intersection, as distinguished from a corner lot. This configuration is not allowed in new subdivision plats, but shall be accepted if an existing configuration has been recorded.
45. **LOT OF RECORD.** An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed, filed in the records of the Clerk of Pierce County Superior Court.
46. **LOT WIDTH.** The distance between the side lot lines, measured along the front yard setback line as established by this Code; or if no set back line is established, the distance between the side lot lines measured along the street right-of-way lines.
47. **MASTER PLAN.** The Development Code and its regulations concerning zoning, land subdivision, and building construction, when combined with the Pierce County Comprehensive Plan, the Tri-County Solid Waste Management Plan, and the Official Land Use Map, form the Master Plan. Other elements and ordinances may be included at the discretion of the Commission.
48. **MOBILE HOME.** A detached single-family dwelling unit with all of the following characteristics:

- a. Designed for long term occupancy, and containing sleeping accommodations, a flush toilet, a bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.
 - b. Designed to be transported after fabrication on its own wheels, or on a flatbed.
 - c. Arriving at the site complete and ready for occupancy and requiring only minor work or assembling before occupancy.
49. **MOBILE HOME PARK.** A parcel of land which is used or intended to be used for the rent, lease or sale of spaces/lots and the provision of services for two or more mobile homes.
50. **MOBILE HOME SPACE/LOT.** A plot of ground within a mobile home park designed for the accommodation of one mobile home.
51. **NON-CONFORMING USE.** A structure or parcel of land lawfully occupied by a use that does not conform to the regulations of the land use district in which it is situated.
52. **PERSON.** The word "person" includes a firm, corporation, or partnership.
53. **PLAT.** A map or drawing upon which the plan of the subdivision is presented for approval.
54. **PRELIMINARY PLAT.** A tentative subdivision plat, indicating approximate proposed layout of a subdivision submitted with supporting documentation as necessary for consideration and approval prior to preparation of the final plat.
55. **PRIVATE SEWAGE SYSTEM.** A sewage system including collection and treatment facilities that is owned, maintained and operated by a community corporation, landowners association, or the developer serving more than one lot and approved by the Georgia Department of Natural Resources.
56. **PRIVATE WATER SYSTEM.** A water system, including treatment and distribution facilities, owned, maintained and operated by a community corporation, landowners association, or the developer; serving more than one lot and approved by the Georgia Department of Natural Resources and the County Health Department.
57. **PUBLIC OR COMMUNITY SEWAGE SYSTEM.** Any sewage treatment works, pipe lines or conduits, pumping stations and force mains and all other constructions, devices, and necessary appliances, designed for treating or conducting sewage for ultimate disposal into lakes, streams, estuaries or other bodies of surface water, that is owned, maintained and operated by the County or a municipality and serving more

than one lot and approved by the Environmental Protection Division, Georgia Department of Natural Resources.

58. **PUBLIC UTILITY.** Any person, firm or corporation, municipal department, board or commission duly authorized to furnish and is furnishing under federal, state or municipal regulations to the public the following: natural gas, steam, electricity, sewage disposal, communication or water.
59. **PUBLIC WATER SYSTEM.** A water system including treatment and distribution facilities that is owned, maintained and operated by the County or a municipality serving more than one lot and approved by the Environmental Protection Division, Georgia Department of Natural Resources.
60. **RESERVED STRIP.** A small strip of land between the terminus of a platted street right-of-way and the plat boundary where ownership could be retained by the subdivider which would prevent the extension of said street into adjacent property.
61. **RIGHT-OF-WAY.** A legal right of passage over another person's property, with access over or across particularly described property for a specific purpose or purposes. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.
62. **RIGHT-OF-WAY LINE.** The outside boundaries of a right-of-way, whether such right-of-way be established by usage, recorded easement, deed, dedication or by the official right-of-way.
63. **SCREENING.** A strip of densely planted shrubs or trees at least three feet wide and three feet in height at the time of planting, or a ten foot wide naturally vegetated buffer strip, or an opaque wall or barrier of uniform material at least six feet in height. Screening should be maintenance free or set back from the property line to allow access for maintenance.
64. **STREET.** Any public or private thoroughfare which affords the principal means of access to abutting property. Private streets, those access routes which have not been formally dedicated nor are maintained by the County, shall meet the minimum requirements for public streets.
 - a. **ARTERIAL STREETS.** Major thoroughfares that are primarily intended for fast or heavy traffic.
 - b. **COLLECTOR STREETS.** Thoroughfares which carry traffic from lesser roads to arterial streets and highways, and those streets serving industrial and commercial areas, designed to have limited residential frontage.

- c. **LANES.** Minor ways which are used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.
 - d. **MARGINAL ACCESS STREETS.** Lesser roads which are parallel to and adjacent to arterial streets and highways, providing access to abutting properties and protection from through traffic.
 - e. **MINOR STREETS.** Used primarily for access to abutting residential property and are designed to carry no more traffic than that which is generated on the street itself--should be designed to convey an average daily traffic (ADT) volume not greater than 250 for cul-de-sacs and 500 for loop/through streets.
 - f. **SUB-COLLECTOR STREETS.** Those streets which are used for access to abutting residential property and also conduct traffic from minor streets that intersect it. Sub-collector streets should be designed to convey an ADT volume not greater than 1,500. Residential streets that can be used as through streets between collector and arterial streets shall be classified as collector streets.
65. **STREET CENTERLINE.** The line surveyed and monumented by the governing authority shall be the centerline of a street, or in the event that no centerline has been determined, it shall be that line running midway between, and parallel to the outside right-of-way lines of such streets.
66. **STREET, INTERSECTING.** Any street which joins another street at an angle, whether or not it crosses the other.
67. **STRUCTURE.** Any form constructed or erected, the use of which requires location on the ground or attached to an object having a location on the ground. Structure does not include walls or fences.
68. **STRUCTURAL ALTERATIONS.** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any substantial change in the roof or in the exterior walls.
69. **SUBDIVIDER.** The owner of land proposed to be subdivided or his designated representative. Consent shall be required from the legal owner of the property.
70. **SUBDIVISION.** The division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of immediate or future sale, legacy, gift, or building development; all divisions of land involving a new street or a change in existing streets. The term includes the re-subdivision of land, and when appropriate to the context, relates to the process of subdividing or to the land subdivided.

71. **USE OF RIGHT.** Activities or structures which are in accord with the intent of the district in which they are located;
72. **USE, PRINCIPAL.** The main or primary use for which land or structure is intended.
73. **VARIANCE.** A variance is a property-specific relaxation of the terms of the Development Code, where such variance will not be contrary to the public interest and owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the code would result in unnecessary and undue hardship.
74. **WATER BODY.** Any natural or artificial waterway, stream, lake, slough, pond, canal, channel, swamp, or marsh in which water stands or flows either continuously or intermittently including any adjacent bank which is subject to inundation by reason of overflow or pond water.
75. **YARD.** The open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed except for accessory uses, landscaping, fences, etc. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard, or the depth of a rear yard, the least measured distance at grade between the lot line and the main building shall be used.
 - a. **YARD, FRONT.** That portion of all lots located between the outer wall of the principal use or building and the boundary line along the primary transportation access, usually but not limited to that side of the principal building which contains the perceived primary entrance.
 - b. **YARD, REAR.** That portion of all lots, opposite the front yard and divided from the front yard by the principal use or building, which extends the minimum distance from the outer wall of the principal building to the boundary line opposite the front boundary line.
 - c. **YARD, SIDE.** That portion of all lots, measured as the minimum distance between the outer wall of the principal building and side lines of the lot; side lines usually extend from the front lot line to the rear lot line.

ARTICLE III

Enforcement and Review

Section 301 Administrative Agencies

The administrative agencies of this Code are as follows:

1. The Pierce County Board of Commissioners, and the City Councils of Blackshear, Offerman, and Patterson;
2. The Pierce County Community Development Department

Section 302 Duties of Pierce County Board of Commissioners

It shall be the duty of the Board of Commissioners to:

1. In conjunction with the City Councils of Blackshear, Offerman, and Patterson as outlined in Sections 303, 304, 307, and 308, appoint representatives to the Planning Commission;
2. Delegate the authority to administer this Code to the Community Development Director.
3. Delegate authority to the Planning Commission to render recommendations on variance requests, and;
4. Approve rezonings, variances, and other amendments to the Development Code upon the recommendation of the Planning Commission for matters within the unincorporated areas of Pierce County.

Section 302 (a) Duties of the City of Blackshear

It shall be the duty of the City of Blackshear:

1. In conjunction with the Councils of Patterson, Offerman, and the Pierce County Board of Commissioners as outlined in Sections 303, 304, 307, and 308, to appoint representatives to the Planning Commission;
2. Delegate the authority to administer this Code to the Community Development Director.
3. Delegate authority to the Planning Commission to render recommendations on variance requests, and;

4. Approve rezonings, variances, and other amendments to the Development Code upon the recommendation of the Planning Commission for matters matters within the city limits of the City of Blackshear.

Section 302 (b) Duties of the City of Patterson

It shall be the duty of the City of Patterson:

1. In conjunction with the Councils of Blackshear, Offerman, and the Pierce County Board of Commissioners as outlined in Sections 303, 304, 307, and 308, to appoint representatives to the Planning Commission;
2. Delegate the authority to administer this Code to the Community Development Director.
2. Delegate authority to the Planning Commission to render recommendations on variance requests, and;
3. Approve rezonings, variances, and other amendments to the Development Code upon the recommendation of the Planning Commission for matters within the city limits of the City of Patterson.

Section 302 (c) Duties of the City of Offerman

It shall be the duty of the City of Offerman:

1. In conjunction with the Councils of Blackshear, Patterson, and the Pierce County Board of Commissioners as outlined in Sections 303, 304, 307, and 308, to appoint representatives to the Planning Commission;
2. Delegate the authority to administer this Code to the Community Development Director.
3. Delegate authority to the Planning Commission to render recommendations on variance requests, and;
4. Approve rezonings, variances, and other amendments to the Development Code upon the recommendation of the Planning Commission for matters within the city limits of the City of Offerman.

Section 303 Reserved.

Section 304 Reserved

Section 305 Powers of the Board of Appeals

1. To hear and decide appeals where an error is alleged in any order, requirement, decision, or determination made by the Community Development Director in the enforcement of any section or article adopted in this Code, when an application for appeal has been filed within 15 days of the action by the Community Development Director.
2. To recommend variances from the terms of the ordinance or resolution as will not be contrary to the public interest. Such variances may be recommending, owing to special conditions, a literal enforcement of the provisions in this Code will result in unnecessary hardship for an individual. In conjunction with the regulations of Section 614 of this Code, such a variance may be recommended if the Board of Appeals finds that:
 - a. there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - b. the application of the Code to this particular piece of property would create an unnecessary hardship;
 - c. such conditions are peculiar and unique to the particular piece of property involved; and
 - d. relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Code, provided that no variance may be granted for a use of land or building or structure that is prohibited by the Code.
 - e. any variance within either the city of Blackshear or the city of Patterson or the city of Offerman shall be subject to the approval of the city council of the affected municipality.
 - f. any variance in the unincorporated areas of the county shall be subject to the approval of the Pierce County Board of Commissioners.
3. The Board of Appeals does not have the power to:
 - a. Amend the Development Code;
 - b. Rezone land;
 - c. Declare any part of this code invalid; or
 - d. Permit a use prohibited by the code.
4. An appeal stays all legal proceedings, unless the Community Development Director certifies to the Board of Appeals that a stay would cause imminent peril to life and

property; upon such certification, the action sought by the Community Development Director shall be instigated immediately and continued until a final decision is rendered by the Board of Appeals.

Section 306 Court Review of Board of Appeals

Any person or persons aggrieved by any decision of the affected local government may take an appeal to the Superior Court. Said appeals to the Superior Court shall be the same as an appeal to the Superior Court from any decision made by the Court of the Ordinary and as specified in Chapter 6-2 of the Code of Georgia. The appeal must be made to the court within 30 days after the Board of Appeals decision. Otherwise, its decision is final. Request must be made for a jury trial within 30 days after filing for appeal before the Superior Court. Any appeals to the Superior Court shall be governed by the Georgia Administrative Procedures Act.

Section 307 Reserved

Section 308 Powers and Duties of the Planning Commission

1. Review and recommends updates to the master plan and parts thereof for the development of Pierce County, the City of Blackshear, the City of Offerman, and the City of Patterson;
2. Review and grant approval or disapproval of all preliminary and final plats, based on the recommendation of the Community Development Director.
3. Authorize or deny the issuance of Conditional Use permits by the Community Development Director as outlined in Section 408;
4. Review all rezoning requests and make recommendations of approval or disapproval to the affected local government;
5. Review and adopt appropriate recommendations to the Development Code of Pierce county upon the request of the Community Development Director,
6. Recommend any actions necessary to implement the strategies of the Pierce County Consolidated Comprehensive Plan;
7. Any person or persons aggrieved by any decision of the Planning Commission may take an appeal to the affected local government. The appeal must be made to the affected local government within 30 days after the Planning County Commission decision. Otherwise, its decision is final; and
8. Take any action that is not expressed in this section but may be required or stated within the regulations of the Development Code.

9. Serve as the Board of Appeals

ARTICLE IV

Permits

Section 401 Building Permit

It shall be unlawful to begin the excavation or filling of any lot for the construction of any building, including accessory buildings, until the Community Development Director has issued a building permit for such work.

No building permit for a proposed building site requiring sanitary disposal facilities shall be issued until the applicant has obtained an approval certificate from the Pierce County Health Department, or Public Works Director and has presented a copy of said certificate to the Community Development Director.

Section 402 Site Approval and Sewage Disposal Construction Permit

1. Application for site approval and sewage disposal construction permit shall be made by filing applicable forms provided by the Pierce County Health Department.
2. Such application shall be made to the Health Department at least ten days prior to the application for a building permit or beginning construction of an individual sewage disposal system.
3. The site approval and sewage disposal system will be based upon requirements of the Georgia State Rules and Regulations for Individual Sewage Disposal Systems, Chapter 270 5-25, adopted under Georgia Laws (Acts 1964, pp. 449, 501), Chapter 88-1 of the 1933 Code of Georgia as amended.

Section 403 Issuance of Building Permit

1. The applicant shall submit to the Community Development Director a dimensioned sketch or scale plan indicating the shape, size and location of all buildings to be erected, and of any building already on the lot.
2. Applicant shall also state the existing and intended use of all such buildings and structures.
3. If the proposed work as set forth in the application conforms to the provisions of this Code and the Health Department has given site approval, the Community Development Director shall issue the building permit upon payment of the required fee.
4. If the building permit is refused, the Community Development Director shall give the applicant a written explanation of reasons for the refusal.

5. Building permits must be renewed if construction has not begun within six months of the initial date of issue.
6. All construction, erection, moving or alteration of any building or structure where the estimated cost of such construction, erection, moving, or alterations is figured to be in excess of \$300.00 requires a building permit.
7. A building permit shall not be issued until the Community Development Director is certain all construction code regulations have been met.

Section 404 Certificate of Occupancy

1. No land or building hereafter erected or altered in its use shall be used until a Certificate of Occupancy has been granted.
2. No electric or water utility company, cooperative, or individual shall connect, provide, or furnish service to any mobile home, relocatable structure, new building, or proposed building site until a certificate of occupancy has been signed by the Community Development Director and given to the utility company, cooperative, or individual.

Section 405 Requirements for Certificate of Occupancy

To receive a certificate of occupancy from the Community Development Director, the following shall be complied with.

1. Site approval and construction permits must be attained from the Pierce County Health Department, and presented to the Community Development Director, to:
 - a. install an approved type sewage disposal system or approval for connection to a central sewage facility; and
 - b. install an approved type individual water supply or approval for connection to a public water system.
2. Upon completion of construction and installation of water supply and sewage facilities, and have been approved by the Pierce County Health Department, a certificate of approval must be given to the Community Development Director.
3. When the certificate of approval for the water and sewage systems have been received, along with an approval recognizing compliance of the construction with the Standard Building, Gas, Mechanical, Plumbing and Fire Prevention Codes, the National Electrical Code, the Georgia State Energy Code, and the CABO One and Two Family Dwelling Code, as well as any other codes that may be adopted by

Pierce County, then the Community Development Director shall issue a certificate of occupancy.

Section 406 Issuance of Certificate of Occupancy

1. Upon completion of any work for which a building permit has been granted, application shall be made to the Community Development Director for a Certificate of Occupancy.
2. Within three business days of application, the Community Development Director shall make a final inspection of the property and shall issue the certificate of occupancy if the work conforms to the necessary regulations.
3. If the certificate is refused, the Community Development Director must state such refusal in writing, with the cause.

Section 407 Temporary Permit

The Community Development Director, is authorized to issue temporary permits for the following uses.

Such permits shall be subject to the applicable conditions for each individual temporary use and provided it is determined such uses will cause no traffic congestion, and will not adversely affect surrounding areas. Any temporary use not allowed for in this Code shall be requested from the affected local government.

1. Carnival or circus, in approved open areas, for a period not to exceed three weeks and subject to approval/disapproval by the Board of Commissioners;
2. Religious meeting in a tent or other temporary structure, in an approved open area, for a period not to exceed 40 days and subject to approval/disapproval by the Board of Commissioners.
3. Open lot sale of Christmas trees and other holiday/seasonal items, in an approved area, for a period not to exceed 45 days.
4. Contractor's office and equipment sheds, for a period of 12 months, provided that such office is placed on the property to which it is appurtenant. This temporary permit does not need affected municipality approval prior to issuance.

Section 408 Conditional Uses

The uses listed under the various land use districts as "Conditional Uses" are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the district; however, the nature of such uses makes it desirable that they be permitted to locate therein.

The following procedure is established to integrate properly the conditional uses with other land uses located in the district. These uses shall be reviewed and authorized or rejected under the following procedure:

1. When applying for a building permit, the applicant shall be informed by the Community Development Director that the proposed use is a Conditional Use. All Conditional Use Permit requests will be referred to the Planning Commission.
2. An application shall be filed with the Planning Commission no later than 30 days prior to its regularly scheduled meeting. Said application shall show the location or intended use of the site, the names of all the property owners, and existing land uses within 300 feet, and any other material or information pertinent to the request which the County Commission may require.
3. The Planning Commission shall hold one or more public hearings thereon.
4. The Planning Commission shall, within 45 days of the date of application, prepare its report as to the effect of such proposed building or use upon the character of the neighborhood, traffic conditions, public utilities, and other matters related to the general welfare. It will then make a recommendation for the issuance of a permit for the use of land or buildings as requested subject to the approval of the municipality or county commission whichever jurisdiction that the property may be located.

ARTICLE V

Plat Approval

Section 501 Sketch Plan

Previous to the filing of an application for approval of a preliminary plat, a sketch plan may be submitted to the Community Development Director for review and recommendation. A sketch plan shall be submitted to the County Health Department, prior to submission to the Community Development Director, for review and site approval.

When submitted, this sketch plan shall be drawn on a perimeter survey and shall show in simple sketch form the proposed layout of streets, lots, and other features in relation to existing conditions. The sketch plan may be a free hand pencil sketch made directly on a print of the perimeter survey. It shall include the following information:

1. the boundary lines of the property being subdivided;
2. water sources and wetlands found on the tract of land to be subdivided and limits of buildable area; and
3. the location, name and right-of-way width of any existing streets on the land to be subdivided, or on land adjacent to the tract of land to be subdivided.

Section 502 Preliminary Plat

After receiving site approval from the Health Department, and before work shall begin to open a subdivision, five prints of a preliminary plat, showing the proposed design of the subdivision, shall be submitted to the Community Development Director for review and approval by the Planning Commission.

Until the preliminary plat of the proposed subdivision has been approved by the Planning Commission, a developer shall not grade, scrape, or otherwise open or extend a street in the proposed subdivision, nor shall he in any other manner cause construction to actually begin in a subdivision.

Clearing of underbrush sufficient for purposes of surveying or engineering is permitted. However, land disturbing activities as defined and regulated by the Pierce County Soil Erosion and Sedimentation Control Ordinance shall not be performed without first obtaining a permit from the Community Development Director.

Section 503 Preliminary Plat Requirements

The original copy of the preliminary plat shall be drawn on transparent tracing material with either black ink or soft pencil and shall be of a size not greater than 18 inches by 24 inches. Such plat shall be drawn at a scale not smaller than 200 feet to the inch. The submitted copies of the preliminary plat shall contain the following information:

1. Name of proposed subdivision;
owner and/or subdivider;
graphic scale of the plat;
north arrow;
date;
size of the tract being subdivided in acres;
zoning district; and
key map showing the location of the proposed subdivision in the County.
2. The bearings and distances of the boundary lines of the property to be subdivided.
3. The location of any water bodies, drainage ways, wetlands, and other watercourses which exist on the property.
4. When within 500 feet of the proposed subdivision, the distance, direction and size of public waterlines, sanitary sewer lines and storm water sewer lines and/or culverts.
5. The name, location, and right-of-way width of existing public or private streets either on the property or on the land adjoining the property.
6. The name of the subdivision(s) or property owner(s) adjoining the property and their zoning classification.
7. The location of railroads, or public or private easements, and of parks or other public spaces either on the property or adjoining the property.
8. Proposed street rights-of-way with width and total length, street names, street markers, traffic control devices and crosswalks.
9. Total number of lots, lot lines and lot line dimensions, lot numbers and block numbers or letters and proposed building setback lines.
10. The location, purpose and width of any proposed drainage or utility easements.
11. Proposed public and/or private recreation sites and/or reserved land.
12. The location of proposed monuments and permanent benchmarks.
13. Description of method by which sanitary sewage disposal and water supply facilities will be provided.

14. A Certificate of Approval of the preliminary plat by the County Commission shall be inscribed on the plat as follows:

"In that all the requirements for Preliminary Approval have been fulfilled, this subdivision plat was given Preliminary Approval by the Pierce County County Commission on _____, 20__.

This Preliminary Approval does not constitute approval of the final plat. This Certificate of Preliminary Approval shall expire and be null and void on _____, 20__".

Chairman, Pierce County Planning Commission

15. All subdivisions, which have frontage on a state highway shall provide for a buffer strip having a minimum width of ten feet (10') to fifteen feet (15') depending on topography. The strip will be planted with healthy plants which possess growth characteristics of such nature as to produce a dense, compact planting screen and shall be two to three feet (2'-3') in height at time of planting and a species that will grow to a height of eight feet (8') or greater. A solid brick, concrete block or stone wall or a uniformly painted board fence or vinyl privacy fence not less than six feet (6') in height may be used. In the event that the Highway is elevated above the elevation at the Right of Way line adjoining the Subdivision, the Fence will be a minimum of eight feet (8') in height. The Subdivision plat will depict elevations along the perimeter of the Subdivision and the Highway Right of Way line and Center Line of the Highway at one hundred feet (100') intervals. The planted screen shall include trees and shrubbery that will mature to a height in excess of eight feet.

Section 504 Support Documentation for Preliminary Plat

That documentation which needs to accompany the preliminary plat:

1. Proof of ownership of the site being subdivided and a current tax map and survey of the site.
2. Five copies of street construction plans including typical cross sections, proposed profiles and other pertinent construction details.
3. Five copies of the grading plan including existing contours of the site in dashed lines and proposed final contours in solid lines at one foot intervals. Elevations shall be based on a spot elevation grid with a maximum of 100 feet between elevation shots.
4. If any sanitary sewage disposal or water supply facilities are intended to connect to a public system, planned for public dedication and maintenance or to be connected to a private system, five copies of facility construction plans shall be submitted including

the location of fire hydrants, valve boxes, manholes, line sizes, sewer profiles and other pertinent construction details. If individual sewage disposal systems and/or individual wells are to be used, a statement from the County Health Department indicating its policy and any limitations on the use of individual sewage disposal systems in the area to be subdivided shall be submitted. If the statement from the Health Department indicates severe limitations, engineering measures designed to render such land suitable for such systems shall be submitted by the developer. If no engineering remedies for such limitations as outlined by the Health Department are available, the preliminary plat shall be denied approval by the Planning Commission.

5. Five copies of the street and lot drainage plan for the subdivision including all pertinent construction details with certificate of three year street or road maintenance by the developer attached.
6. A copy of the Soil Erosion and Sedimentation Control permit issued by the Community Development Director.
7. Five copies of a soil survey map identifying the subdivision boundaries, lot layout and the soil series for that area.
8. When the preliminary plat includes only a part of phase of the tract in which the subdivider has an interest, the subdivider shall submit a tentative street plan for all of said tract, which shall serve for City/County review purposes only.
9. The preliminary plat and all supporting documentation shall be prepared by a Registered Engineer and/or Registered Land Surveyor within the limits of their authority under applicable Georgia Laws and shall bear their seal and signature.
10. A copy of construction permit from the appropriate government agency if all or any portion of the subdivision is in a wetland.

Note: See Sections 609, 1102, 1119, 1121, 1123, 1124, 1126, 1127, 1128, 1129, 1130.

Section 505 Filing the Preliminary Plat Application

1. The preliminary plat application, preliminary plat and all supporting documentation shall be filed with the Community Development Director at least 30 days prior to the Planning Commission's meeting at which the plat is to be considered.
2. At the time of application, all materials will be checked to insure that a complete application has been filed. Only complete applications will be accepted.
3. For all applications meeting this deadline, the staff will forward the preliminary plat and supporting documentation to the appropriate City/County departments and other agencies for their review and comment. Within 15 days following the application

submission, the staff shall send out written notification to the applicant of any additional plat and support documentation or changes necessary.

4. The applicant shall have seven days from the date that the notification was sent out in which to provide the required changes. Those applicants that do not resubmit the required changes by the deadline date will not have their preliminary plat placed on the Planning Commission's agenda for that month. The staff shall assemble submitted plans, comments and any subsequent changes into a comprehensive report for presentation to the Planning Commission on the established meeting date.

Section 506 Application Fees for Preliminary Plat Applications

Applications for preliminary plat review filed with the Community Development Director, shall not be considered complete unless accompanied by the appropriate fee:

1. Plat submitted for road approval only \$50
2. All subdivisions of ten (10) lots or less \$100
3. For subdivisions over ten (10) lots \$100 + \$10 for every lot in addition to the first ten

The Community Development Director of shall issue a receipt for all fees received. Said fees shall be made payable to the Pierce County Planning Commission to be used to defray the cost of technical evaluations, site inspections, and legal reviews.

Section 507 Planning Commission Review

Except where an extension of time is authorized by the applicant for the preliminary plat review, the Planning Commission shall have 45 days from the date that the preliminary plat is filed to approve or disapprove such plat, otherwise the preliminary plat shall be deemed to have been approved and a certificate to that effect shall be issued by the Planning Commission on demand subject to the approval of the municipality or county commission whichever jurisdiction that the property may be located.

Section 508 Preliminary Plat Approval

When a developer receives approval of the preliminary plat showing the design of his proposed subdivision and all imposed conditions requiring action prior to construction have been properly addressed, he may proceed with the construction of the subdivision provided all required permits have been issued.

Such construction shall conform with the design and plan submitted to and approved by the Planning Commission. The developer shall notify the Community Development Director when construction of any improvements has commenced and during all stages of development.

Section 509 Expiration of Preliminary Plat Approval

If streets have not been opened or a final plat filed for a subdivision which has been granted preliminary approval within twelve months of such approval, then the plat of such subdivision shall be resubmitted for preliminary approval.

Section 510 Final Plat

Before a plat of a subdivision is recorded with the Clerk of Superior Court of Pierce County and title to the lots thereon are conveyed, five prints of a final plat showing the final design of the subdivision shall be submitted to the Planning Commission for review.

Until a final plat of a subdivision has been submitted to, reviewed and approved by the Planning Commission and approved (signed) by the appropriate local official (i.e. commission chairman or mayor pursuant to where the property is located), the Clerk of the Superior Court of Pierce County shall not record the plat of such subdivision, nor shall the owner or agent of such subdivision transfer title to any lot within the subdivision by reference to the subdivision plat.

For large subdivisions the final plat may be submitted for approval in contiguous phases, each satisfying all requirements of these regulations.

Section 511 Final Plat Requirements

The original copy of the final plat shall be drawn on a not larger than 18 inch by 24 inch sheets of linen, vellum or mylar reproduction material with black india ink at a scale of not smaller than 200 feet to the inch. Where necessary, the final plat may be several sheets accompanied by an index sheet showing the entire subdivision. The final plat shall contain the following information:

1. Name of subdivision;
owner and/or subdivider;
graphic scale of the plat;
north arrow;
date;
total number of lots;
total area of the tract being subdivided in acres;
total area of the rights-of-way in acres;
total area of the lots in acres;
minimum lot size;
zoning district; and

key map showing the location of the subdivision in the County.

2. Primary control points and/or the subdivision corner tie to which all dimensions, bearings or angles and similar data on the plat shall be referred. All subdivision plats shall show the direction and distance from a point of reference to a point on the boundary of the subdivision as per the Georgia Plat Act. If a National Geodetic Survey triangulation station with accessible reference marks is within 2,000 feet of any point on the subdivision boundary or any point of reference shown thereon, at least two permanent monuments within the subdivision shall show State Plane Coordinates.
3. Location of all monuments, iron pins and permanent benchmarks. Monuments shall be placed at all block intersection points, points of curvature and points of tangency of all rights-of-way. Iron pins shall be placed at all angle points and other lot corners of the subdivision. Monuments shall be made of reinforced concrete at least 2.5 inches in diameter or 2.5 inches square, 30 inches long, with flat top containing a 1/2" minimum diameter rebar scored with an indented cross to properly identify the location. Monuments shall be installed following completion of all improvements and shall be identified on the final plat.

At least two permanent benchmarks shall be established within a subdivision or in each phase of a subdivision and located so that no lot is more than 1,000 feet from a benchmark. Permanent benchmarks shall be placed in the following locations:

- a. In paved streets, offset from the centerline approximately halfway between the centerline and the pavement edge in a cast iron "water main valve" type box with an adjustable cover flush to the pavement.
- b. In permanent open space areas or parks.
- c. Other locations as approved by the City/County Engineer.

All benchmarks shall be identified on the final plat with location, elevations and reference to the source of original elevation with all pertinent data. If the final plat is approved and recorded prior to the completion of all improvements, a reproducible mylar copy of the final plat shall be submitted to the Community Development Director with the benchmark data following the completion of all improvements. The Community Development Director will maintain files for benchmark data.

4. Tract boundary lines; right-of-way lines of streets, easement and other right-of-way lines, and property lines of all lots shall be shown with surveyed dimensions, bearings and other data required by the Georgia Plat Act to enable a mathematical closure of the tract and each lot. All bearings shall be represented in degrees, minutes and seconds and referenced to the principal meridian.

5. All plats shall show the closure precision of the data shown on the plat. Closure precision shall not be less than one foot in 10,000 feet.
6. A statement shall indicate the type of field equipment used to obtain the linear and angular measurements shown on the plat.
7. Name and width of right-of-way of each street. Streets shall be identified as either public or private.
8. Location, dimensions, and purposes of any easement.
9. Number or letter to identify each lot, block or site.
10. Purpose for which sites, other than residential lots, are dedicated or reserved. "see section 503 paragraph 15."
11. Minimum building setback lines on all lots and other sites.
12. Names of recorded subdivisions and record owners of unplatted land adjoining the property.
13. If all or any portion of the subdivision is within the 100 year flood boundary the following statement shall appear on the plat:

Review of the Federal Emergency Management Agency Flood Insurance Rate Map with community panel number _____ for Pierce County, Georgia indicates that all or portions of this subdivision lies within the 100 year Flood Hazard Area.

14. The following certificates shall appear on the final plat when applicable:

- a. Certificate of Ownership and Dedication

It is hereby certified that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby dedicate all streets, alleys, walks, parks, rights-of-way, easements and other sites to the use of the public forever or for private use as noted.

This is the day of _____, 20__.

Owner(s)

- b. Certificate of Accuracy

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made under my supervision in conformity with the minimum standards and requirements of law.

This is the day of _____, 20__.

Registered Land Surveyor No.

- c. Certificate of Compliance and Approval of Required Improvements and/or Performance Bond It is hereby certified that I, as designated official or engineer for Pierce County, Georgia, have examined this plat and that it complies in form with the requirements of the Code to regulate the making of surveys and filing for record of plats of subdivisions within the County of Pierce, Georgia. Furthermore, it is hereby certified that streets, utilities and other required improvements have been installed in an acceptable manner and according to the affected local government's specifications and standards of the Development Code, and/or that the posted performance bond is in an amount sufficient to guarantee the required improvements.

This is the day of _____, 20__.

Pierce County Engineer or Designated Official

- d. Certificate of Approval by the Planning Commission Pursuant to the Development Code of Pierce County, Georgia, all requirements have been fulfilled and this plat is approved.

This is the day of _____, 20__.

Chairman of the Pierce County Planning Commission

- e. Certificate of Acceptance by the Board of Commissioners/City Council. It is hereby certified that the City Council/Board of Commissioners, Pierce County, Georgia has officially accepted this plat.

This is the day of _____, 20__.

Chairman, Pierce County Board of Commissioners/Mayor, City Council

Note: Subdivisions having unpaved streets shall include in the Certificate of Acceptance by the affected local government the statement that 'The Affected Local Government' will not assume any obligation for paving or surfacing any unpaved minor streets shown on this Plat and the paving of any street in the subdivision will be at the abutting property owner or owners

expense. The developer of said subdivision shall assume liability for acceptable road and or street conditions within the subdivision.”

Section 512 Support Documentation for Final Plat

Supporting documentation shall be provided with the final plat:

1. A print of the final plat with the address numbering system as approved by the Community Development Director.
2. The final plat and all "as-built" engineering drawings shall bear the seal of a Registered Land Surveyor and a Registered Engineer if the subdivision is required to have paved streets.
3. The final plat at the time of application shall be accompanied by a certification statement attesting to the approval of the water supply system and/or waste disposal system. Said certification shall be issued by the County Health Department. If an individual water supply or sewage disposal system is to be used, a certification statement from the County Health Department stating that the proposed subdivision conforms to the applicable sanitary regulations is required. Substandard lots which have not been modified to conform to said regulations shall be so designated on the final plat. Any exceptions, modifications, or instructions by the Health Department shall be so noted on the plat.
4. Letter from the City/County Engineer certifying that all improvements have been satisfactorily completed. If improvements have not been satisfactorily completed a performance bond will be estimated by the Developers Engineer, and recommended by the City/County Engineer in an amount determined as being sufficient to secure the installation of such improvements. The performance Bonds shall be approved by the Planning Commission, and the Board of County Commissioners or City Council
5. Deed for dedication of streets, rights-of-way, public utilities, easements and parks if improvements have been satisfactorily completed.
6. Copy of deed restrictions for the subdivision, if they exist.
7. Deed for Road if it is to be turned over to City/County for ownership.

Section 513 Additional Documentation

At the time of application for final plat approval all applicants shall be required to submit the following:

1. Certification from the City/County Engineer that the streets, utilities and other required improvements have been installed in an acceptable manner by the applicant

and according to the specifications and standards of these regulations and other ordinances along with a certification from the developer of the assumption of liability for acceptable street and/or road condition for a period of three years from date of application.

2. If the required improvements have not been completed the applicant may upon the approval of the designated official of the affected local government post a bond, certified check, or appropriate letter of credit, herein after called a "bond".
3. Such bond amount shall be estimated by the applicant's registered engineer and be approved by the County Engineer as sufficient to secure to Pierce County or affected local government, the satisfactory installation of all required improvements or the uncompleted portion thereof. Performance bonds shall comply with all statutory requirements and shall be satisfactory to the City/County Attorney as to form, sufficiency and manner of execution as set forth in these regulations. Such bonds shall be approved by the Board of Commissioners or affected local government, as to amount and surety and other conditions deemed satisfactory.
4. The period within which required improvements must be completed shall be specified by the affected local government in the resolution approving the final plat and shall be incorporated in the bond and shall not exceed two years from the date of final approval. The Community Development Director may, upon proof of difficulty, recommend to the affected local government at a public meeting, extension of the completion date set forth in such bond for a maximum period of one additional year. The County may at any time during the period of such bond accept a substitution of principal or sureties on the bond upon recommendation of the City/County Attorney.
5. In completion of the construction of improvements, if any changes were made to the engineering plans submitted with the preliminary plat, the development engineer shall prepare and furnish to the County Engineer or City Public Works Director, at the time of application for final plat approval "as built" drawings of all facilities constructed. The development engineer shall certify by his seal and signature that the completed facilities as shown on the "as built" drawing were constructed according to approved plans and specifications.
6. Upon receipt of the Certification from the City/County Engineer and Certification from the Developers Engineer that the improvements have been constructed in accordance to the approved plans and following an inspection finding them to be acceptable, the Planning Commission shall recommend accepting dedication of required land and or improvements to be deeded to the county and release of performance bond. After the county attorney has examined the title status of the improvements and determined that they are free and clear of any liens and encumbrances the Board of Commissioners/City Council shall accept the improvements for dedication and release the performance bond. Acceptance of formal offers of dedication of streets, public utilities, easements, and parks shall be by deed to the Pierce County Board of Commissioners and/or City Council.

7. Where a bond has been posted and approved for a subdivision through final plat approval, the extent of street improvements shall be adequate for vehicular access by delivery vehicles, prospective lot or homeowners and by police and fire equipment prior to issuance of a building permit.
8. No certificate of occupancy for any building in the subdivision shall be issued prior to the completion of the improvements, and dedication of same, to the affected local government and their subsequent approval of the final subdivision plat.
9. A complete final plat application shall be filed with the Community Development Director.

Section 514 Final Plat Approval

1. If the Community Development Director finds that all the requirements of this Code have been met, the final plat shall be submitted to the Planning Commission and regarding their recommendation of approval or denial then submitted to the affected local government as an agenda item for its next regular meeting for final approval. If the Community Development Director finds that all the requirements of this Code have not been met, specific deficiencies shall be reviewed with the applicant and a period of time not to exceed 90 days shall be given to the applicant to correct the deficiencies.
2. If the applicant fails to take corrective action, the Community Development Director shall disapprove the final plat application, stating the reasons for such disapproval in writing. However, if deficiencies are satisfactorily corrected by the applicant, the Community Development Director shall recommend approval of the plat, the Planning Commission shall consider the final plat at its next regular meeting, and if approved, the final plat shall be submitted to the affected local government for final acceptance and signature.
3. Except when an extension of time is authorized by the applicant for final plat review or in the case of deficiencies in the submission additional time is needed, the Community Development Director shall have 30 days from the date of the submission of a final plat to take action. Unless such action is taken within such 30 day period, the plat shall be deemed to have received the recommendation of the Community Development Director.
4. The recommendation by the Community Development Director of a subdivision plat shall not be deemed to constitute or imply the acceptance by the affected local government of any street, utility, easement, or park shown on such plat. Once the final plat has been recommended for approval by the Community Development Director and approved by the affected local government, the local government shall at their next regular meeting vote to accept and officially sign such plat and accept any

public dedications if all certifications have been made and all legal documents are in order or vote to deny the final plat.

Section 515 Minor Subdivisions

Minor subdivisions include the following:

1. The subdivision of an unplatted tract of land into lots each being in compliance with the requirements of the respective zoning district and each fronting an existing public or private street with a minimum right-of-way of 50 feet.
2. Subdivisions with four lots or less having direct access to an existing public street with a minimum right-of-way of 60 feet by way of private access easement which shall have a minimum width of 60 feet and which is improved according to design standards. All lots shall meet the minimum lot width requirements of the Code along the easement except the lot at which the easement terminates which shall meet the lot width requirements at the required setback from the property line abutting the easement. The plat and/or legal instrument which conveys such lots shall contain the following language: "The property (# of lots) herein described abuts a private access easement which shall not be maintained by the County". Private access easements shall not be identified by a street marker. No more than four lots may be served by a private access easement.
3. A lot split of an unplatted lot in which each resultant lot fronts on an existing public or private street with a minimum right-of-way of 50 feet, or a lot split in which one lot fronts on the existing street and the other lot is served by a private right of way easement which shall have a minimum width of 50 feet. Each lot must meet the minimum requirements of zoning district in which it is located.
See section 1016
4. Procedural requirements for minor subdivisions shall be permitted under the following procedures:
 - a. An accurate plat or survey meeting the requirements of the Georgia Plat Act, prepared by a registered land surveyor (bearing his seal and signature), depicting the tract and/or lots and the proposed division thereof shall be submitted to the Community Development Director. This plat shall also include a general location map, identification of adjoining property owners, statement as to whether the property is within the 100-year Flood Hazard Boundary Area and identification of any required County Road drainage easements.
 - b. The plat shall be accompanied by a completed application, ownership certification and agent authorization form and a fee in the amount of \$50.00

- c. The Community Development Director shall within ten working days review the proposed division of property for compliance with the design and improvement standards required by these regulations and the minimum requirements of the Code. If such standards are met, the survey shall be certified by the signature of the Community Development Director; if not, the plat or survey shall not be certified and the reasons shall be stated in writing. The applicant, if he so desires, shall be given the opportunity for a hearing at the next regular meeting of the Planning Commission.
- d. Whenever land, easements, or other improvements are to be dedicated, the action of the Community Development Director shall be forwarded to the Board or Council of the affected local government, for its acceptance of dedications.
- e. For all other types of land divisions classified as minor subdivisions, the action of the Community Development Director shall be final, except direct action by the Board of Appeals.

Section 516 Re-subdivision of Land

For any change in an approved and recorded subdivision plat or any map or plat legally reached prior to the adoption of this Development Code, if such change affects any street layout, right-of-way, easement, improvement, area reserved for public use or any lot line shown on such plat, such change shall be approved by the Planning Commission as follows:

- 1. Proposed revisions to a recorded plat which alter or change in any way the street and/or public utility layout of said plat shall be submitted for preliminary and final plat approval in accordance with this Code.
- 2. Proposed revisions to a recorded plat which involves the dedication of land for public use, rights-of-way or easements but not streets, public utilities or other improvements shall be submitted for final plat approval in accordance with this Code.
- 3. Proposed revisions to a recorded plat which significantly alter or change any lot(s) or lot line(s) in which each resultant lot meet the minimum requirements of the Code.
- 4. A lot split of a platted lot in which each resultant lot meets the minimum requirements of this Code. No lot split shall be permitted in a recorded subdivision zoned single-family or multi-family residential with lots containing one acre or less. Lot splits shall be submitted to the Planning Commission for preliminary and final plat approval.
- 5. Procedural Requirements:
 - a. An accurate plat or survey meeting the requirements of the Georgia Plat Act, prepared by a registered land surveyor (bearing his seal and signature),

depicting the lot and/or lots affected by the proposed re-division thereof shall be submitted to the Planning Commission. This plat shall also include a general location map, identification of adjoining property owners, statement as to whether the property is within the 100 year Flood Hazard Area and identification of any required (by County Engineer) drainage and easements.

- b. The plat shall be accompanied by a completed application, ownership certification and agent authorization form and a fee in the amount of \$50.00.
- c. The Community Development Director shall within ten working days review the proposed re-division of property for compliance with this Code. For lot splits a notification sign shall be posted on the affected property. If all requirements are met, the survey shall be certified by the signature of the Community Development Director; if the Community Development Director determines that the standards are not satisfied by the proposed division of property, the plat or survey shall not be certified and the reasons shall be stated in writing. The applicant, if he so desires, shall be given the opportunity for a hearing at the next regular meeting of the Planning Commission.

Section 517 Vacation of Plats

- 1. Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot therein by filing with the Planning Commission at least 15 days prior to the Planning Commission's meeting at which it is to be considered, a written instrument to which a copy of such plat shall be attached, declaring the same to be vacated, accompanied by a fee in the amount of \$50.00.
- 2. Such an instrument shall be approved by the Planning Commission in like manner as plats of subdivisions. The Board of Commissioners or City Council may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets or alleys.
- 3. Such an instrument shall be executed, acknowledged or approved, and recorded or file, in like manner as plats of subdivision; and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat.
- 4. When lots have been sold, the plat may be vacated in the manner therein provided by all the owners of lots in such plat joining in the execution of such writing.

ARTICLE VI

Amendments, Exemptions, Interpretations, Rezonings, and Variances

Section 601 Authority to Amend the Development Code

1. The Board of Commissioners may amend the regulations, restrictions, boundaries or any provision of this Code subject to the approval of any affected municipality.
2. No amendment shall become effective until it is first reviewed by and introduced by the Planning Commission or County Commission, then submitted for approval by the affected local governments. All amendments are subject to the approval of any affected municipality.

Section 602 Initiation of Amendments

1. An amendment may be initiated by the Board of Commissioners or the Planning Commission by the introduction of a resolution, or by an official, board, or other person by presentation of a petition to the County Commission.
2. A map amendment [rezoning] may be initiated by the owner of the property proposed for rezoning by filing an application with the Community Development Director and paying the appropriate fee. Re-application for rezoning may not be heard for six months from the date of prior Planning Commission/Board of Commissioners action.

Section 603 Application for Amendments

1. The amendment application form shall be obtained from the Community Development Director. The completed application shall be filed with the Community Development Director and the clerk of any affected local government including the municipalities of Blackshear, Offerman and Patterson at least 20 days prior to the Planning Commission meeting at which the request will be heard. Any recommendation purporting to be an application for amendment shall be regarded as mere notice of intent to seek an amendment, until such time as it is the proper application is filed.
2. Applications for a rezoning shall contain all of the following information:
 - a. a plot plan or survey showing existing and proposed structures and uses on the parcel to be rezoned and the surrounding parcels of land;
 - b. a list of all adjacent property owners (immediate and directly across rights-of-way);
 - c. access drives;

- d. parking and loading areas;
- e. easements;
- f. utilities; and
- g. any other supporting documentation as required by the Community Development Director, County Commission or affected local governments..

Section 604 Site Development Plan for Rezoning

Applications to rezone property to SF, MF, MHP, NC, C, I, LI, PUD, or PI shall be accompanied by a detailed site development plan containing the following elements, in addition to the ones listed in Section 503:

- 1. Plot plan showing the dimensions of the lot(s) to be rezoned;
- 2. Location and dimension of existing structures, rights-of-way, swamplands, boundaries, watercourses, and other water bodies;
- 3. Location and dimensions of proposed development, including structures, types of uses, setbacks, etc.;
- 4. Location and dimension of proposed recreational areas and buffer zones, if any;
- 5. Location and size of water, sewer, and drainage facilities;
- 6. In the case of residential developments, the proposed number of dwelling units and net acres available for construction; and
- 7. In the case of commercial and industrial developments, the proposed off-street parking and loading areas, signage, and outdoor lighting.

Section 605 Amendment Application Fees

The applicant shall pay the fee or fees as listed below:

- | | | |
|----|---|-------------------------------|
| 1. | for a text amendment | \$250 |
| 2. | for the rezoning of one (or part of one) parcel of land | \$150 |
| 3. | for the rezoning of each additional parcel over one | \$100+
\$10/lotover
one |

Section 606 Public Hearing and Planning Commission Review

1. Upon the introduction of a petition to amend the text of this Code or upon receipt of an application to amend the Official Zoning Map, the Community Development Director shall publish not less than twice, at least 15 days prior to the meeting, in a local newspaper of general circulation in Pierce County:
 - a. Said notice of the request for an amendment; shall contain the location of the Property, date, time and place for the public hearing to be held by the Planning Commission, along with the present and proposed zoning classifications.
 - b. The public shall be further notified by posting on the subject property in a conspicuous Location a sign containing the date, time and place of public hearing, the present zoning classification of the property and the proposed zoning classification. The property shall be posted at least fifteen (15) days prior to the date of hearing.
2. The Planning Commission shall submit its recommendation to the Pierce County Board of Commissioners or the city councils of Blackshear, Offerman and/or Patterson depending on which is the appropriated political jurisdiction. Such review shall be conducted according to the following:
 - a. All papers and other data submitted by the applicant on behalf of the amendment request shall be transmitted to the Planning Commission.
 - b. All meetings of the Planning Commission shall be open to the public. At a meeting, any party may appear in person, or be represented by an agent or an attorney.
 - c. No member of the Planning Commission shall vote on a matter in which he has any pecuniary or special interest, and no staff member may represent an individual applicant or party.
 - d. The Planning Commission, at a regular meeting, shall review the request and prepare a report, including its recommendation, for transmittal to the responsible authority for action.
 - e. Following action by the Planning Commission, all papers and data pertinent to the application shall be transmitted to the responsible authority for action.

Section 607 Final Action on Proposed Amendments

1. The amendment shall be approved by the Planning Commission if it fails to take action within 60 days after the public hearing at which the proposed amendment was heard. Action shall mean to approve, disapprove, or to table the proposed amendment for action by the Board of Commissioners or City Council.
2. If the proposed amendment is disapproved by the Planning Commission, it shall require a majority approval of the entire Board of Commissioners/City Council to make the amendment effective.
3. Following the final action by the Board of Commissioners/City Council on a rezoning, any necessary changes to the Official Zoning Map shall be made by the Community Development Director. He shall also maintain a written record of the type and date of such changes.
4. Any amendment to the text of this ordinance or the official zoning maps regarding this ordinance shall be subject to the approval of any affected local government within Pierce County, Georgia.

Section 608 Standards to Make Zoning Decisions

To be used by the Planning Commission and the responsible authority when they are deciding on zoning or rezoning requests:

1. Whether the proposed change would permit a use that is suitable, in light of the use and development of adjacent and nearby property.
2. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.
3. Whether the proposed change will adversely affect property values in the adjacent area.
4. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.
5. Whether the proposed change has the potential to cause undue strain on existing streets, transportation facilities, utilities, or schools.
6. The extent to which the zoning decision is consistent with the Comprehensive Plan adopted by all incorporated governments in Pierce County.
7. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

8. Any other factors relevant to balancing the promotion of public health, safety, morality, or general welfare against the right to the unrestricted use of private property.

Section 609 Exemptions

The following types of plat adjustments shall not be defined as subdivisions and shall be exempted from the procedural requirements of this Code:

1. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards set forth in this Code;
2. The subdivision of a tract of land into (4) or more lots, each having an area of five acres or more, and does not require right-of-way dedication to the county for maintenance or a new roadway;
3. The sale of land to the State of Georgia or any political subdivision thereof;
4. Railroad right-of-way;
5. Plats of such above exceptions shall be received as information by the Planning Commission, which shall indicate such on the plats;
6. The subdivision of land for, and the sale of, cemetery lots;
7. Mere alignment of property lines for agricultural or other non-subdivision purposes;
8. The division of property by an estate to its heirs; and
9. In the case of conflict between this section, Exemption, and Jurisdiction and Application, the terms provided by this section shall control.

Section 610 Exemptions from Paving Requirements

Subdivisions containing not more than four (4) residential lots may be exempt from the paving requirements of this Code provided the following conditions are met:

1. Minimum lot size shall be 40,000 square feet and lot width shall be 125 feet;
2. The subdivision shall be restricted from further subdivision or extension until the street is paved in accordance with approved design standards; and
3. The paving of any street in the subdivision will be at the abutting property owners' expense.

4. Streets and roads over 200 feet in length, excluding any cul-de-sac, serving lots with public/private water and sewer will be paved.
5. Streets and roads over 300 feet in length, excluding any cul-de-sac, serving lots With Public/private water or sewer will be paved.
6. Streets and roads over 420 feet in length, excluding any cul-de-sac, serving lots with individual wells and septic tanks will be paved.
7. Streets and roads in all subdivisions containing Five (5) lots or more will be paved. This will apply to subdivisions with Single Family, Multi-Family, Commercial and Industrial zoning

Section 611 Exceptions to Front Yard Setback Requirements

The front yard requirements of this Code shall not apply to any lot where the average front yard on already built upon lots located within one hundred (100) feet on each side of such lot and within the land development district and fronting on the same street as such lot, is less than the minimum required setback. In such cases, the setback on such a lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots. However, in no case shall setback be less than ten (10) feet.

Section 612 Exceptions to Height Regulations

The height limitations of this code shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy, monuments, roof signs, water towers, observation towers, transmission towers, silos, chimneys, smokestacks, conveyors, flag poles, masts and aerials.

Section 613 Official Zoning Map Interpretation

1. The Community Development Director shall provide interpretations of the official zoning map.
2. In case of any question as to the location of any boundary line between zoning districts, a request for interpretation of the official zoning map may be made of the Planning Commission and such determination shall be made by the Planning Commission.
3. All decisions rendered in this regard by the Planning Commission shall be based upon the criteria set forth in Section 802 of this Development Code.

Section 614 Variances

Variances shall be permitted as follows, subject to the approval of any affected municipality.:

1. In general, when a peculiar shape, or the topography of a tract of land, or other unusual condition, makes it impractical for a lot owner or subdivider to comply with the literal interpretations of the design requirements of this Code, the Board of Appeals shall be authorized to vary such requirements, provided, however that in so doing the intent and purposes of this Code are not violated.
2. The conditions for approving any variances by the Board of Appeals may include such conditions that will, in its judgment, secure substantially the objectives of the standards and requirements of these regulations, including:
 - a. Exceptional or extraordinary circumstances apply to the property which do not apply to other properties in the same zone or vicinity, and result from lot size or shape, topography, or other circumstances over which the owners of property since enactment of this Code have had no control.
 - b. The variance is necessary to provide the applicant the same basic property rights that other property owners in the same zone or vicinity possess.
 - c. The variance would not be materially detrimental to the purposes of this code, or to property in the same zone or vicinity in which the property is located, or otherwise conflict with the objectives of any county plan or policy.
 - d. The variance requested is the minimum variance which would alleviate the hardship.
3. The procedure for a petition for any such variance shall include:
 - a. A property owner may initiate a request for a variance by filing an application with the Community Development Director. All applications must be filed a minimum of four weeks prior to the Board of Appeals meeting where the request will be heard.
 - b. The Board of Appeals shall hold one or more public hearings thereon, which may be part of their regular monthly meetings.
 - c. The Board of Appeals shall render its recommendation on the application, subject to the approval of the affected municipality or county government and notify the applicant within five days of that decision.
4. Authorization of a variance shall be void after one year unless substantial construction has taken place. However, the Board of Appeals may extend authorization for an additional period not to exceed one year, on request.

ARTICLE VII

Enforcement, Violations and Penalties

Section 701 Enforcement

It shall be the duty of the Community Development Director to enforce these regulations and to bring to the attention of the City/County Attorney any violations or lack of compliance herewith.

Section 702 Violations

Violations of this Code include:

1. The owner(s) or agent for the owner(s) of any land to be subdivided within the County who transfer or sells or agrees to sell or negotiate to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land before such plat has been approved by the Community Development Director, Planning Commission, Board of Commissioners or the City Council and recorded in the office of the Clerk of the Superior Court of Pierce County;
2. Uses metes and bounds description for the purpose of sale or transfer of land with the intent of evading these regulations;
3. Construction or placing of any structure or any land disturbing activities described in this Code without prior approval from the Community Development Director, Planning Commission and Board of Commissioners or affected local government.
4. Any other direct violation of the provisions of this Code.

Section 703 Penalties

1. Upon conviction of violations in Section 702, the violating party or parties shall be deemed guilty of a misdemeanor by law.
2. Any person violating any provisions of this code shall be subject to a fine of \$500.00 for each violation and it shall be considered a separate violation for each day that the violation continues.
3. In case any building, structure, or land is used, erected, repaired, converted, or maintained in violation of this Code, on the advice of the Community Development Director in concurrence with the Magistrate Judge or Municipal Court Judge, is hereby authorized to seek to have the Judge issue a citation or the City/County

Attorney shall petition for an injunction, mandamus, or other appropriate legal action to prevent the use of the building, structure, or land. Said citation to be delivered by the Community Development Director or Code Inspector, or duly authorized law enforcement officer.

Section 704 Other Penalties

Unless a subdivision hereafter established shall be designed, developed, and recorded in accordance with the provisions of this Code, then:

1. The City/County shall not accept the dedication of any street within such subdivision, nor shall the County improve, maintain, grade, pave, or light any street within such subdivision unless such street or streets shall have received the status of public streets prior to the adoption of this Code.
2. The City/County shall not assume any responsibility for drainage problems within such subdivision unless City/County owned and maintained drainage structures already exist in such subdivision.
3. The Community Development Director shall not issue a building permit within such subdivision.
4. No unit of local government shall be authorized to extend any publicly operated service or utility into such subdivision.

Section 705 Maintenance of Property

1. Motor vehicles: Except as provided for in other regulations, not more than one (1) currently unregistered or uninspected motor vehicle shall be parked, kept or stored on any premises and no vehicle shall at any time be in a state of major disassembly, repairs or in the process of being stripped or dismantled.
Exceptions:
 - a. A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or enclosed area designed and approved for such purposes.
 - b. Property zoned General Industrial and be in compliance with Section 1015.
2. Accumulation of Materials: Accumulation of rubbish, garbage, trash, debris, tires, refuse, appliances, furniture, refrigerators, salvage farm equipment, vacant, abandoned or unregistered manufactured homes, and other materials shall not be stored or allowed to accumulate on the exterior of property or premises.

Items listed above, not hazardous to the health and safety of the public, are exempt, if on property zoned Agriculture/Forestry and not visible from a public or private street or road.

Any items on property zoned Agriculture/Forestry that are a health hazard or safety hazard to the public will be subject to this section.

Exceptions:

- a. Unused or salvage farm equipment on property zoned Agriculture/Forestry.
3. Upon investigation of any property, which is found to contain any items listed under items 2 and to be hazardous or potentially hazardous to public health and safety, the Pierce County Community Development Director will issue a warning to the owner(s). This warning will consist of:
 - a. An explanation of the detrimental characteristics of the items found;
 - b. Recommended action to remedy the public health or public safety hazard;
 - c. Notice to the owner(s) stating compliance action must be initiated within 60 days;
 - d. An explanation of the process of appeals. (Section 614)
 4. If the owner(s) agrees to remedy the condition, the Community Development Director and the owner(s) will negotiate and develop a Memorandum of Agreement, which clearly states:
 - a. The name of the owner(s);
 - b. The physical address of the property;
 - c. The items found on the property which initiated the process;
 - d. The procedure the owner(s) will follow in order to bring the property into compliance;
 - e. A reasonable schedule of actions to be undertaken;
 - f. Signatures of the owner(s) or owner of items and the Community Development Director.
 5. If no action is initiated by the owners to remove the items on the property the Community Development Director will:

- a. Issue a citation to the owner(s)
 - b. Assess a fine of \$500.00 each day compliance action has not been initiated, beginning with the date the citation is issued.
6. If the owner(s) of the items does not comply with the citation within 30 days, the Code Inspector will schedule a hearing date for the owner(s) of the items with the Pierce County Board of Appeals (Section 614), provided the owner(s) has not already initiated the appeals process.
7. If the Board of Appeals, upon review of the merits of the case, upholds the decision of the Community Development Director and no satisfactory compliance agreement can be negotiated, the Community Development Director will schedule a Magistrate's Court hearing date with the Clerk of Court.
8. If the decision of the Community Development Director and Pierce County Planning Commission is upheld in judicial court, the owner(s) of the items will be given 30 days to initiate compliance action to remedy the hazardous condition removal of the items from the property. If no compliance action or removal is initiated within 30 days from the decision of the judicial court, the Pierce County Planning Commission will initiate removal of the items at the expense of the owner(s) of the property.

ARTICLE VIII

Zoning District Establishment and Interpretation

Section 801 Establishment of Zoning Districts

For the purpose of these regulations, all portions of Pierce County, Georgia, are hereby divided into the following zoning districts:

- AF AGRICULTURE/FORESTRY
- SF SINGLE FAMILY RESIDENTIAL
- MHP MOBILE HOME PARK
- MF MULTI-FAMILY RESIDENTIAL
- PUD PLANNED UNIT DEVELOPMENT
- NC NEIGHBORHOOD COMMERCIAL
- C COMMERCIAL
- LI LIGHT INDUSTRIAL
- I INDUSTRIAL
- PRC PARKS/RECREATION/CONSERVATION
- PI PUBLIC/INSTITUTIONAL
- TCU TRANSPORTATION/COMMUNICATION/UTILITIES
- FH FLOOD HAZARD
- V VACANT/UNDEVELOPED

Section 802 Interpretation of Zoning District Boundaries

Where uncertainty exists with respect to the boundaries of any of the zoning districts as shown on the Official Zoning Map, the following shall apply:

1. Where district boundaries are indicated as approximately following street or highway center lines, or street or highway right-of-way lines, said boundaries shall be construed as following such lines.
2. Where district boundaries are indicated as approximately following lot lines, said boundaries shall be construed as following such lines.
3. Where district boundaries are indicated as being approximately parallel to the center lines or right-of-way lines of streets, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto at the scaled distance indicated on the Official Zoning Map.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as following swamp area lines shall be construed to follow the low water mark of said swamp lines, and in the event of change, the boundary line shall be construed as moving with the actual low water line; boundaries indicated as approximately following the centerline of fresh water rivers, creeks, canals, lakes, inlets or other bodies of water shall be construed to follow such centerlines.
6. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, the Community Development Director shall interpret the district boundaries.
7. Where a district boundary line divides a lot which was a single ownership at the time of passage of this Code, the Planning Commission may permit the extension of the regulations for either portion of the lot not to exceed 75 feet beyond the district line into the remaining portion of the lot.
8. It is the policy of the Planning Commission that all Fresh Water swamp areas fall within the Parks/Recreation/Conservation District. Where a boundary is indicated as following such Fresh Water swamp area the boundary line shall be construed as following the actual limits of said swamp area.
9. If the County Health Department requires a larger lot or parcel area than is ordinarily required by the regulations of this Code, the larger lot/parcel area requirement of the Health Department shall be the minimum lot size.

Section 803 Intent of Zoning Districts

The regulations set by this code within each district shall be minimum regulations and shall apply uniformly, and to each class or kind of structure or land, except when modifications are provided.

ARTICLE IX

Zoning District Regulations

Section 901 Agriculture/Forestry District (AF)

Predominant activities in this category are active farming and timber production, with notable exceptions.

1. District Intent:

To dedicate land for the farming (such as farmsteads, fields, lots, livestock production, pastures, poultry, specialty farms, etc.), aquaculture, or commercial timber or pulpwood production and harvesting. This district is also created to assist in the conservation of natural resources by encouraging practices which will conserve soil and water resources. Utilities other than electricity and telephone should be provided by the land user in order to discourage the costly extension of public water supply and sewage disposal facilities. Residential Subdivisions are not allowed in this district

2. Uses of Right:

Property and buildings in the Agriculture/Forestry District shall be used for the following purposes:

- a. Dwelling structure for farm owner, family, or employee (including mobile homes);
- b. All agricultural or forestry land uses, buildings and activities;
- c. Churches, synagogues, other places of worship;
- d. Cemeteries;
- e. Tree farms;
- f. Riding stables;
- g. Home occupations;
- h. Parks, playgrounds, other recreation areas;
- i. Country clubs, golf courses;
- j. Hunting, fishing clubs or lodges;
- k. Kennels, Commercial, and;
- l. Accessory buildings and structures (see Section 1001).

3. Conditional Uses:

The following uses may be permitted in accordance with provisions contained in Section 408, and if additional conditions which may be required are met.

- a. Public buildings and utilities;
- b. Stadiums or race tracks;

- c. Radio or television stations, and towers;
- d. Airfields;
- e. Communication towers;
- f. Assisted living homes;
- g. Adult day care centers;

4. District regulations:

Unless otherwise specified in this code, uses of right in the Agriculture/Forestry District shall conform to the following requirements:

- a. Minimum lot area:
1 acre, except churches and cemeteries, or lot size as determined by the County Health Department
- b. Minimum lot width, at building line:
150 feet
- c. Minimum front yard, setback from street:
40 feet
- d. Minimum side yard, setback from street/property line:
40 feet
- e. Minimum rear yard, setback from property line:
40 feet
- f. Maximum percentage of lot coverage:
20%
- g. Maximum building height:
60 feet

5. Sign regulations:

- a. For permitted home occupations, one non-illuminated professional or business name plate not exceeding two square feet in area.
- b. For uses other than dwellings, a single illuminated or non-illuminated institution or business identification sign or bulletin board not exceeding 20 square feet in area. Such sign shall be set back not less than 15 feet from the street right-of-way line unless attached to the front wall of a building.
- c. Temporary subdivision signs and private directional signs, under the provisions set forth in Article XIII.

Section 902 Single Family Residential District (SF)

1. District Intent:

This is the most restrictive residential district. The principal use of land is for single-family dwellings and related recreational, religious and educational facilities needed to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the single family residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.

2. Uses of Right:

Property and buildings in a Single Family Residential District shall be used for the following purposes:

- a. Single family residences, not including mobile homes;
- b. Churches, synagogues, other places of worship and cemeteries;
- c. Accessory buildings and structures (See Section 1001), and;
- d. General purpose farm or garden, excluding poultry or other non-household animals.

3. Conditional Uses:

The following uses may be permitted in accordance with provisions contained in Section 408, and if additional conditions which may be required are met.

- a. Public and private schools;
- b. Parks or playgrounds;
- c. Country clubs, golf courses;
- d. Libraries, museums, non-profit institutions;
- e. Day care centers or kindergartens;
- f. Lodge halls;
- g. Public buildings and utilities, and;
- h. Home occupations provided the conditions of Section 1014 are met;

- i. Adult day care centers;
4. District regulations:

Unless otherwise specified in this Code, uses of right in the Single Family Residential District shall conform to the following requirements:

- a. Minimum lot area:
 - 1. With both public/community water and public/community sewerage system: 10,000 square feet
 - 2. With either public/community water, or public/community sewerage system: ½ acre
 - 3. With private well and individual sewage disposal system: 1 acre
 - b. Minimum lot width, at building line:
125 feet
 - c. Minimum front yard, setback from street:
30 feet from property line
 - d. Minimum side yard setback:
25 feet from property line on street side and 15 feet from property line
 - e. Minimum rear yard, setback from property line:
15 feet
 - f. Maximum percentage of lot coverage:
30%
 - g. Maximum building height:
35 feet
5. Sign Regulations:
- a. For permitted home occupations, one non-illuminated professional or business name plate not exceeding two square feet in area.
 - b. For uses other than dwellings, a single illuminated or non-illuminated institution or identification sign or bulletin board not exceeding six square feet in area.
 - c. Temporary subdivision signs and private directional signs, under the provisions set forth in Article XIII.

Section 903 Mobile Home Park District (MHP)

1. District Intent:

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

2. Uses of Right:

The following uses shall be permitted in the Mobile Home Park District:

- a. Mobile Home Parks;
- b. Playgrounds and parks;
- c. Laundromats, and;
- d. Accessory buildings and structures (see Section 1001).

3. Conditional Uses:

The following uses may be permitted in accordance with provisions contained in Section 408, and if additional conditions which may be required are met:

- a. Public buildings and utilities, and;
- b. Uses which are in keeping with the intent of this district, and which will serve exclusively the residents of a particular Mobile Home Park district, such as but not limited to a convenience store, restaurant, and office space.

4. District regulations:

Unless otherwise specified in this Code, uses of right in the Mobile Home Park District shall conform to the following requirements:

- a. Minimum mobile home park area:
10 acres
- b. Maximum density:
7 mobile homes per acre
- c. Minimum lot area within park:
 - 1. When both community or public water and community or public sewerage systems serve each lot:
5,000 square feet

2. When a lot is served by community or public water and individual sewage disposal:
15,000 square feet (The County Health Department may require this minimum to be increased depending on the soil type, its ability to drain, and water table characteristics.)
- d. Minimum lot width:
50 feet
- e. Minimum setback within each lot in a park:
10 feet from each lot line, for a minimum distance between two mobile homes to be no less than 20 feet
- f. Minimum setback from interior driveways:
15 feet
- g. Minimum setback from exterior street:
30 feet
- h. Minimum setback from park perimeter property lines:
20 feet
- i. Minimum open space requirement:
5 percent of the net acreage (net acreage being the total acreage less the area of streets, drives, and other infrastructure)
- j. Minimum width of interior drives with unobstructed public access:
20 feet
- k. Mobile home parks shall have visual buffers such as shrubbery and/or opaque fencing at least six feet in height between the park and adjacent non-mobile home uses. Buffer strips shall meet the requirements of Section 1006.
- l. Each mobile home park shall be graded and drained so that rain water will not stand in pools or puddles.
- m. All mobile home spaces shall abut on an interior drive of gravel or similar all-weather surface; parking spaces of gravel or similar all-weather surface sufficient to accommodate at least two automobiles shall be located on each mobile home space.
- n. Mobile Home Placement: Mobile home supports or pillars shall be provided not more than ten feet on center or less beginning from the front of the mobile home stand. Supports or pillars shall be placed upon concrete pads having minimum dimensions of 16"x16"x4".

- o. All mobile homes shall be anchored prior to the unit being occupied or used in any other way. The anchoring system shall be designed to resist a minimum wind velocity of 90 miles per hour.
- p. All mobile homes shall, prior to occupancy or other use, be placed and supported so as to prevent tilting of the unit. No mobile home shall permanently rest on wheels used to support the unit.
- q. All mobile home parks shall be required to provide one dumpster space for every 25 mobile home lots, or every portion thereof. Each dumpster space shall be enclosed on three sides by a chain-link, solid brick, concrete block, or uniformly painted board fence, and screened from sight from the adjoining residences and adjacent streets. These spaces should be so designed and developed as to provide easy access to the county maintenance vehicles. The number of dumpsters leased from the county by the mobile home park owner shall be determined by need.
- r. All manufactured (mobile) homes will be in compliance with Article X Section 1023 and Article X Section 1024

5. Sign Regulations:

- a. One non-illuminated professional or business name plate not exceeding two square feet in area mounted flat against the wall of a building in which there is conducted a permitted home occupation.
- b. Signs, illuminated or non-illuminated; not to exceed a combined total sign area of 100 square feet per mobile home park; and that where a mobile home park abuts a state primary highway, only one business identification sign, illuminated or non-illuminated, not to exceed a total sign area of 100 square feet per mobile home park.

Section 904 Multi-Family Residential District (MF)

1. District Intent:

This residential district is created to provide for medium and high population density. The principal use of land may range from single family to apartment uses. Persons residing in this district are entitled to protection from other types of uses which are detrimental to the residential characteristics of the district. The regulations which apply to this district are designed to encourage the formation and continuance of a stable, healthy living environment for its residents.

2. Uses of Right:

Property and buildings in the Multi-Family District shall be used for the following purposes:

- a. Multi-family dwellings and single family attached dwelling units;
- b. Single family detached dwelling units; Including manufactured homes.
- c. Rooming or boarding house;
- d. Churches, synagogues, other places of worship and cemeteries;
- e. Parks or playgrounds;
- f. Accessory buildings and structures (See Section 1001)
- g. General purpose farm or garden, but not the keeping of poultry or animals.
- h. Single Family Residential subdivisions will not be allowed.

3. Conditional Uses:

The following uses may be permitted in accordance with provisions contained in Section 408, and if additional conditions which may be required are met.

- a. Public buildings and utilities;
- b. Public and private schools;
- c. Country clubs, golf courses;
- d. Libraries, museums, non-profit institutions;
- e. Day care centers or kindergartens;
- f. Lodge halls;
- g. Home occupations provided that the conditions set forth in Section 1014 are met.
- h. Medical facilities and offices with adequate off-street parking.
- i. Assisted living homes;
- j. Adult day care centers;

4. District regulations:

Unless otherwise specified in this Code, uses of right in the Multi-Family District shall conform to the following requirements:

- a. Minimum Lot Area:
- b. With both public/community water and public/community sewerage system: 10,000 square feet for each single-family residence or each multi-family dwelling unit. An additional 2,000 square feet for each dwelling unit more than one in multi-family dwellings, apartments, and boarding houses shall be required.
- c. With either public water, or public/ community sewerage system: ½ acre for each single family residence. An additional 5,000 square feet for each dwelling unit more than one in multi-family dwellings, apartments and boarding houses shall be required.
- d. With private well and individual sewage disposal system: 1 acre for each single-family residence. An additional 5,000 square feet for each dwelling

unit more than one in multi-family dwellings, apartments and boarding houses shall be required.

- e. Minimum lot width, at building line:
60 feet with City water and sewer or
125 feet with well and septic tank or public water and septic tank.
- f. Minimum front yard, setback from street:
30 feet in urban area &
40 feet in rural area
- g. Minimum side yard setback:
25 feet from street
15 feet from property line
- h. Minimum rear yard, setback from property line:
15 feet
- i. Maximum percentage of lot coverage:
40%
- j. Maximum building height:
45 feet
- k. No more than eight continuous dwelling units shall be built in a row without a break between building groups of at least 20 feet.

5. Sign Regulations:

- a. For permitted home occupations, one non-illuminated professional or business name plate not exceeding two square feet in area.
- b. For uses other than dwellings and for subdivision identification, a single illuminated or non-illuminated institution or identification sign or bulletin board not exceeding 12 square feet in area.
- c. Temporary subdivision signs and private directional signs, under the provisions set forth in Article XIII.

Section 905 Planned Unit Development District (PUD)

1. District Intent:

This district is reserved for establishment of shopping centers, planned residential areas, industrial developments, and similar types of large-scale compatible use developments. The regulations are designed to permit the greatest latitude possible with respect to internal site County considerations, and location of these developments within the county in the interest of long-range development. This district encourages innovations in residential and non-residential development so that growing demands for housing and commercial areas may be met by a greater variety in type, design and layout of buildings and by the conservation and more efficient use of open space as well as other natural amenities.

2. Specific Requirements:

In order to qualify for a Planned Unit Development classification, a proposed Planned Unit Development must first meet the following specific requirements:

- a. The site utilized for Planned Unit Developments must contain an area of not less than four acres.
- b. The site must have a minimum width between any two opposite boundary lines of 300 feet and must adjoin or have direct access to at least one improved public street.
- c. The application for amendment to the Development Code shall be filed jointly by all of the owners of the properties included in the Planned Unit Development.
- d. A suitable plot plan shall be submitted by the developers for review and approval by the Community Development Director, Planning Commission and the Board of Commissioners and/or City Council.
- e. A written report shall be submitted by the developers for review and approval by the Community Development Director, Planning Commission and the Board of Commissioners and/or City Council.

3. Application for Amendment:

- a. Any request pertaining to establishing a PUD District shall be considered an amendment to the Development Code and shall be processed in accordance with the regulations set forth in Article VI.
- b. All information required in Section 905.4 shall be submitted to the Code Inspector, who will then forward the PUD plan to the Planning Commission, which will then subsequently forward the plan to the Board of Commissioners and/or City Council, with the recommendations of the County Commission.
- c. If approved by the Board of Commissioners and any affected municipality, all information pertaining to the proposal shall be adopted as an amendment to the Development Code, to be the standards of development for that particular Planned Unit Development District.
- d. Before approval of a Planned Unit Development District, the affected local government may require a contract with safeguards satisfactory to the county attorney and city attorney of any affected municipality guaranteeing completion of the development according to the criteria listed herein. Such guarantee may include the submission of a performance bond in an amount set by the affected local government.

4. Sketch Plan for Planned Unit Development:

Prior to the filing of plot plan for Planned Unit Development, a sketch plan may be submitted to the Community Development Director for review and recommendation. The sketch plan may be a free-hand pencil sketch. When submitted, the sketch plan shall include the following information:

- a. General information items:
 - 1. name of the proposed development and developers
 - 2. a north arrow;
 - 3. the boundary lines of the proposed development;
 - 4. the location, name and right-of-way width of any existing streets within or adjacent to the proposed development.
- b. Proposed building sites and sizes, and the proposed layout of roads, parking areas and other features in relation to existing conditions.
- c. Types of uses proposed for buildings and structures.
- d. Proposed means of water and sewage disposal.

5. Plot Plan for Planned Unit Development:

The plot plan drawn to scale (1" equals 100' or 1" equals 50') by a registered civil engineer, registered land surveyor, or registered architect shall show the exact dimensions of the parcel or parcels of land under consideration. The plan shall include the following elements:

- a. General information items:
 - 1. name of the development and developers;
 - 2. a north arrow;
 - 3. date of field survey;
 - 4. tract boundary lines, dimensions bearings and angles; and
 - 5. reference points to at least two permanent monuments.
- b. Proposed building sites and sizes.
- c. Types of uses proposed for buildings and structures.
- d. All property dimensions.
- e. Platting and street systems:
 - 1. Proposed reservations or dedications for streets;
 - 2. Means of ingress and egress;
 - 3. Access and circulation arrangements; and
 - 4. Off-street parking and loading facilities.

- f. Means of protecting or screening abutting properties, including proposed landscaping.
- g. Location of proposed reservations, easements, or dedications.
- h. If requested, two foot vertical contour intervals.

6. Written Report for Planned Unit Development:

A written report shall explain the type, nature, intent and characteristics of the proposed development, and shall include, where applicable:

- a. A general description of the proposal.
- b. A legal description of the site.
- c. Proposed standards for development including:
 - 1. restrictions on the use of property;
 - 2. density, yard and height requirements; and
 - 3. restrictive covenants.
- d. Proposed dedication or reservation of land for public use, including streets, easements, parks and school sites
- e. Exceptions or variations from the requirements of the Development Code, if any, are being requested
- f. Plans for the provision of utilities, including water, sewer and storm drainage facilities
- g. Descriptions of percentage of land within the development to be provided for various uses:
 - 1. residential;
 - 2. commercial;
 - 3. industrial;
 - 4. open space;
 - 5. utilities;
 - 6. parking and storage; and
 - 7. others.

7. Uses of right:

Any use proposed by the developer and considered by the Planning Commission and Board of Commissioners/City Council as being compatible with surrounding districts and the intent of the proposed PUD District may be permitted. Thereafter, the uses of right in the district shall be restricted to those proposed, approved, and adopted according to procedures set forth herein.

8. General Design Criteria and Development Standards:

- a. Overall site design should be harmonious in terms of landscaping, enclosures of principal and accessory uses, sizes and street patterns, and use relationships.
- b. Variety in building types, heights, placement on lots and size of open spaces are encouraged if they are conducive to a safe, healthy and aesthetically pleasing living environment.
- c. The average density for residential dwelling units in a PUD District should not exceed those set forth in the MF District, although it may be clustered within the PUD District.
- d. A 50 foot buffer strip with plant cover, trees and/or an attractive fence should be provided by the PUD District, unless the adjoining use is compatible. For instance, when one family and multi-family dwellings within a PUD District are on property adjoining a MF District, then no buffer shall be required.
- e. Within a PUD District, the design should include buffers suitable for screening residential areas from commercial or industrial uses when dangers of incompatibility exist.
- f. The sign and parking regulations of this Code should be accepted as minimum standards, and therefore creative improvements are encouraged. Only those signs incorporated in plans for PUDs approved by the Planning Commission are permitted in Planned Unit Development Districts.
- g. Shopping centers and other types of Planned Unit Developments shall not have more than two access points to any one public street, unless unusual circumstances dictate the need for additional access points.
- h. All access points from a PUD District should be located at least 100 feet from the intersection of any street.

Section 906 Neighborhood Commercial District (NC)

1. District Intent:

This district is created to provide nearby residential areas with convenient shopping and service facilities. Uses will include those businesses and services which are desired by neighborhood residents on a day-to-day basis. Regulations are designed to encourage a stable, healthy and compatible environment, reduce traveling and

parking inconveniences, avoid strip commercial development, and prevent industrial and other encroachment capable of destroying the neighborhood commercial character of the district.

2. Uses of Right:

Property and buildings in a Neighborhood Commercial District shall be used for the following purposes:

- a. Generally recognized retail business which supplies commodities on the premises and without outdoor display of goods, such as but not limited to, groceries, drugs, clothing, notions or hardware.
- b. Personal service establishment which performs services on the premises such as but not limited to repair shops (radio, television, shoes, upholstery, etc.), beauty parlors or barbershops, self-service laundries, dry cleaners.
- c. Business establishments which perform services on the premises, such as but not limited to, banks, loan companies, insurance offices, and real estate offices.
- d. Professional services including the following: medical clinics (out-patient only), and offices of doctors, dentists and similar or allied professions.
- e. Post office and similar governmental office buildings serving persons living in the adjacent residential area.
- f. Churches, synagogues, other places of worship.
- g. Private clubs, fraternal organizations, lodge halls.
- h. Residential uses lawfully existing within the district at the time of adoption of this Code.
- i. Accessory buildings and uses customarily incidental to the above uses (See Section 1001)

3. Conditional Uses:

The following uses may be permitted in accordance with provisions contained in Section 408, and if additional conditions which may be required are met.

- a. Automobile fuel station with no more than six pumps, provided that all pumps are set back at least 25 feet from right-of-way line of all abutting streets, and parking or service areas are entirely separated from adjoining

residential properties by an opaque planting screen, fence or wall at least six feet in height.

- b. Restaurants and other eating establishments provided that outside lighting and advertisement arrangements are directed away from adjoining residential properties; and parking service areas are separated from adjoining residential properties by an opaque planting screen, fence or wall at least six feet in height.
- c. Public utility installations and buildings including communication towers, water towers, electric transformer stations, water and sewage pumping stations provided that no storage is permitted at the site; the area is fenced in by a wall or fence at least six feet in height; a landscaped strip not less than ten feet in width is planted and maintained.

4. District Regulations:

Unless otherwise specified in this code, uses of right in the NC, Neighborhood Commercial District shall conform to the following requirements:

- a. Minimum lot area:
1/2 acre, with public water or sewer.
1 acre with well and septic tank.
Rear set back will be same as section "902"
- b. Minimum lot width, at building line:
50 feet
- c. Minimum front yard, setback from street:
30 feet city and 40 feet in rural area.
- d. Minimum side yard setback:
20 feet from street
15 feet from property line
- e. Maximum percentage of lot coverage:
60%
- f. Maximum building height:
35 feet

5. Sign Regulations:

- a. The number of signs shall be limited to three for each street on which the establishment fronts. The maximum size of a sign for any business establishment shall be 48 square ft.

- b. Wall signs must comply with the requirements of Section XIII.
- c. Roof signs are not allowed.

Section 907 General Commercial District (C)

1. District Intent:

The intent of this district is to encourage an economically healthy environment for a wide variety of businesses and services which benefit from close proximity to each other. The regulations shall encourage intense land development, and discourage uses requiring large areas of land in proportion to the number of pedestrians. The regulations are concerned with excluding all uses involving heavy trucking which are not related to the predominant retail activity, and particularly in excluding manufacturing and warehousing.

2. Uses of Right:

- a. Generally recognized retail business which supplies commodities on the premises and without outdoor display of goods, such as but not limited to, groceries, drugs, clothing, notions or hardware.
- b. Personal service establishment which performs services on the premises such as but not limited to repair shops (radio, television, shoes, upholstery, etc.), beauty parlors or barbershops, self service laundries, dry cleaners.
- c. Business establishments which perform services on the premises, such as but not limited to, banks, loan companies, insurance offices, and real estate offices.
- d. Professional services including the following: medical clinics (out-patient only), and offices of doctors, dentists and similar or allied professions.
- e. Post office and similar governmental office buildings serving persons living in the adjacent residential area.
- f. Churches, synagogues, other places of worship;
- g. Private clubs, fraternal organizations, lodge halls.
- h. Residential uses lawfully existing within the district at the time of adoption of this Code.
- i. All retail business, service establishments or processing uses as follows:
 1. Any retail business whose principal activity is the sale of merchandise in an enclosed building.

2. Any service establishment of an office, showroom or workshop nature, including but not limited to, of an electrician, decorator, tailor, baker, painter, upholsterer, or television, radio or home appliance repair; and similar service establishments that require a retail adjunct.
 - j. Restaurants or other places serving food or beverage, except "drive-in" types.
 - k. Theaters, assembly halls, concert halls or similar places of assembly when conducted completely within enclosed buildings.
 - l. Indoor commercial recreation centers.
 - m. Hotel or motel.
 - n. Accessory buildings and uses customarily incidental to the above uses.
3. Conditional Uses:

The following uses may be permitted in accordance with provisions contained in Section 408, and if additional conditions which may be required are met.

- a. Outdoor sales space for exclusive sale of new or second-hand automobiles, manufactured or modular homes, boats and other such items provided the lot is graded, surfaced and drained so as to dispose of all surface water; and provided that ingress and egress to the outdoor sales area shall be at least 60 feet from the intersection of any streets.
- b. Veterinary hospitals or clinics, provided all activities are conducted within a totally enclosed main building, or provided the lot is of sufficient size and setbacks to disallow nuisances to adjacent properties.
- c. Drive-in Restaurants provided that outside lighting and advertisement arrangements are directed away from adjoining districts (if any); and parking service areas are separated from adjoining districts (if any) by a suitable planting screen, fence or wall at least six feet in height.
- d. Drive-in Theaters provided that outside lighting and advertisement arrangements are directed away from adjoining districts (if any) and that all adjoining properties are separated by a suitable planting screen, fence or wall at least six feet in height.
- e. Automobile service station provided that all pumps are set back at least 25 feet from right-of-way line of all abutting streets, and parking or service areas

are entirely separated from adjoining residential properties by a suitable planting screen, fence or wall at least six feet in height.

- f. Public utility installations and buildings including communication towers, water towers, electric transformer stations, water and sewage pumping stations provided that no storage is permitted at the site; the area is fenced in by a wall or fence at least six feet in height; a landscaped strip not less than 10 feet in width is planted and maintained.

4. District Regulations:

Unless otherwise specified in this code, uses of right in the C, General Commercial District shall conform to the following requirements:

- a. Minimum lot area:
1/2 acre with public water or sewer
1 acre with well and septic tank
Rear setback same as section "902"
- b. Minimum lot width at building line:
40 feet
- c. Minimum front yard setback from curbed street:
15 feet if onstreet parking is provided
Minimum front yard setback from non-curbed street:
30 feet in the city and
40 feet in the rural area
- d. Minimum side yard setback:
10 feet from property line
15 feet from street
20 feet from street if corner lot
20 feet from residential property
- e. Minimum rear yard, setback from property line:
10 feet
- f. Maximum percentage of lot coverage:
60%
- g. Maximum building height:
35 feet if adjacent to residential property
60 feet otherwise

5. Sign Regulations:

- a. All Signs permitted in all other Zoning Districts are permitted in the C district.
- b. On any occupied land development lot in a commercial district, not more than four signs of any type having a total area of not more than 750 square feet shall be permitted.
- c. Commercial uses located on or adjacent to major streets or controlled access thoroughfares in commercial districts may include as part of their total permitted sign area one business identification pylon sign which shall be erected so that no portion of the sign shall be less than ten feet back from the street right-of-way line.
- d. Roof signs or wall signs shall, in no case, exceed the requirements of Section 1303.
- e. Additional sign structures, as defined above, each of which does not exceed 600 square feet of combined total sign area per direction, are permitted provided they are spaced not closer than 300 linear feet from any other sign structure on the same side of the street and further provided that they are on a commercially zoned lot.
- f. Signs in the commercial district may be illuminated.

Section 908 Light Industrial (LI)

1. District Intent:

This district is established to provide land for various types of industrial, manufacturing, or warehousing operations which are compatible to adjoining districts. Such uses generally require storage of materials or goods either before or after the manufacturing process, but are of low noise or nuisance level. Land for this district should be located in relation to the thoroughfare network of the community as well as rail and air if required, and designated so as to not disrupt normal traffic flow. The development of Light Industrial Parks as Planned Unit Developments is encouraged.

2. Uses of Right:

Property and buildings in an LI, Light Industrial District shall be used for the following purposes, and shall be conducted in such a manner that noxious odors, fumes, or dust and particles will not be emitted beyond the property lines of the lots on which the uses are located. Uses shall also be conformance with applicable rules and regulations administered and enforced by the Environmental Protection Division of the Georgia Department of Natural Resources.

- a. Building material sales yard and lumber yard, including the sale of rock, sand, gravel, and similar materials;
- b. Food and kindred processing plants;
- c. Contractors' equipment storage yard or plant, and with equipment commonly used by contractors;
- d. Freight, truck yard or terminal;
- e. Warehouse and wholesale establishments;
- f. Research or experimental stations and laboratories;
- g. Repair garages;
- h. Office buildings for business, professional or other general purposes;
- i. Horticultural nursery; and
- j. Accessory buildings, structures and uses customarily incidental to the above uses. (see Section 1001)

3. Conditional Uses:

The following uses may be permitted in accordance with the provisions contained in Section 408, and if additional conditions which may be required are met.

- a. Any industrial use in keeping with the intent of this district, and which involves manufacturing, processing, assembly or storage operations, provided that the use does not involve any junk or salvage operations; that there is no open storage of junk or salvage materials; and that any noises, vibrations, smoke, gases, fumes, odors, dust, fire hazards, or other obnoxious or unsafe conditions related to the operation do not extend beyond the property of the industry.
- b. Retail business provided such business is incidental to a permitted use and located on the premises of such permitted use.
- c. Public utilities, including buildings, necessary structures, storage yards and other related uses.
- d. Radio and/or television station with transmission towers.

4. District regulations:

Unless otherwise specified in this Code, uses of right in the LI, Light Industrial District shall conform to the following regulations:

- a. Minimum lot area:
1 acre with well and septic tank.
- b. Minimum lot width at building line:
100 feet
- c. Minimum front yard setback from street:
30 feet
- d. Minimum side yard setback
30 feet from street
25 feet from property line
- e. Minimum rear yard setback from property line:
25 feet
- f. Maximum percentage of lot coverage:
50%
- g. Maximum building height:
60 feet

5. Sign Regulations:

- a. All Signs permitted in all other districts are permitted in the light industrial districts.
- b. On any occupied land development lot in the general industrial district, not more than four signs of any type having a total area of not more than 750 square feet shall be permitted.
- c. Industrial uses located on or adjacent to major streets or controlled access thoroughfares in industrial districts may include as part of their total permitted sign area one business identification pylon sign which shall be erected so that no portion of the sign shall be less than ten feet back from the street right-of-way line.
- d. Roof signs or wall signs shall, in no case, exceed the requirements of Section 1303.
- e. Additional sign structures, as defined above, each of which does not exceed 600 square feet of combined total sign area per direction, are permitted provided they are spaced not closer than 300 linear feet from any other sign structure on the same side of the street and further provided that they are on an industrially zoned lot.
- f. Signs in the light industrial district may be illuminated.

Section 909 General Industrial District (I)

1. District Intent:

This district is created to provide land for industrial, manufacturing, and warehousing operations which require buildings and open areas for fabricating, processing, extracting, or repairing equipment, raw materials, manufactured products, or wastes. The traffic networks of the county and region are to be considered in order to discourage disruption and congestion of traffic. The intensity of uses of right in this district makes it desirable that they be located downwind, as determined by the prevailing wind direction, and separated from residential and commercial uses.

2. Uses of Right:

Property and buildings in an Industrial District shall be used for the following purposes, and shall be in conformance with applicable rules and regulations administered and enforced by the Environmental Protection Division of the Georgia Department of Natural Resources.

- a. Building material sales yard and lumber yard, including the sale of rock, sand, gravel, and similar materials;
- b. Food and kindred processing plants;
- c. Contractors' equipment storage yard or plant, and with equipment commonly used by contractors;
- d. Freight, truck yard or terminal;
- e. Warehouse and wholesale establishments;
- f. Research or experimental stations and laboratories;
- g. Repair garages;
- h. Office buildings for business, professional or other general purposes;
- i. Horticultural nursery;
- j. Any industrial uses which involves manufacturing, processing or assembly operations, or the storage and sale of heavy materials, products or equipment;
- k. Accessory Buildings, structures and uses and customarily incidental to the above uses (See Section 1001)

3. Conditional Uses:

The following uses may be permitted in accordance with the provisions contained in Section 408, and if additional conditions which may be required are met.

- a. Retail business provided such business is incidental to a permitted use and located on the premises of such permitted use.
- b. Any industrial use that does not produce injurious or obnoxious noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, or other objectionable conditions as a result of its operations, and that such use is located at least 50 feet from any adjoining property lines, and provided that such use be in

conformance with applicable rules and regulations administered and enforced by the Environmental Protection Division of the Georgia Department of Natural Resources.

- c. Set backs will be 50 ft. from all property lines. No burning will be allowed on the premises: and that any noise, vibrations, smoke, gases, fumes, odors, dust, fire hazards, or other obvious or unsafe conditions will not extend beyond the property lines of the operation.
- d. Public utilities, including buildings, necessary structures, storage yards and other related uses;
- e. Radio and/or television station with towers;
- f. Open yard use for the sale, dismantling and/ or storage of salvage or junk materials and equipment provided that such use is separated from adjoining properties by a planting screen, fence or wall at least eight feet in height.

4. District regulations:

Unless otherwise specified in this Code, uses in the General Industrial District shall conform to the following regulations:

- a. Minimum lot area:
1 acre, plus an additional 10,000 square feet for each ten feet of building height over 45 feet
- b. Minimum lot width at building line:
200 feet
- c. Minimum front yard setback from street:
50 feet
- d. Minimum side yard setback:
50 feet from street
40 feet from property line
- e. Minimum rear yard setback from property line:
40 feet
- f. Maximum percentage of lot coverage:
60%
- g. Maximum building height:
85 feet

5. Sign Regulations:

- a. All Signs permitted in all other districts are permitted in the general industrial districts.
- b. On any occupied land development lot in the general industrial district, not more than four signs of any type having a total area of not more than 750 square feet shall be permitted.
- c. Industrial uses located on or adjacent to major streets or controlled access thoroughfares in industrial districts may include as part of their total permitted

sign area one business identification pylon sign which shall be erected so that no portion of the sign shall be less than ten feet back from the street right-of-way line.

- d. Roof signs or wall signs shall, in no case, exceed the requirements of Section 1303.
- e. Additional sign structures, as defined above, each of which does not exceed 600 square feet of combined total sign area per direction, are permitted provided they are spaced not closer than 300 linear feet from any other sign structure on the same side of the street and further provided that they are on an industrially zoned lot.
- f. Signs in the general industrial district may be illuminated.

Section 910 Parks/Recreation/Conservation (PRC)

1. District Intent:

This district is established to preserve and control development within certain land, swamp and water areas of this county. These areas serve as wildlife refuges, possess great natural beauty, are of historical or ecological significance, are utilized for outdoor recreational purposes, or provide needed open space for the health and general welfare of the county's inhabitants. The regulations are designed to discourage encroachment of uses capable of destroying the undeveloped character of the district.

2. Uses of Right:

The following uses shall be permitted in the PRC, Parks/ Recreation/ Conservation District.

- a. Parks, including playgrounds;
- b. Private dock or boathouse;
- c. Boat marina;
- d. Bait house;
- e. Publicly owned open space or recreational facilities;
- f. Private preservation areas;
- g. Wildlife refuges, including dwelling units of caretakers; and
- h. Museum or exhibit area on or near land of historic, aesthetic, or educational significance.
- i. Accessory Buildings, structures and uses and customarily incidental to the above uses (See Section 1001)

3. Conditional Uses:

The following uses may be permitted in accordance with the provisions contained in Section 408, and if additional conditions which may be required are met:

- a. Churches and/or cemeteries.
- b. Agriculture or silviculture production, with dwelling units for the owner and/or operator.
- c. Dredging or timber cutting, which must comply with state and federal regulations. Furthermore, plans for the alteration of lands in the PRC District must be submitted and approved by the County Commission and the Board of Commissioners.
- d. Public utility lines, fire or water tower, utility sub-stations.

4. District regulations:

Unless otherwise specified in this Code, uses in the PRC District shall conform to the following regulations:

- a. Minimum lot area:
 - 10,000 square feet for parks and recreation purposes
 - 1/2 acre for a conservation use (such as a wetland area or scenic location)
- b. Minimum lot width at building line:
 - 100 feet
- c. Minimum front yard setback from street:
 - 50 feet
- d. Minimum side yard setback from street/property line:
 - 40 feet;
- e. Minimum rear yard setback from property line:
 - 50 feet
- f. Maximum percentage of lot coverage:
 - 20%
- g. Maximum building height:
 - 35 feet

5. Sign Regulations:

- a. One non-illuminated use identification sign, not exceeding 20 square feet in area may be erected for each use permitted.
- b. Other directional or historical identification signs approved by the County Commission and County Commission.

Section 911 Public/Institutional (PI)

1. District Intent:

To provide land specifically for local, state, or federal government uses, and institutional land uses.

2. Uses of Right:

- a. Colleges;
- b. Churches, synagogues, and other places of worship, and cemeteries;
- c. Hospitals, nursing homes;
- d. Health services, Nursing Homes,
- e. City halls or government complexes;
- f. State or federal government buildings;
- g. Police, emergency medical, and fire stations;
- h. Libraries;
- i. Prisons;
- j. Post offices;
- k. Schools;
- l. Other publicly owned facilities; and
- m. Accessory uses for above (See Section 1003).
- n. Adult day care centers and assisted living homes;

3. Conditional Uses:

The following uses may be permitted in accordance with the provisions contained in Section 408, and if additional conditions which may be required are met:

- a. Commercial uses as defined as uses of right in the C, Commercial District and the NC, Neighborhood Commercial District.
- b. Residential units--for security or proximity to a specific use of right.

4. District Regulations:

Unless otherwise specified in this Code, uses in the Public/Institutional District shall conform to the following requirements:

- a. Minimum lot area:
 - 1/2 acre, with public water or sewer.
 - 1 acre with well and septic tank.
 - Rear Minimum set back will be same as section "902"
- b. Minimum lot width, at building line:
 - 50 feet
- c. Minimum front yard, setback from street:
 - 30 feet in the city
 - 40 feet in rural area

- d. Minimum side yard setback:
 - 20 feet from street
 - 15 feet from property line
 - 20 feet from residential property line
- e. Maximum percentage of lot coverage:
 - 60%
- f. Maximum building height:
 - 60 feet

5. Sign Regulations:

- a. All Signs permitted in all other districts are permitted in the PI district.
- b. On any occupied land development lot in a PI district, not more than four signs of any type having a total area of not more than 500 square feet shall be permitted.
- c. Public/Institutional or Commercial uses located on or adjacent to major streets or controlled access thoroughfares in PI districts may include as part of their total permitted sign area one business identification pylon sign which shall be erected so that no portion of the sign shall be less than ten (10) feet back from the street right-of-way line.
- d. Wall signs shall, in no case, exceed the requirements of Section 1303.
- e. Additional sign structures, as defined above, each of which does not exceed 500 square feet of combined total sign area per direction, are permitted provided they are spaced not closer than 300 linear feet from any other sign structure on the same side of the street and further provided that they are on a PI zoned lot.
- f. Signs in the PI District may be illuminated.
- g. Roof signs shall not be allowed in the PI District.

Section 912 Transportation/Communication/Utilities (TCU)

1. District Intent:

To specifically designate land for the use of public and private utilities, transportation networks and systems, and public/private communication systems and facilities.

2. Uses of Right:

- a. Power generation plants;
- b. Railroad facilities;
- c. Radio towers, and communication towers;
- d. Public transit stations;
- e. Airports;
- f. Telephone switching stations;
- g. Accessory buildings and structures (see Section 1001); and
- h. Other publicly owned facilities.

3. Conditional Uses:

- a. Office or other support facilities, whether public or private, commercial or non-commercial, for a specific use of right.

4. District Regulations:

Land uses in the TCU District shall be developed under the same regulations as a Planned Unit Development, with the following requirements serving as a guide to the minimum desired:

- a. Minimum lot area:
10,000 square feet, with an additional 2,000 square feet required for each five foot increments in structure height over 35 feet
- b. Minimum lot width, at building line:
50 feet
- c. Minimum front yard, setback from street:
25 feet

- d. Minimum side yard setback:
 - 20 feet from street
 - 15 feet from property line
 - 20 feet from residential property line
- e. Minimum rear yard setback:
 - 10 feet from non-residential property line
 - 15 feet from residential property line
- f. Maximum percentage of lot coverage:
 - 60%
- g. Maximum building height:
 - 60 feet

5. Sign Regulations:

- a. All Signs permitted in all other districts are permitted in the TCU District.
- b. On any occupied lot in a TCU District, not more than four signs of any type, of a total area of not more than 500 square feet shall be permitted.
- c. Public/Private uses located on or adjacent to major streets or controlled access thoroughfares in TCU Districts may include as part of their total permitted sign area one identification pylon sign which shall be erected so that no portion of the sign shall be less than ten feet back from the street right-of-way line.
- d. Roof and wall signs shall not exceed the requirements of Section 1303.
- e. Additional sign structures, as defined above, each of which does not exceed 500 square feet of combined total sign area per direction, are permitted provided they are spaced not closer than 300 linear feet from any other sign structure on the same side of the street and further provided that they are on a TCU zoned lot.
- f. Signs in the TCU District may be illuminated.

Section 913 Vacant/Undeveloped (V)

1. District Intent:

This district is for land that has never been developed for a specific use and land that was developed for a particular use but which has been abandoned.

2. Uses of Right:

- a. Woodlands not part of commercial timber production;
- b. Pasture land not used for agriculture cropping or livestock;
- c. Undeveloped portions of residential subdivisions;
- d. Undeveloped portions of commercial or industrial parks; and
- e. Locations of structures that have been vacant for some time and have been allowed to become deteriorated or dilapidated.

3. Conditional Uses:

Due to the nature of this District, a conditional use is not applicable to a Vacant/Undeveloped designation.

4. District Regulations:

The only regulation of this district is that the designation of a lot or property as Vacant/Undeveloped, when such a designation has been given a property that was previously zoned under a different district, is immediately reverted to the previous designation given the site on the Official Zoning Map. If the property has historically been vacant, the owner must apply and follow the procedure for a rezoning by the County Commission.

5. Sign regulations:

No new signs may be placed on Vacant/Undeveloped properties without first having the property rezoned to a district which allows the desired signage.

Section 914 Flood Hazard District (FH)

1. District Intent:

This district is created to insure continuance of natural flood plains, stream channels and natural protective barriers which accommodate flood waters. These regulations are designed to minimize costly flood control, rescue and relief projects undertaken at the expense of the general public, and minimize damage to public facilities and utilities which may be located in flood plains. This district will 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 future flood blight areas. Furthermore, potential property buyers shall be notified that property within this district is subject to flood hazard.

The mapped flood hazard areas within Pierce County are hereby designated to be used as an overlay land development district to the various zoning districts as delineated by the Official Zoning Map. Thus, the land may be utilized only under the conditions and regulations of both zones. The boundaries of Flood Hazard Districts shall be shown on the Official Zoning Map. Within these FH districts, all uses not allowed as Uses of right or Conditional Uses shall be prohibited.

This district's regulations are intended to be interim until such time that the Federal Insurance Administrator provides the following information pertaining to flood hazard in the unincorporated areas of the county as required by the National Flood Insurance Program:

- a. notice of final base flood elevations;
- b. identification of high hazard areas; and
- c. identification of regulatory floodways within the county.

2. Uses of Right:

Due to the nature of the Flood Hazard District, the protection of the health, safety, and welfare of the county property owners restricts uses in the Flood Hazard overlay district to those uses termed Conditional.

3. Conditional Uses:

The following open space uses shall be permitted, after proper administrative review, within the Flood Hazard District to the extent that they are not prohibited by any other regulations and provided they do not demand structures, fill or storage of materials or equipment. In addition, no use shall adversely affect the efficiency or unduly restrict the capacity of the channels or floodways or any tributary, drainage ditch, or other drainage facility or system. The following uses may be permitted in

accordance with the provisions contained in Section 408, and if additional conditions which may be required are met.

- a. Agricultural uses, such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming and crop harvesting.
- b. Industrial/Commercial uses, such as loading areas, parking areas, airport landing strips.
- c. Private and public recreational uses, including golf courses, tennis courts, playing fields, driving or archery ranges, picnic grounds, boat landings, ramps, swimming areas, parks, wildlife preserves, shooting ranges, hunting and fishing areas, biking and horseback riding trails.
- d. Accessory Residential uses, such as lawns, gardens, parking areas and play areas.
- e. The following list of Conditional Uses may be allowed provided that no structure, fill (including fill for roads and levees, deposit, storage of materials or equipment), or other activities associated with the use impairs the efficiency or the capacity of the floodway, or unduly increases flood heights.
 1. circuses, carnivals and similar transient amusement enterprises;
 2. drive-in theaters, new and used car lots, roadside stands and signs;
 3. extraction of sand, gravel and other materials;
 4. marinas, boat rentals, docks, piers, wharves;
 5. railroads, utility lines, streets, bridges and pipelines;
 6. storage yards for equipment, machinery or materials;
 7. kennels and stables; and
 8. other uses similar in nature to other Conditional Uses.
- f. Residences may be permitted provided:
 1. residences are located in a flood fringe area (This will require technical assistance);
 2. residences shall be constructed on fill or other acceptable elevating practice with the first floor or basement floor above the regulatory flood elevation (This will require technical assistance); and
 3. all district regulations of the underlying zoning district are met;
- g. Fill or material deposits provided:
 1. any fill or materials proposed to be deposited in the floodway must be shown to have some beneficial purpose and the amount must not be greater than is necessary to achieve that purpose, as demonstrated by a plan submitted by the owner showing the uses to which the filled land will be put and the final dimensions of the proposed fill or other materials; and

2. such fill or other materials shall be protected against erosion by riprap, vegetation cover or bulk-heading.

h. Accessory structures to Conditional Uses provided:

1. structures shall not be designed for human habitation;
2. structures shall have a low flood damage potential;
3. structures shall be constructed and placed on the building site so as to offer the minimum obstruction to the flow of floodwaters;
4. whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of flood flow; and
5. structures shall be firmly anchored.

4. District Regulations:

The applicant shall be required to provide information necessary for determining the regulatory flood protection elevation, whether the proposed use is located in the floodway or flood fringe, and other factors necessary to render a decision on the suitability of the particular site for the proposed use. This shall include

- a. Plans drawn to scale showing the nature, location, dimensions and elevation of the lot, existing or proposed structures, fill, storage of materials, floodproofing measures, and the relationship of the above to the location of the channel and/or flood hazard zone.
- b. A typical cross-section showing the channel of the water course, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed development, and high water information or similar information pertinent to a flood hazard situation.
- c. Plans (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and spatial arrangement of proposed and existing structures; locations and elevations of streets, utilities; land uses and vegetation surrounding areas, and soil types.
- d. Profile showing the slope of the bottom of the channel, if applicable.
- e. Specifications for building construction, materials, floodproofing, filling, dredging, grading, channel improvement, water supply and sanitary facilities.

5. Sign Regulations:

Any signs proposed within the Flood Hazard overlay district must meet the signage requirements for the district upon which the FH designation is overlaid.

ARTICLE X

Additional Requirements

Section 1001 Accessory Uses and Structures

In addition to the principal uses which are designated herein as being permitted within several zoning districts established by the Code, it is intended that certain uses customarily incidental or accessory to such principal uses shall also be permitted.

Section 1002 Accessory Structures and Uses for Non-commercial and Non-industrial Properties

For the purposes of this Code, therefore, each of the following uses is considered to be a customary accessory use, and, as such, may be situated on the same lot with the principal use or uses to which it serves as an accessory.

1. Private garage for the occupant's automobiles or vehicles. Must be non-commercial usage of garage;
2. Parking area or open storage space for motor vehicles belonging to the occupant, and provided that this regulation shall not be misconstrued to mean commercial uses are allowed;
3. Shed or tool for the storage of equipment;
4. Children's playhouse or play equipment;
5. Private kennel, pens or cages for occupant's pets provided it does not create a nuisance to neighbors;
6. Private swimming pool and bath house or cabana;
7. Structures designed and used for the purposes of shelter in the event of catastrophes;
8. Non-commercial flower, ornamental shrub or vegetable garden, greenhouse or slat house;
9. Private boat dock, boat houses;
10. Church Buildings, including sanctuary:
 - a. Religious education buildings;

- b. Parsonage, pastorium, or parish house, together with any use accessory to a dwelling as listed above; and
- c. Off-street parking area for the use without charge to members and visitors to the church.

Section 1003 Accessory Structures and Uses for Commercial and Industrial Uses

1. Off street parking or storage area for customer, client or employee-owned vehicles;
2. Completely enclosed building for the storage of supplies, stock or merchandise;
3. Light manufacturing and/or repair facility incidental to the principal use provided that dust, odor, smoke, noise, vibration, heat or glare produced as a result of such manufacturing or repair operation is not perceptible from any boundary line of the lot on which said principal and accessory uses are located and provided such operation is not otherwise specifically prohibited in the district in which the principal use is located
4. Sheltered roofs, awnings or canopies incidental to retail and commercial use, where such use is permitted, provided that no part shall, in any case, be located any closer than ten (1) feet to any property line

Section 1004 Setback and Other Requirements for Accessory Uses and Structures

In any district, all accessory uses and structures, shall observe all setbacks, yards, and other requirements set forth for the district in which they are located.

Section 1005 Address Numbering System

All subdivision plats shall be provided with an address numbering system suitable for use by the U.S. Postal Service and which is compatible with any other system in the surrounding area. This system shall be reviewed and approved by the postmaster of the appropriate post office and placed on a reproducible mylar copy of the final plat before final plat approval.

Section 1006 Buffer Strips

Any institutional, commercial, or industrial uses, off-street loading areas, or off-street parking areas for five or more automobiles shall be separated from adjoining residential property by a continuous planted buffer strip or a solid brick, concrete block, or stone wall or a uniformly painted board fence. Such buffer strip, if planted, shall be composed of healthy plants which possess growth characteristics of such a nature as to produce a dense, compact planting screen not less than six feet in height, or if wood, stone, block, or brick shall not be less than six feet high.

Section 1007 Building Lines

Building lines shall be provided on all lots and shall conform to the Zoning District Regulations pertaining to the classification in which the lots to be subdivided are located.

Section 1008 Building Permits

No building permits shall be issued and no building shall be erected on any lot created following the enactment of this Code which does not comply with the requirements established herein and unless the street giving access to the lot upon which the building is proposed to be placed has been accepted, opened as, or shall have otherwise received the status of a public street or an officially approved private recorded easement.

Section 1009 Debris and Waste

No cut trees, timber, debris, junk, rubbish, or other waste materials of any kind shall be buried in any land, or left or deposited on any lot or street at the time of the issuance of a certificate of occupancy, expiration of the performance bond or acceptance of public improvements, whichever occurs first.

Section 1010 Dedication of Local Recreation Sites and Open Space

Where a proposed park, playground, open space, or other local or neighborhood recreation or school site is shown on the Comprehensive Plan, or where the Planning Commission considers that a local recreation or school site is necessary to carry out the purpose of these regulations, the Planning Commission shall require the dedication of all or a portion of such site in accordance with the following standards:

1. The land to be dedicated (fee simple) shall be of suitable size, dimensions, topography, access, and general character for the proposed use; and
2. The amount of land so required for this purpose shall not be more than five percent of the total gross area of the subdivision, including the dedicated right-of-way.
3. Where it is determined that a greater amount of land is required for parks and open spaces to meet the Comprehensive Plan requirements for that area of the County, or a school site is required, the Planning Commission after so appraising the appropriate public agency, shall so indicate the open space or school site requirements to the subdivider on the approved preliminary plan.
4. The subdivider, at the time of the filing of the final plat with the Planning Commission, must offer to sell at a fair market price to the county or other appropriate public agency, within one year immediately following the recording of

the final plat, any land so designated for school sites or any land designated for park or open space in excess of the five percent of land area required to be dedicated, in accordance with Section 1010.3.

5. If any such proposed public areas or school sites have not been purchased by the appropriate public agency within one year after the recording of the final plat, such areas may be subdivided into lots and blocks in accordance with the requirements of this Code.
6. Where the area required for dedication for recreation or open space use would result in a site deemed by the Planning Commission to be too small to be useable, or if the Comprehensive Plan calls for a public recreation site to be located in the vicinity of the subdivision, as determined by the Planning Commission, in lieu of dedication of such land, this developer may pay a fee. All money paid to the County in this manner shall be kept in a special reserve fund and shall be used only for the acquisition of land and/or development of facilities for recreation and open space purposes. The following stipulations shall apply:
 - a. The amount of the fee shall be substantially equal to the value, prior to the development, of the land that would be set aside if the regular standards were applied.
 - b. The fee shall be paid to Pierce County, Georgia, prior to the approval of the Final Plat.
7. In lieu of requiring the dedication of a recreation site or permanent open space, or permitting a fee to be paid for this purpose, the Planning Commission may permit a private site to be used under the following conditions:
 - a. If the judgement of the Planning Commission, the purposes of this Code regarding recreation and open space land will be accomplished; and
 - b. If the private site is permanently devoted to recreation use of open space and adequately secured for such use by proper deed covenants or other private restrictions.
8. The Planning Commission may exempt subdivisions where the minimum lot size is two acres or more from the provisions of this Section.

Section 1011 Double Loaded/Double Frontage Lots

Lots having frontage on more than one street, but not located on a corner, are not allowed after the adoption of this Code.

Section 1012 Dumpsters

All Subdivisions, and revisions or extensions of existing subdivisions, shall be required to provide for every 25 lots, a minimum of one six-yard garbage dumpster and designated, if a regular curbside collection system is unavailable.

Each dumpster shall be enclosed by solid fencing screening the dumpsters from sight from the adjacent lots and streets. The dumpster spaces shall be so designed and developed as to provide easy access to county, or similar, maintenance vehicles from a paved surface, and shall not be located in a normal road right-of-way.

Section 1013 Easements

The following easements shall be required within subdivisions:

1. A ten foot utility easement shall be provided on both sides of street rights-of-way within a subdivision. This easement area shall only be used for underground electric, telephone and television cable lines where there is not sufficient area within the right-of-way. The easement area shall be kept free of fences, screens or other permanent structures.
2. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a drainage easement or right-of-way conforming substantially with the lines of such watercourse, and such further width or construction, or both, as will be adequate for the purpose of drainage and maintenance, taking into account possible future development of higher land in the same drainage area. No fences, screens, or permanent structures shall be erected or placed on or within any drainage easement.

Calculations and elevations shall be provided to the County Road Superintendent to substantiate the proposed drainage system. Runoff quantities shall be calculated based on the rational formula, $Q=AI R$, the Georgia DOT Drainage Manual or any other approved engineering procedure by a registered engineer. System design storm frequency shall be:

- a. 25 years for subdivisions;
- b. 50 years for commercial and industrial development; and
- c. 100 years for areas greater than 200 acres.

Minimum time of concentration shall be 20 minutes.

3. Where a drainage canal is such size that it requires mechanical means for cleaning, such as a dragline, there shall be 15 foot access easement of right-of-way on either side of such canal for access purposes.

Section 1014 Home Occupations

A home occupation, if it is permitted in a zoning district must comply with the following requirements. It shall be allowed provided that it:

1. Is conducted by no other person than members of the family residing on the premises;
2. Is conducted within the principal building;
3. Utilizes not more than 25 percent of the total floor area of the principal building;
4. Produces no alteration or change in the character or exterior or change in the principal building from that of a dwelling;
5. Involves no sale or offering for sale of any article not produced or assembled by members of the family, or any service not entirely performed by members of the family, residing on the premises;
6. Creates no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, traffic hazard, unhealthy or unsightly condition; and
7. Is not visibly evident from the outside of the dwelling except by one non-illuminated sign two square feet or smaller in size.

Section 1015 Junk/Salvage Yards

All junk/salvage yards shall be completely screened from roads or developed areas with an opaque fence or wall a minimum of eight feet in height, maintained in good condition as determined by the governing authority, and painted except for masonry construction, or with suitable plantings. No operations shall be conducted which shall cause a general nuisance or endanger the public health. A junk/salvage yard permit with a fee of \$200 is required, to be obtained from the Code Inspector and renewed annually.

No burning will be allowed on the premises. Set back will be 50 ft. from all property line.

No noises, vibrations, smoke, gases, fumes, odors, dust, fire hazards or other obnoxious or unsafe conditions will extend beyond the property lines. See section 909. The property shall be zoned General Industrial (I).

Section 1016 Lots

All lots which shall hereafter be established within a subdivision shall comply with the following design standards and the following general requirements shall apply to all lots hereafter established within a subdivision [See Appendix A]:

1. **Orientation of Lot Lines**
In general, side lot lines shall be at right angles to street right-of-way lines, or radial to street right of way curves cul de sac turnarounds.
2. **Corner Lots**
Corner lots for residential use shall be provided with sufficient width and depth to permit the establishment of appropriate building setback lines from both streets.
3. **Double Loaded Lots**
Double loaded lots shall only be permitted where it shall be found necessary to separate a development from major arterials or to overcome specific disadvantages to topography and orientation.
4. **Minimum Lot Elevation**
Elevations of lots within flood prone areas as defined officially by the Federal Emergency Management Agency and Pierce County shall conform to the requirements established for development within the established boundaries.
5. **Flag Lots**
Flag lots shall be permitted under the following conditions:
 - a. New Minor Subdivisions--not to exceed 50% of the total created lots.
 - b. New Major Subdivisions--not to exceed 10% of the total created lots.
 - c. Where the flag lot makes it possible to better utilize irregularly shaped properties or areas with resource limitations.
 - d. Lots containing one acre or less will have an access strip having a minimum frontage of 25 feet on an approved public right of way. Lots containing more than one acre will have a minimum frontage of 50 feet on an approved public or private right of way. See section 515
 - e. Minimum lot size, excluding the area of the access strip, of 12,000 square feet or the minimum lot size requirement for the Zoning District in which the property is located, whichever is greater.
 - f. No building shall be permitted in the access strip.
 - g. Lot width, front, side and rear yard setback requirements of the Pierce County Development Code to be met on that portion of the lot excluding the access strip.

- h. Where flag lots are used to eliminate and not substantially increase the number of access points to collector or arterial streets.
- i. Where flag lots would front on State owned highways the proposed subdivision shall be approved by Georgia DOT for the increase in curb cuts prior to being submitted to the Planning Commission.
- j. Where flag lots would front on County/City-owned streets the proposed subdivision shall be reviewed by the County/City Road Engineer to determine if there is any potential hazard created by an increase in the number of access points on County/City streets.

Section 1017 Lots of Record

- 1. No permit for the use of any lot which is smaller in total area than the minimum size permitted for the district within which it is located shall be issued unless said lot was legally and properly recorded prior to the passage of this code.
- 2. Yards or lots recorded after the effective date of this code shall comply with the requirements established by this code.

Section 1018 Non Conforming Uses and Structures

The lawful use of any building, structure or land existing at the time of enactment of this code may be continued, although such use does not conform with the provisions of this code, provided the following conditions are met:

- 1. **Unsafe structures:**
Nothing in this code shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.
- 2. **Alterations:**
A non-conforming building or structure may be altered, improved or reconstructed provided such work is not to an extent exceeding ten percent of the current (reasonable fair market value) value of the building or structure, unless the building or structure is changed to a conforming use.
- 3. **Extension:**
A non-conforming use shall not be extended, but the extension of a lawful use in a non-conforming building or structure which existed prior to the enactment of this code is permitted.
- 4. **Changes:**

No non-conforming building, structure or use shall be changed to another non-conforming use.

5, Restoration:

Nothing in this code shall prevent the reconstruction, repairing, rebuilding and continued use of any non-conforming building or structure damaged by fire, collapse, explosion or acts of God, subsequent to the date of this Code, wherein the expense of such work does not exceed 60 percent of its current (reasonable fair market value) value of the building or structure at the time such damage occurred.

6. Abandonment:

A non-conforming use of a building or structure which has been abandoned shall not thereafter be returned to such non-conforming use. A non-conforming use shall be considered abandoned:

- a. when the intent of the owner to discontinue the use is apparent;
- b. when the equipment and furnishings of the non-conforming use have been removed from the premises, and have not been replaced during the year, unless facts show the intention to resume the non-conforming use;
- c. when it has been replaced by a conforming use; or
- d. when it is being changed to another use requiring permit or certificate of occupancy.

Section 1019 Principal Use or Structure

There shall be one principal structure with one principal use permitted on one zoned lot. Applications for more than one principal structure and/or use permitted on one zoned lot shall meet the requirements of the Planned Unit Development District.

Section 1020 Timber Cutting

Timber Cutting within 50 feet from the outer edge of any river, stream, creek and spring is prohibited. Any such use is also subject to all local and state Erosion and Sedimentation Control regulations.

Section 1021 Utilities

All utilities shall conform to the following requirements:

1. Where feasible, subdivisions shall be served by public water and sanitary sewer systems in compliance with the Environmental Protection Division of Georgia Department of Natural Resources regulations and all local ordinances.
2. Where either public water or public sewers or both are not available to a subdivision, and a subdivider shall decide to establish a private water supply system and a private sewer system or allow individual systems then the plans and specifications for such private or individual water and sewage systems shall be approved by the Pierce County Health Department and/or the Environmental Protection Division of the Georgia Department of Natural Resources.
3. Fire hydrants shall be required for all subdivision to be served by a public water system, and when determined by the Community Development Director for subdivisions served by private water systems. As required by the National Fire Prevention Code and as adopted by the Pierce County Board of Commissioners, fire hydrants shall be located no more than 500 feet apart and within 500 feet of any structure and shall be on an eight inch water line main. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements shall be installed and approved by the County Road Superintendent before any final paving of a street shown on the subdivision plat.
4. Tracer wire or tape, as approved by the County Road Superintendent, before shall be placed with all buried nonmetallic utility lines (trunk lines and lateral service lines) and underground irrigation systems.
5. Street lights shall be required at new street entrances on streets designated or classified as arterial streets where the ADT generated by the new street is 200 or more. Street lights shall also be required at new street entrances on streets designated or classified as collector streets where the ADT generated by the new street is 900 or more. Street lights shall be provided by the developer and installed by the developer in accordance with design and specification standards approved by the County Road Superintendent. Street lights shall be in place prior to final inspection.

Section 1022 Waterbodies and Watercourses

If a tract being subdivided contains a water body, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the water body among the adjacent lots. The Planning Commission may approve an alternate plan whereby the

ownership of and responsibility for safe maintenance of the water body is to be placed that it will not become a County responsibility. Where a watercourse separates the buildable area of a lot from the street by which it has access, provisions shall be made for installation of a culvert, bridge, or other structure of a design approved by the County Engineer.

ARTICLE X

Pre-Owned Manufactured Homes Minimum Standards

Section 1023

A. Definitions:

1. Pre-Owned Manufactured Home:
A manufactured home, which has been previously owned or occupied, by a purchaser or consumer, manufactured after June 15, 1976-the date the National Manufactured Housing Construction and Standards went into effect. (Also known as the HUD Code.)
2. Retailer:
Any person engaged in the business of buying and thereafter selling, displaying or offering for sale manufactured homes.

B. Facilities Required

1. Sanitary Facilities
Every manufactured home shall contain not less than a kitchen sink, lavatory, tub, or shower, and a water closet all in working condition when properly connected to an approved water and sewer system. Every plumbing fixture, water, and waste pipe shall be in a sanitary working condition free from leaks, and obstruction
2. Hot & Cold Water Supply:
Every manufactured home shall have connected to the kitchen sink, lavatory, and tub or shower a supply of both cold water and hot water.
3. Water Heating Facilities:
Every manufactured home shall have water-heating facilities in a safe, working condition.
4. Heating Facilities:
Every manufactured home shall have heating facilities in safe, working condition. Where a central heating system is not provided, each manufactured home shall be provided with facilities whereby heating appliances may be connected. Un-vented fuel burning heaters shall be prohibited except for gas heaters listed for un-vented use and the total input rating of the un-vented heaters is less than 30 BTU per hour cu. ft. of room content. Un-vented fuel burning heaters shall also be prohibited in bedrooms. In lieu of inspecting the heating facilities of a pre-owned home, the retailer may request a heating inspection by a qualified third party. Approval by such a person will be

accepted as being in compliance with those portions of the safety standards established herein which pertain to heating systems.

5. **Smoke Detector:**
Every manufactured home shall be provided with a state of Georgia approved smoke detector installed in accordance with the manufacture's recommendations and listings.
6. **Windows:**
Every habitable room excluding bathrooms, kitchens, and hallways shall have at least one window, which can be opened, facing directly to the Outdoors.
7. **Ventilation:**
Every habitable room shall have at least one window or skylight which can be opened, or such other device that will ventilate the room.
8. **Electrical:**
 - A. **Distribution Panels:**
Distribution panels shall be installed in compliance with approved listing, complete with required breakers or fuses, with all unused opening covered with blank covers approved and listed for that purpose. Connection shall be checked for tightness. Panels shall be accessible.
 - B. **Electrical System:**
The electrical system (switches, receptacles, fixtures, etc.) shall be properly installed, wired and shall be in a working condition. The pre-owned manufactured homes shall be subjected to an electrical continuity test(s) to assure that all metallic parts are properly bonded.
 - C. **Third Party Inspection:**
The retailer may, in lieu inspecting the electrical and heating system of a pre-owned manufactured home, request an electrical inspection by a qualified third party. Approval by such a person will be accepted as compliance with those portions of the safety standards established herein which pertain to electrical systems.
9. **Exterior Walls**
The exterior of the home shall be free of loose or rotting boards or timbers and any other conditions, which might admit rain, or dampness to the interior portions of the occupied spaces of the manufactured home.
10. **Exterior Siding:**
The exterior siding of the home shall be free of rot, rust, and must be uniform in appearance.

11. Roofs:
Roofs shall be structurally sound and have no obvious defects, which might admit rain, or cause dampness to the interior portion of the home.
12. Interior Floors, Walls & Ceilings
Every floor, interior wall and ceiling shall be kept in sound condition to prevent the admittance of rain or dampness, or the escape of heating and cooling.

C. Inspection:

1. All manufactured homes that are over (10) years old will be inspected prior to be placed in Pierce County.
2. Manufactured home dealers, restorers, renovators, will be permitted to move manufactured homes over (10) years old on their lots, or yards for repair. The repair will be completed within 12 (twelve) months from date of move.
3. Pre-owned manufactured homes that changes ownership and not moved to a new location will be inspected on site.
4. Dealers, restorers, and renovators will have 12 (twelve) months from date of approval of these standards to repair any pre-owned manufactured homes located on their lots.

D. Set up, Tie Down, & Skirting:

1. All manufactured homes moved or placed inside Pierce County will be set up and tied down (anchored) in accordance with Article IX, Section 903, Subsections 4-n, and 4-p.
2. Skirting will be installed within 45 (forty-five) days after set up. It will be of wood, vinyl, masonry, metal, or brick. All skirting, except brick will be painted.
3. All utility and storage buildings, including carports will be painted.

- E. The property on which manufactured homes are placed will have a zoning classification allowing such use. (Including width and size)
- F. Existing manufactured homes in Pierce County that are moved to a new site (location) will comply with this section.
- G. Pre-owned manufactured homes that are 10 (ten) years old or less will be in compliance with paragraph B, C, and D of this section, and will be inspected on the placement site.
- H. No pre-owned manufactured home will be placed for occupancy until the standards herein are met.

Article X Section 1024

New Manufactured Homes Minimum Standards

A. Standards:

1. New Manufactured homes placed in Pierce County will be in compliance with paragraph B and D of Article X, Section 1023
2. New Manufactured homes will be inspected on the placement site.

ARTICLE XI

Streets

Section 1101 Minimum Design Standards and Improvements

In order that the various purposes of this Code may be accomplished, all subdivisions hereafter established and all proposed public improvements in existing subdivisions should be developed and improved in accordance with the minimum design standards set forth in this article.

Final approval shall not be given to a subdivision until all appropriate required improvements have either been installed or an appropriate bond, certified check, or contract/performance bond has been posted to secure the installation of such improvements.

Section 1102 Streets

Street Construction plans will be prepared by the Developers Engineer and will be submitted with the preliminary plat. The County Consultant Engineer will review the street construction plans and approve or request revisions or additional documentation. The Consultant Engineer will do periodic inspection during street construction and will certify that street construction is in compliance with the approved construction plan design. The Developer will be responsible for inspection costs.

NOTE: See Section 504, 512, 513, 609, 610,

See: Section 513

Section 1103 Continuation of Existing Street Pattern

The arrangement of streets in a subdivision should provide for the alignment with, or the appropriate projection of existing major streets in surrounding areas as shown on the Pierce County road classification map.

Section 1104 Street Jogs

Streets jogs, or centerline offsets in the horizontal alignment of streets across intersections of less than 150 feet shall be prohibited.

Section 1105 Intersections

The centerline of no more than two street right-of-way shall intersect at any one point. Streets shall be laid out so as the right-of-way centerlines will intersect as nearly as possible at right angles and not less than 80 degrees for a minimum distance of 75 feet.

Section 1106 Distance Between Intersections

New street entrances on streets designated or classified, as arterial streets shall not be less than 660 feet apart from any other new or existing street intersecting with the arterial street from either side.

In the case of the divided arterial streets, this distance requirement will not apply to streets on opposite side if a median cut is not included.

New street entrances on streets designated or classified, as collector streets shall not be less than 450 feet apart from any other new or existing streets intersecting with the collector streets from either side. Distances between street intersections shall be measured between right-of-way centerlines.

Section 1107 Subdivisions on Arterial Streets

Where a subdivision abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property lines, deep lots with rear service lanes, or such other treatments as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

Section 1108 Minimum Curb and Edge of Pavement Radius

Minimum curb or edge of pavements radius shall be determined prior to preliminary plat approval according to the specifications for the street of higher classification at the intersection as specified below:

1. Minor Street 15 feet
2. Sub collector Street 20 feet
3. Collector Street 25 feet
4. Higher Order Streets as determined by the County Consultant Engineer.

Section 1109 Permanent Dead-End Streets

Dead-end streets, designed to be permanent cul-de-sacs shall not be longer than 1800 linear feet measured from the centerline of the nearest intersecting through street to the center of the turnaround.

Dead-end streets shall be provided at the closed end with a turnaround having an outside paving edge radius of not less than 50 feet and an inside paving edge radius of not less than 12 feet and not greater than 28 feet, and a right-of-way radius of not less than 70 feet, except where such streets serves two lots or less in which case it shall be 60 feet. The entire 100 ft. diameter can be paved.

The paving edge equivalent for unpaved streets is 11 feet right and left of the roadbed centerline

Section 1110 Temporary Dead-End Street

Temporary dead-end streets shall meet the requirements of the Planning Commission for design, maintenance and removal.

Section 1111 Street/Half-Street

Half street or streets with a right-of-way less than 60 feet shall not be permitted within a subdivision.

Section 1112 Interior Streets

Interior streets within subdivisions shall be so laid out and designed that their use by through traffic and speeding traffic will be discouraged.

Section 1113 Street Names

All streets within a subdivision hereafter established shall be named. No name shall be used which will duplicate or be confused with existing street names.

Section 1114 Additional Right-of- Way

Any proposed subdivision or public improvement that includes a patted street does not conform to the minimum right-of-way requirements of this Code shall provide for the dedication of additional right-of-way along either one or both sides of said street so that the minimum right-of-way required by the Code can be established. If the proposed subdivision abuts only one side of said street, then a minimum of one-half of the required extra right-of-way shall be dedicated or reserved by such subdivision.

Section 1115 Traffic Control Devices

Street name markers and such signs, signals and pavement markers, as needed for safety purposes and as determined by the County Consultant Engineer, shall be provided in accordance with the Manual of Uniform Traffic Control Devices, Georgia Department of Transportation. All traffic control devices shall be provided by the developer and installed and approval by the County Consultant Engineer for all improvements.

Section 1116 Major Thoroughfare Plan

When the major thoroughfare plan of the community shows proposed arterial streets and collector streets within a proposed subdivision, the sub dividers shall design the streets the street system within such subdivision to conform to the location and arrangement of such arterial and collector streets.

Section 1117 Distance Between Reverse Curves

- | | | |
|----|----------------------|----------|
| 1. | Major Arterial | 100 feet |
| 2. | Minor Arterial | 100 feet |
| 3. | Collector Street | 100 feet |
| 4. | Sub collector Street | 75 feet |
| 5. | Minor Street | 75 feet |

Section 1118 Minimum Street Centerline Elevation (MSL)

- | | | |
|----|----------------------|----------|
| 1. | Major Arterial | 8.0 feet |
| 2. | Minor Arterial | 8.0 feet |
| 3. | Collector Street | 7.5 feet |
| 4. | Sub collector Street | 7.5 feet |
| 5. | Minor Street | 7.5 feet |

Section 1119 Drainage / Hydrology Plans

The plans shall be prepared by the developers land surveyor, or engineer. Curbs, inlets, swales, ditches, pipes, etc., shall be engineered and constructed as required to accommodate storm water run-off quantities. The developers surveyor or engineer shall submit Hydrology Plans and calculations, which support the proposed improvements to the County Consultant Engineer for his review /approval. Material requirements for pipe culverts shall be as follows.

- A. Reinforced concrete pipes or Bituminous coated street pipe culverts shall be required for all cross drainpipes culverts under the roadbed. ADS pipe will not be allowed on roads and streets.
- B. Reinforced or non-reinforced concrete pipe culverts or bituminous-coated corrugated steel pipe culverts may be used for side drains, longitudinal pipe or storm drain system under parking areas or driveways. Except on state Highway right-of-way.
- C. Non-bituminous-coated corrugated corrugated steel pipe culverts will not be allowed.
- D. The minimum diameter for pipe culverts shall be 15 inches.
- E. All material shall conform to the current Georgia Department of Transportation material specifications. ADS pipe is excepted.

- F. Re-enforced concrete pipe shall have at least one foot of cover. Bituminous coated corrugated, steel pipe and ADS pipe shall have at least one foot of cover, if paved, (not including paving thickness,) and one and one half of cover, if unpaved.

Section 1120 Removal of Trees

Trees may be retained in the right-of-way provided that the nearest edge of the trunk is not closer than eight feet from the paving edge, 19 feet from the centerline of an unpaved street provided additional right-of-way, or easement shall be provided if needed to allow the construction and maintenance of proper ditches.

Expectations from the eight foot or 19 foot requirement may be made for specimen or unique trees as determined by the County Consultant Engineer. Vertical clearance of all limbs shall be 16 feet above the roadbed surface. Where the right-of-way width is enlarged or widened to accommodate landscaping, screening or specimen trees, the amount of excess of the required right-of-way may be used in the computation of open space in that subdivision.

Section 1121 Soil Erosion and Sedimentation Control

The Soil Erosion and Sedimentation Control plan shall be submitted to the Community Development Director prior to the time the preliminary plat is filed and a Soil Erosion and Sedimentation Control Permit shall be obtained prior to preliminary plat being submitted. Site construction shall not begin prior to this permit being issued and preliminary plat approval.

Soil Erosion and Sedimentation Plan

The soil erosion and sedimentation control plan shall be prepared by the Developers Land surveyor or Engineer. It will be submitted to the Community Development Director / County Consultant Engineer prior to the time the preliminary plat is filed. The soil erosion and sedimentation plan shall be approved prior to the preliminary plat approval.

Lots containing one (1) acre or less are exempt from this requirement. Soil erosion and sedimentation permit fees are:

\$80 per Acre of total Project

There will be a \$25 fee for the Land Disturbance permit. (LDP)

Work shall not begin until a land disturbance permit is obtained from the Community Development Director. Construction / Land Disturbance shall not begin until preliminary plat approval and land disturbance permit (LPD) is issued by the Community Development Director. The County Consultant Engineer will inspect the Soil Erosion and Sedimentation control installation and make periodic inspections there after. The Developers Engineer will certify the Soil Erosion and Sedimentation control was installed in compliance with the approved plan.

Section 1122 Design Standards for Unpaved Minor Streets

As provided in Section 610, all unpaved minor streets, which required roadside ditches for proper drainage (see below for streets that do not require roadside ditches.) shall be designed and constructed in accordance with the following minimum specifications and standards:

- A. Minimum right-of-way required where roadside ditches are required shall be 60 feet, 30 feet right and left of the roadbed centerline.
- B. Roadbed width shall be a minimum of 30 feet, 15 feet right and left of the centerline with a minimum crown of six inches to centerline. Travel lanes shall have a minimum width of 22 feet right and left of the centerline with grassed shoulders with a minimum width of four feet. All roadside ditches shall require a front slope with a minimum ratio of 3:1. Roadside ditches shall have a flat bottom with a minimum width of 24 inches. All back slopes where required will consist of a minimum slope ratio of 2:1.
- C. The top six inches of all travel lanes shall be compacted to a minimum of 95% standard proctor density. Test reports shall be supplied by the developer at the requested of the County Consultant Engineer. Also stabilization requirements of travel lanes shall be based on the County Consultant Engineer recommendations as to the type and amount. The recommendation shall be based on considering the type of soils, drainage, estimated traffic volumes and types and surrounding topography.
- D. Test for compaction shall be located no more than 500 feet apart and staggered to right and left and on centerline.
- E. All drainage culverts for unpaved county streets shall be of material specifications according to the Department of Transportation, State of Georgia. This is required due to ditch maintenance activity; (See Section 1119 for pipe cover requirements.)
- F. The grassing requirement will be determined by the County Consultant Engineer.
- G. All unpaved County streets that tie into paved streets shall require ramp paving of a minimum of 22 feet in width and 24 feet in length in accordance with minimum paving requirements of these Subdivision Regulations.
- H. Other streets that do not require roadside ditches shall comply with all requirements except that of ditch widths and back slope regulations. These streets may be constructed on 50 foot right-of-way widths. (See Section 1123)

Section 1123 Design Standards for Paved Streets

All paved streets shall be designed and constructed in accordance with the following minimum specifications and standards:

- A. Minimum Right-of-Way Width:
 - Major Arterial 100 feet
 - Minor Arterial 80 feet
 - Collector Street 70 feet
- B. Sub collector Street 60 feet
- C. Minor Street 50 feet with Curb & Gutter, 60 feet, with road side ditches.
- D. Minimum Pavement Widths, Major Arterial:
 - 2 lane single 24 ft
 - 2 lane divided 12 ft
 - 4 lane single 48 ft
 - 4 lane divided 24 ft
- E. Minimum Pavement Width, Minor Arterial:
 - 2 lane single 24 ft
 - 2 lane divided 12 ft
 - 4 lane single 44 ft
 - 4 lane divided 22 ft

At the discretion of the County Consultant Engineer and the Community Development Director, the minimum right-of-way width for collector, sub collector and minor streets may be reduced by ten feet by providing curb and gutter on each side of the paving edge or an equally acceptable engineering design method with a proper design and installation of catch basins, drop inlets and pipe culverts to provide for storm water run-off.

Section 1124 Required Paving Lanes and Widths

The developer will be required to pave only two lanes unless the increasing design traffic volumes generated by the development will exceed the two-lane capacity within one year. Acceleration, deceleration, and turning lanes will be required where it is determined to be necessary by the County Consultant Engineer pavement widths shall be:

- A. Collector Street
 - 2 lane single 24 ft
 - 2 lanes divided 12 ft each
- B. Sub collector Street
 - 2 lane single 20 ft
 - 2 lanes divided 10 ft each
- C. Minor Street
 - 2 lane single 18 ft

Section 1125 2 lanes divided 9 ft each
Width of Shoulder

1. Major Arterial 8 ft
2. Minor Arterial 8 ft
3. Collector Street 6 ft
4. Sub collector Street 4 ft
5. Minor Street 4 ft

Section 1126 **Minimum Paving Requirements (Asphalt)**

- A. Stabilized Sub-grade-- The top six inches of the sub-grade shall be compacted to 95% standard proctor density. All embankments shall be placed in six inch layers compacted to 95% standard proctor density. Tests for compaction shall be located no more than 500 feet apart and staggered to the right and left on the centerline.
- B. Test reports shall be supplied by the developer Engineer at the request of the County Consultant Engineer.

Section 1127 **Pavements Structure Design**

The pavement structure shall be designed in accordance with the American Association State Highway Transportation Officials' interim guide specifications, the Asphalt Institute Manual Series No. 1 (MS 1) August, 1979, or any equally acceptable engineering design method except that the minimum thickness shall be as shown below:

1. Basic Course:
Minimum thickness of five and one half inches of crushed lime rock or graded aggregate, or a sufficient thickness, of other material to provide an equivalent total structural number value, shall be required for all streets except minor streets which may be a minimum of four inches. Test for thickness and compaction to be located no more than 500 feet apart staggered to right and left and on centerline.
2. Prime:
All bases shall be primed with a suitable grade of bituminous prime at the rate of 0.15 or 0.30 gallon per sq. yard and cured a minimum of three days under traffic before the surface course is place. Areas subject to picking up shall be sanded with blotter sand before traffic is allowed on it. Prime is not required if surface course is placed within three days after the base course is in place.
3. Surface Course:
Flexible asphaltic concrete type pavements minimum thickness 1.5 inches (Ga. DOT"E" or "F" Mix).
4. Test reports shall be supplied by the Developers' Engineer at the request of the County Consultant Engineer.

Note: All materials and construction to conform with Georgia DOT Standard Specifications, the latest edition.

Section 1128 Minimum Paving Requirements (Concrete)

1. **Stabilized Subgrade:**
The top six inches of the subgrade shall be compacted to 95% standard proctor density. All embankment shall be placed in six inch layers compacted to 95% standard proctor density. Tests for compaction shall be located no more than 500 feet apart and staggered to the right and left and on the centerline. Test reports shall be supplied by the developer at the request of the County Consultant Engineer. Composition requirements of the subgrade are to be determined by the soil survey and DOT specifications.
2. **Pavement Structure Design:**
All materials including cement, concrete aggregates, expansion joint material, curing compound, air entraining admixtures and others shall conform to the latest revised standard specifications of the American Society for Testing and Materials (ASTM). Concrete shall also be manufactured and delivered in accordance with ASTM standards. If it can be show that adequate strength, surface finish, and durability can be obtained on consistent basis with mix designs other than those specified by ASTM, such designs can be used upon approval from the County Road Superintendent.
3. **Surface Course:**
Concrete shall be placed, struck off, consolidated, finished to grade, jointed and properly cured as specified by the County Consultant Engineer. Minimum thickness for minor streets shall be five inches. Thickness of other street classifications shall be based on anticipated traffic volumes and be approved by the County Consultant Engineer.
4. **Open to Traffic:**
The pavement shall be closed to passenger car traffic for at least three full days or until such time that the minimum compressive strength of the concrete is at least 75% of its design strength. Traffic shall be restricted to passenger cars and light trucks for at least seven days after concrete is placed. In all cases approval shall be obtained from the County Consultant Engineer prior to opening of the pavement to traffic.
5. **Test reports shall be supplied by the developers' Engineer at the request of the County Consultant Engineer.**

Note: Detailed specifications for concrete paving shall be obtained from the County Consultant Engineer prior to the submission of construction plans.

Section 1129 Private Streets

Private streets are permitted within the City/County under the following conditions:

1. Private streets shall meet the procedural requirements of this Code regarding preliminary and final plat.
2. Private streets in subdivisions shall be opened and improved according to the design standards established for public streets.
3. All private streets and street name markers shall be maintained by the owners of the property within such subdivisions and the City/County shall have no responsibility whatsoever for their maintenance and repair until and unless improved to City/County street standards and dedicated and accepted by the Board of Commissioners.
4. Private streets shall always remain open for police, fire, ambulance, and other vehicles of all government agencies.

Section 1130 Private Access Easements

Private access easements serving two lots or less (excluding those serving a lot split) shall meet the following minimum design standards:

1. Minimum easement width of 60 feet;
2. Maintained roadbed with a minimum width of 20 feet; and
3. Well drained.

Section 1131 Lanes

Service lanes shall be provided in commercial and industrial districts, except that the Planning Commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed. Such lanes shall conform to the following specifications:

1. The width of a lane shall be twenty feet.
2. Dead-end lanes shall be avoided where possible, but if unavoidable a dead-end lane shall be provided with a turn around having a paving diameter of not less than 100 feet, a paving radius of 50 ft. and a right-of-way radius of 70 feet.

Section 1132 Blocks

All blocks hereafter established within a subdivision shall conform to the following design standards:

1. In order that there may be convenient access between various parts of a subdivision and between the subdivision and surrounding areas in order to help prevent traffic congestion and traffic hazards, the length of blocks on a straightaway where feasible shall not exceed 1800 feet in length.
2. Rights of way for pedestrian crosswalks shall be provided when in the opinion of the Planning Commission crosswalks are necessary to give a direct pedestrian approach to schools, local shopping centers, and parks. Said rights-of-way shall not be less than ten feet in width.

Section 1133 Curb Cuts and Access Points

1. Ingress/egress openings in concrete, asphalt, rock, or other street curbing provisions, commonly referred to as "curb cuts," as well as other means of vehicular access to and from private property, shall be regulated in the several land development districts established by this Code in accordance with the following requirements.
2. **Size and Spacing of Curb Cuts and Other Access Points:**
In no case shall a curb cut or other access point be less than nine feet nor more than 50 feet in length. No two curb cuts or other access points shall be closer than 20 feet from each other except in residential land development districts.
3. **Location of Curb Cuts and Other Access Points:**

At street intersections, no curb cuts or other access point shall be located closer than 20 feet from the intersecting point of the two street rights-of-way or property lines involved (or such lines extended in case of a rounded corner; or 25 feet from the intersection of two curb lines involved (or such lines extended in case of a rounded corner), whichever is the least restrictive.

4. **Access Points in the Vicinity of Interchanges:**
In no case, shall any curb cut, point of access or other means of vehicular ingress and egress be permitted from private property onto any portion of the access ramps, accelerating and decelerating lanes, merge lanes, and other facilities specifically designed to facilitate traffic movement onto and off of a limited access highway located at a separate grade. Notwithstanding the foregoing, no curb cut, point of access, or other means of vehicular ingress and egress from private property onto a public street shall be permitted closer than 200 feet from the point of tangency of

that street's right-of-way line with the outside right-of-way of any ramp providing direct access either to or from a limited access highway located at a separate grade.

5. Permits for Access onto State Owned Highway Rights-of-Way:
A permit must be obtained from the Georgia Department of Transportation before curb cuts or another point of access shall be authorized onto state owned highway rights-of-way from abutting property.

Section 1134 Obstruction to Vision at Road Intersections

In order to minimize accidents at road intersections, the following regulations shall apply in all districts:

1. Within the area formed by the rights-of-way lines of intersecting roads and a straight line connecting points on such rights-of-way lines, at a distance of 20 feet from their point of intersection there shall be a clear space with no obstruction to vision between the height of 30 inches and a height of ten feet above the average grade of each road as measured at the centerline thereof.
2. Requirements of this section shall not be deemed to prohibit any necessary retaining wall.
3. Trees shall be permitted in the clear space provided that foliage is cut away within the prescribed height.

Section 1135 Visual Clearance at Private Drives and Public Street Intersections

At the intersection of any private drive, or entrance, or exit with a public street: no fence, wall, hedge or other planting, or sign forming a material impediment to visibility over a height of two and one-half feet shall be erected, planted, placed or maintained.

Section 1136 Building Setback Requirements Along Major Highways and Other Public Roads

Notwithstanding any provisions in this Code to the contrary, the following setback requirements shall govern the placement of structures adjacent to state and other public roads.

County-Wide:

1. The setback line from all state highways shall be a minimum of 40 feet from the right-of-way line.
2. U.S. 84 East and West: The setback line shall be 40 feet on both sides from the right-of-way of the existing highway and running to the Pierce County line.

Unincorporated areas of County:

3. For all other county roads, the setback line shall be 75 feet from the centerline of any highway right-of-way or 40 feet from the right-of-way line, whichever is greater.
4. For roads and streets in subdivisions: The front side and rear set backs required by the zoning classification for the property will prevail in all cases.

ARTICLE XII

Parking and Loading

Section 1201 General Intent and Application

It is the intent of these requirements that adequate parking and loading facilities be provided off the street for each use of land within the jurisdiction of this Code. Requirements are intended to be based on the demand created by each use. These requirements shall apply to all uses in all districts.

Section 1202 Control (via Ownership or Lease)

The control of land upon which the off-street parking is provided shall be the same as the ownership of land on which the principal use is located.

Section 1203 Size and Access

Each off-street parking space shall have an area of not less than 180 square feet exclusive of access drives or aisles and be in usual shape and condition. There shall be adequate ingress and egress to all parking spaces. Where a lot does not abut on a public or private alley or easement of access, there shall be provided an access drive leading to the parking or loading spaces. Such access drive shall not be less than 10 feet in width.

Section 1204 Number of Parking Spaces Required

The number of off-street parking spaces required are set forth in the following table. Where the use of the premises is not specifically mentioned, requirements for similar uses shall apply.

Section 1205 Parking Space Requirements by Land Use

1. Automatic laundry
1 for each 3 laundry machines
2. Automobile sales and service garage
1 for each 400 square ft. of floor area
3. Banks/professional offices
1 for each 300 square ft. of floor area
4. Bowling alleys
1 for each alley
5. Churches, temples, or places of worship

- 1 for each 5 seats based on maximum seating capacity
- 6. Schools, public buildings, theaters, auditoriums, areas and places of assembly area, private clubs, community buildings, social halls and lodges
1 for each 5 seats based on capacity
- 7. Country clubs, golf clubs, gun clubs, tennis clubs and organizations designed to provide outdoor sporting or recreational activities
1 for each 5 members
- 8. Single family dwelling
2 for each unit
- 9. Multiple family dwellings
1.5 for each unit bedroom
- 10. Food store, supermarket
1 for each 200 sq. ft. of floor area
- 11. Funeral homes, mortuaries
20 for each parlor
- 12. Furniture, appliance stores
1 for each 200 sq. ft. of floor area
- 13. Hospitals, sanitariums, and nursing homes
1 for each 6 patient beds, plus one for each two employees
- 14. Hotels and Motels
1 for each guest room plus 1 for each 3 employees
- 15. Manufacturing, industrial plant, research laboratory, bottling plant
1 for each 2 employees on the largest shift, plus 1 for each company vehicle
- 16. Manufacturing and industrial concerns with retail business on largest shift
1 for each 2 employees plus 1 on premises for each 150 sq. ft. devoted to sales or service
- 17. Medical offices
4 for each doctor, plus 1 for each 2 employees
- 18. Restaurants, beer parlors, night clubs
1 for each 300 sq. ft. of floor area
- 19. Rooming houses, boarding houses, dormitories, fraternities and sororities
1 for each 2 beds
- 20. Service station
2 for each pump
- 21. Wholesale and warehouse concerns
1 for each 2 employees, plus 1 for each company vehicle, plus 1 for each 50 sq. ft. of retail sales or service

Section 1206 Location of Off-Street Parking Areas

1. The parking spaces for all dwellings shall be located on the same lot as the residence.
2. Parking spaces shall be provided on the same lot with the main building of the principal use.
3. Two or more principal uses may utilize a common area in order to comply with offstreet parking requirements, provided that the number of spaces required for each use is met.
4. Portions of the public right-of-way on minor streets may be allowed for maneuvering incidental to parking when determining parking area requirements for individual uses.
5. On collector streets, major streets, and controlled access highways, parking facilities shall provide space outside the public right-of-way for maneuvering incidental to parking.

Section 1207 Off-Street Loading and Unloading Requirements

Areas suitable for loading and unloading motor vehicles in off street locations shall hereafter be required at the time of the initial construction of any building or structure used or arranged to be used for commercial, industrial, governmental, or multi-family residential purposes. Such off-street loading areas shall have access to a public alley or street and shall be provided and maintained in accordance with the following requirements, the computation of which shall not be included in the off«street parking requirements.

1. **Amount of Area Required for Each Loading Space:**
Each off-street loading and unloading space required by the provisions of this code shall be at least ten feet wide, 50 feet long and 14 feet high. Such space shall be clear and free of obstructions at all times.
2. **Location of Off-Street Loading Areas:**
Required off-street loading and unloading areas shall in all cases be located on the same lot or parcel of land as the structure they are intended to serve. In no case shall the required off-street loading space be considered as part of the area provided to satisfy off-street parking requirements as listed herein.
3. **Adequacy of Loading Area:**
All uses, whether specified in this code or not, shall provide off-street loading areas sufficient for their requirements. Such space shall be adequate so that no vehicle being loaded or unloaded in connection with normal operations shall stand in or project into a public street walk, alley or way.

Section 1208 Number of Off-Street Loading Spaces

1. Retail business uses with from 4,000 to 25,000 square feet in total floor area shall have a minimum of one off-street loading space.
2. Wholesale, industrial, governmental and institutional uses, including public assembly places, hospitals, and educational institutions shall provide one space for the first 25,000 square ft. of total floor area. For anything in excess of 25,000 square feet, such uses shall provide loading spaces according to the following schedule:

	Square Feet	Number of Spaces:
a.	25,000 - 49,999	2
b.	50,000- 99,999	3
c.	100,000 - 199,999	4
d.	200,000 - 349,999	5
e.	For each additional 50,000 or fraction thereof	1 additional
3. Multi-family residences with less than ten dwelling units: None
4. Multi-family residence with ten to 30 dwelling units: one space
5. Multi-family residences with more than 30 dwelling units: one space for each 30 dwelling units or fraction thereof

Section 1209 Handicapped Parking Space Requirements

Handicapped spaces shall be provided in accordance with the following scale:

	Total Parking Requirements	Handicapped Spaces Required
1.	up to 25	1
2.	26 - 50	2
3.	51 - 75	3
4.	76 - 100	4
5.	101 - 150	5

6.	151 - 200	6
7.	201 - 300	7
8.	301 - 400	8
9.	401 - 500	9
10.	501 and Above	2% of Total Required

ARTICLE XIII

Sign Regulations

Section 1301 General Sign Provisions

1. A building permit and a zoning compliance inspection shall be required prior to the erection, alteration, or reconstruction of any sign unless otherwise specified. Once a sign has received a Development Code Compliance Approval, a Pierce County sign permit decal shall be issued and displayed in the lower left hand corner of the sign face.
2. No sign shall be erected or maintained unless it is in compliance with the regulations of this Article.
3. Signs must be constructed of durable materials, maintained in good condition, and not permitted to become dilapidated.
4. No signs, except as otherwise specified, shall exceed the height limit of the district in which they are located.
5. Any sign which advertises an activity, business, product, or service which has ceased operation or production shall be removed within six months of the discontinuance of said activity.

Section 1302 Prohibited Signs

1. Signs imitating warning signals are prohibited. No sign shall display lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles; nor shall any signs use the words, slogans, dimensional shape and size, or colors of the governmental traffic signs.
2. No signs, except traffic signs and signals and informational signs erected by a public agency, are permitted within any street or highway right-of-way.
3. Signs painted or attached to natural features (such as trees or rocks), telephone poles, utility poles, or fence posts are prohibited.
4. Fluttering ribbons and banners are prohibited.
5. Signs within 300 feet of any officially designated historical site or monument, except signs pertaining to that particular site or monument, are prohibited.

Section 1303 Regulations for Specific Types of Signs

1. **Home Occupation Signs:**
One non-illuminated professional or business name plate not exceeding two square feet in area is permitted.
2. **Temporary Subdivision Signs:**
Temporary signs, not exceeding 40 square feet in area announcing a land subdivision development, are permitted on the premises of the land subdivision. Such signs shall be spaced not less than 300 feet apart. They shall be removed when 75% of the lots are conveyed.
3. **Private Directional Signs:**
Signs indicating the location and direction of premises available for or in process of development, but not erected upon such premises, and having inscribed thereon the name of the owner, developer, builder, or agent may be erected and maintained, provided:
 - a. The size of any such sign is not in excess of six square feet, and not in excess of four feet in length, and
 - b. Not more than one sign is erected on each 500 feet of street frontage.
4. **Roof Signs:**
Not more than one roof sign structure may be erected on the roof of any one building. No roof sign structure shall extend more than 25 feet above the elevation on the roof.
5. **Wall Signs:**
Signs on the walls of a building (including signs attached flat against the wall, painted wall signs and projecting signs) shall meet the following requirements:
 - a. **Signs on the Front Surface of a Building:**
The total area of signs on the exterior front surface of a building shall not exceed 25% of the front surface of the building, so long as the figure does not exceed the total amount of sign area permitted within the land development district where the sign or signs are to be located.
 - b. **Signs on the Side and Rear Surface of a Building:**
The total area of signs on a side or rear surface of building shall not exceed 50% of the exterior side or rear surface of the building respectively, so long as this figure does not exceed the total amount of sign area permitted within the development district where the sign or signs are to be located.
 - c. The combined sign area on the front, side and rear surface of a building must not exceed the total sign area permitted within the development district where the sign or signs are to be located.

- d. **Projecting Signs:**
Wall signs attached flat against a wall may extend not more than 24 inches from the wall.
- e. **Signs attached at an angle to a wall may extend outward from the wall of a building not more than five feet.**
- 6. **Illuminated Signs:**
Illumination devices shall be so placed and so shielded that light from the sign itself will not be directly cast into any residential district, sleeping rooms in any district or the eyes of an automobile or vehicular driver.
- 7. **Outdoor Advertising Signs:**
Outdoor Advertising Signs visible from all state highway rights-of-way shall meet the following requirements:
 - a. **Uniform Size:**
The outside measurements of all such signs shall be no greater than 12 feet in height and 50 feet in length, with or without trim.
 - b. **Illumination:**
All illuminated signs shall use base mounted fluorescent or mercury vapor lights and shall be activated by photo-electric cells. Additional lighting including but not limited to neon, animation and running lights is prohibited.
 - c. **Height above State Highway Grade:**
All signs shall be a minimum of ten feet above adjacent state highway pavement measuring from the lower portion of the sign face. Signs shall not exceed 30 feet in height. Two signs in the same location (back-to-back or "V" formation) shall be the same height above the highway surface.
 - d. **Extrusions Prohibited:**
Extrusions beyond the face of the sign, excluding aprons, are prohibited.
 - e. **Number of Signs per Location:**
Only one sign shall be allowed to face the same direction per location. This allows back-to-back or "V" formation signs but prohibits two signs (side-by-side) facing the same direction.
 - f. **Spacing:**

Sign locations shall be no less than 750 feet apart measuring from the two closest points.

- g. Sign structures shall be no less than ten feet from any property or right-of-way line.
- h. Locations Limited per Quadrant:
A maximum of three sign locations shall be permitted per interchange quadrant provided that spacing requirements can be met.
- i. Swamp and Historic Area Locations Prohibited:
No sign shall be placed in or obstruct the view of a swamp land area or an area of designated historic interest.
- j. Advertisement Limitations:
Outdoor advertising shall be limited to the following:
 - 1. Travel service facilities including lodging, gas, food, camping;
 - 2. Areas of scenic beauty;
 - 3. Public attractions including historic, natural, scientific or recreational amenities; and
 - 4. Any combination of the above-listed facilities.
- k. Further, the content of all advertising shall be directional in nature.

Section 1304 Temporary Signs

The Community Development Director, in compliance with provisions and subject to the standards herein, is authorized to issue permits for the erection and maintenance of temporary signs for a period not to exceed 30 days (except as provided for political signs) at the expiration of which period the permittee shall remove such temporary signs.

- 1. Permitted Temporary Signs:
Business signs calling attention to a special, unique, or limited activity, service, product or sale of limited duration.

2. Permitted Sign Types
 - a. Non-projecting wall signs;
 - b. Ground Signs; and
 - c. Streamers, banners, flags, pennants and similar temporary signs as herein defined.

3. Number, Height, Area and Location
 - a. Permitted Number:
as determined by the Community Development Director to be reasonably necessary and appropriate for the intended purpose, provided that no more than four permits for temporary business signs shall be issued for the same land development lot in one calendar year.
 - b. Maximum Height:
as determined by the Community Development Director to be reasonably necessary and appropriate for the intended purpose and in accordance with public safety and considerations related to the material and manner of constructions and the size and location thereof.
 - c. Maximum Area:
as determined by the Community Development Director to be reasonably necessary and appropriate for the intended purpose and in accordance with public and considerations related to the material and manner of construction and the size and location thereof.

4. Permitted Location:
 - a. Temporary Business Signs:
Subject to the same regulations as Business Signs.
 - b. Political Signs:
on private property (with consent of the owner) and along and upon public street right of ways (but not across, over or extending into or onto the paved portion of any public street) as determined by the Planning commission in accordance with public safety requirements and considerations related to the material and manner location thereof. All political signs must be removed within ten days after the election.
 - c. Other Permitted Temporary Signs
Other Permitted Temporary Signs as determined by the Community Development Director to be reasonably necessary and appropriate for the intended purpose and in accordance with public safety.

5. Illumination:
Temporary signs shall not be illuminated in any manner.

Section 1305 Exempt Signs

The following types of signs are generally exempt from the provisions of this article and do not require a permit, excepting those found to be in violation of the provisions of this article.

1. Plaques or tables, denoting names of buildings and date of erection or names of buildings or dates cut into any masonry surface.
2. Traffic and other signs erected and maintained by the city or other governmental agency, legal notices and other similar signs required by law to be posted.
3. Decorations displayed in connection with civic, patriotic or religious holidays.
4. Flags, emblems and insignia of political, civic, philanthropic, religious or educational organizations temporarily displayed for non-commercial purposes.
5. One non-illuminated "for sale", "for rent" or "for lease" sign not exceeding six square feet in area in residential districts and 20 square feet in other than residential districts and located not less than two feet back from the street right-of-way line, unless attached to the front wall of a building.
6. Permitted home occupation signs subject to the regulations of this code.
7. A bulletin board not over 15 square feet in area for public, charitable, educational or religious institutions when the sign is located on the premises of said institution.
8. One non-illuminated sign, not exceeding 40 square feet in area displaying the name of the building, the contractors, the architects, the engineers, the owners, the financial, selling and development agencies is permitted of any work under construction, alteration, or removal. Such signs shall be removed from the site within 30 days after the completion of the project.
9. Signs directing traffic movement onto a premise or within a premise, not exceeding three square feet in sign area for each sign. A maximum of four directional signs shall be allowed per lot.
10. Signs giving notice of events and activities sponsored by civic, patriotic, religious organizations, or individuals for non-occupational purposes.
11. Signs advertising political candidates' parties, provided such signs may not be erected or maintained more than 60 days prior to applicable elections, shall be removed within 10 days following the general election.

ARTICLE XIV

Development Code Fees

Section 1401 Violation of Code

Any person violating any provisions of this Code shall be subject to a fine of \$500 for each violation, with each day that the violation considered a separate violation.

Section 1402 Fee Schedule

A complete schedule of fees for rezoning applications, appeals, variances, conditional use or conditional exception applications, building permits, certificates of occupancy, sign permits, and final inspection permits shall be maintained in the Community Development Director's office. The Board of Commissioners or City Council may change the fee structure upon the recommendation of the Planning Commission.

Section 1403 Building Permit Fees

The following fees shall apply to all construction activities regulated by this Code:

1. For construction of new single family and multi-family residences, the building permit fee shall be in accordance with administrative fee schedule of the Pierce County Code.
2. For all other new buildings used for agricultural purposes, new construction, alterations, and additions to existing buildings the building permit fee shall be in accordance with administrative fee schedule of the Pierce County Code.

Section 1404 Major Subdivision Plat Review Fees

Fees to be submitted with the preliminary plat application for major subdivisions must be paid before the application is considered complete. The fees are:

- | | | |
|----|---|---|
| 1. | Plat submitted for road approval only | \$ 50 |
| 2. | All subdivisions or PUDs of 10 lots or less | \$150 |
| 3. | All subdivisions or PUDs of 10 lots or more | \$100 plus \$10 for each lot in addition to the first ten |

Section 1405 Minor Subdivision, Re-subdivision of Land, and Vacation of Plat Review Fees

Fees are to be submitted with each minor subdivision, re-subdivision of land, and vacation of plat submitted to the Community Development Director before the application is considered complete. The fees include:

1.	Minor subdivision	\$50
2.	Re-subdivision of Land	\$50
3.	Vacation of Plat	\$50

Section 1406 Other Permit Fees

1.	Rezoning	\$150
2.	Development Code amendment	\$250
3.	Variance (by Code Inspector or Board of Appeals)	\$250
4.	Permit to fill, grade or excavate in a designated Flood Hazard District	\$150
5.	Conditional Use and Exceptions	\$250
6.	Board of Appeals (for non-variance requests)	\$150
7.	Temporary Permit	\$ 50
8.	Certificate of Occupancy included with Building Permit Fee in Section 1403	
9.	Manufactured Home Permit (10 yrs. Old or Older requires inspection – Fee \$100)	\$100 (MOVE ON)
10.	Manufactured Home Relocation (10 yrs. Old or Older requires inspection – Fee \$100)	\$100
11.	Advertising Signs	\$50
12.	Directional Signs and On-premise Signs (privately-owned)	\$25
13.	Salvage/Junk Yard License and Renewal	\$200
14.	Soil Erosion Admin Fee (\$40 / Acre Soil Erosion Fee + \$40 / Acre Administration Engineering Fee) This does not include the \$40 / Acre required by the State EPD	\$80 / acre of total project
15.	House Moving Fee – includes inspection fee	\$200

Section 1407 Exemptions from Fees

1. Petitions to amend the text of the Code when filed by the Board of Commissioners.
2. Petitions to amend the Official Zoning Map, applications for conditional use permits, and variances if the land is owned by a municipality and the governing body submits the petition or application.
3. Zoning permits for municipally owned buildings.
4. Permits for construction or maintenance of farm drainage ditches and soil conservation practices in a Flood Hazard District or flood plain area.
5. Any amendment or alteration to the Development Code or Official Zoning Map that originates with the County Commission, its staff, or the Community Development Director's staff.

Section 1408 Disposition of Fees

1. Fees collected by the Community Development Director or staff shall be accounted for and paid into the general fund of Pierce County as are other fees collected by the County. A receipt shall be issued for each fee collected.
2. All fees are non-refundable.

**Pierce County Resolution Adopting the Pierce
County/Blackshear/Patterson/Offerman Development Code**

Let it be resolved that the document entitled "Pierce County /Blackshear/Patterson/Offerman Development Code," dated

February 1, 2005 presented to this Commission at their regular meeting on

February 1, 2005, be and is hereby adopted this code and all zoning maps pertinent to this code and its administration and enforcement as the Official Development Code of and for Pierce County, Georgia.

All other conflicting ordinances are hereby repealed.

Pierce County Board of Commissioners

By: _____
Mitchell Bowen, Chairman

Attest: _____
Nicole C. Wood, County Administrative Supervisor

City of Blackshear
Resolution Adopting the Pierce
County/Blackshear/Patterson/Offerman Development Code

Let it be resolved that the document entitled "Pierce County/Blackshear/Patterson/Offerman Development Code," dated

_____, 20___, presented to this Council at their regular meeting on

_____, 20___, be and is hereby adopted with all zoning maps pertinent to this code and its administration and enforcement as the Official Development Code of and for Blackshear, Pierce County, Georgia.

All other conflicting ordinances are hereby repealed.

City Council of Blackshear

By: _____
Michael Streat, Mayor

Attest: _____
Blackshear City Clerk

City of Patterson
Resolution Adopting the Pierce
County/Blackshear/Patterson/Offerman Development Code

Let it be resolved that the document entitled "Pierce County/Blackshear/Patterson/Offerman Development Code," dated

_____, 20___, presented to this Council at their regular meeting on

_____, 20___, be and is hereby adopted with all zoning maps pertinent to this code and its administration and enforcement as the Official Development Code of and for Patterson, Pierce County, Georgia.

All other conflicting ordinances are hereby repealed.

City Council of Patterson

By: _____
Petsey Banard, Mayor

Attest: _____
Patterson City Clerk

City of Offerman
Resolution Adopting the Pierce
County/Blackshear/Patterson/Offerman Development Code

Let it be resolved that the document entitled "Pierce County/Blackshear/Patterson/Offerman Development Code," dated

_____, 20___, presented to this Council at their regular meeting on

_____, 20___, be and is hereby adopted with all zoning maps pertinent to this code and its administration and enforcement as the Official Development Code of and for Patterson, Pierce County, Georgia.

All other conflicting ordinances are hereby repealed.

City Council of Offerman

By: _____
Brenda Denison, Mayor

Attest: _____
Offerman City Clerk