

MACON COUNTY ZONING ORDINANCE

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MACON COUNTY ZONING ORDINANCE

ARTICLE I: PREAMBLE AND ENACTMENT

Section 1 Title

This ordinance shall be known as the “Zoning Ordinance of Macon County, Georgia”, for the purpose of setting forth standards and permissible uses of land designed to conserve and protect the natural, economic and scenic resources of Macon County; to secure safety from fire, panic and other dangers; to promote health, aesthetics, morals, convenience, order, prosperity and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to promote desirable living conditions and stability in neighborhoods; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements by dividing Macon County into districts of such size and shapes as may be best suited to carry out the purposes of the legislative act and of this ordinance.

ARTICLE II: PURPOSE, AUTHORITY AND JURISDICTION

Section 1 Legislative Authority

Counties of the State of Georgia are authorized by the Georgia State Constitution, Article 9, Section 2, Paragraph 4, and Chapter 66 of Title 36 of the Official Code of Georgia Annotated, to exercise the powers of planning and zoning; and it is hereby determined by the Board of Commissioners of Macon County, Georgia, that it is necessary and desirable to adopt these zoning regulations under the authority of the above cited Constitutional and statutory provisions.

Section 2 Method of Regulation

Now therefore be it resolved that the Board of Commissioners of Macon County, Georgia, as authorized by the Constitution of the State of Georgia, and having created herewith a Zoning Commission known as the Macon County Zoning Commission, does hereby adopt these zoning regulations for the following purposes: (1) to define certain words used herein; (2) to create district boundaries; (3) to regulate the location of trades, professions, businesses, and industries; (4) to regulate the density in distribution of population; (5) to provide for the gradual elimination of nonconforming uses of land, buildings and structures; (6) to provide for the method of administration, amendment and enforcement; (7) to provide for imposition of penalties for violations; (8) to repeal conflicting ordinances and resolutions; (9) and for other purposes.

Section 3 Jurisdiction

This zoning ordinance shall govern the use of all land and development within the unincorporated limits of Macon County, Georgia, and within the limits of any inactive municipality in accordance with O.C.G.A. 36-70-5.

ARTICLE III: DEFINITIONS

Section 1 Purpose

For the purpose of this ordinance, words in the singular shall include the plural, and words in the plural shall include the singular number unless the obvious construction of the wording indicates otherwise.

The word “shall” is mandatory. Unless otherwise specified, all distances shall be measured horizontally and at right angles to the line relation to which the distance is specified. The word “lot” includes the words “parcel” and “plot”; the word “used” shall be deemed also to include “designed”, “intended”, or “arranged to be used”; the term “erected” shall be deemed also to include “constructed”, “reconstructed”, “altered”, “placed”, or “moved”. The terms “land use” and “use of land” shall be deemed also to include “building use” and “use of building”. The word “adjacent” means “nearby” and not necessarily “contiguous”.

Section 2 Definitions

Accessory Building or Accessory Use A detached, subordinate structure for use such as a garage, workshop and the like, functionally related to, clearly incidental to, and located on the same lot as the principal structure or use.

Adult Entertainment Performances by topless and/or bottomless dancers, strippers or similar entertainers, where such performances are characterized by the display or exposure of specific anatomical areas.

Adult Entertainment Establishments See Sexually Oriented Businesses

Agricultural Adjacency Waiver A waiver indicating that the property owner understands that a farm animal operation is existing adjacent to the owner’s property and that such use may produce noise, odors, dust and other effects that may not be compatible with the land use on his property if the animal farm operation is constructed closer to the use than provided for in the zoning code of Macon County. The agricultural adjacency waiver shall state that despite such, the owner understands the potential effects on the owner’s property and he agrees to sign the agricultural adjacency waiver waiving any objection to such potential effects. The waiver shall state that permits will only be issued and processed in reliance on the owner’s agreement not to bring any action against the local government and adjacent property owner operating the animal farm operation for any such effects. Such waiver must be signed by the actual owner of the property and shall be recorded in the real estate records of the Clerk of the Superior Court of Macon County and shall be binding on subsequent land owners.

Agriculture or Agricultural The bona fide use of a parcel of land of ten (10) acres or more for the cultivation of land, raising of poultry and/or livestock, or for similar agrarian activity including forestry for gain or profit, and the related buildings (e.g. packing shed, feed mill, etc.) structures, and appurtenances associated with or necessary to carry out the aforementioned activities.

Airfield Any area of land or water with airspace certified by the Federal Aviation Administration and utilized for the landing or taking off of aircraft.

Airport Any area of land or water with airspace certified by the Federal Aviation Administration and designed and set aside for the landing and taking off of aircraft, and utilized, or to be utilized, in the public interest for such purposes. An airport shall include all runways, terminal buildings, hangars, and related facilities located on the airport premises.

Alternative Energy A form of energy derived from a natural source, such as the sun, wind, tides, or waves also called renewable energy.

Apartment Building A single-structure located on a parcel of land under single or joint ownership, containing four or more independent, residential units with cooking facilities for the sole use of each residential unit.

Automobile Sales Lot Open premises arranged, designed, or used for storage and display for sale of any motorized vehicle and/or trailer which can be towed legally on Georgia roadways.

Base Flood The flood having a one percent chance of being equaled or exceeded in any given year. Base flood is synonymous with the term “regional” or “100-year” flood.

Bed and Breakfast Home A residential structure occupied as principal residence by the owner(s) of record wherein lodging or lodging and breakfast only is provided to guests for compensation.

Bed and Breakfast Inn A bed and breakfast inn is a building or dwelling unit, not necessarily owner-occupied, that offers transient lodging accommodations and breakfast for four or more guest rooms for compensation provided.

Biomedical Waste Facility Any facility or location where the final disposition of any amount of biomedical waste (as that term is defined in O.C.G.A. ***12-8-22, as amended) occurs, whether or not mixed with or including other waste allowed under Subtitle D of the Resource Conservation and Recovery Act of 1976, as amended, and includes, but is not limited to, biomedical waste landfills and biomedical waste thermal treatment technology facilities.

Boarding House A dwelling in which lodging and meals are furnished for compensation. Maximum occupancy shall be governed by life safety codes.

Buffer That portion of a given lot, not covered by buildings, pavement, parking, access and service areas, established as landscaped open space for the purposes of screening and separating properties with incompatible land uses, the width of which is measured from the common property line into a given lot. A buffer consists of trees, shrubs, and other natural vegetation undisturbed by grading or site development and replanted where sparsely vegetated or where disturbed for approved access and utility crossings.

Building Any structure, either temporary or permanent, above or below ground, having a roof or other covering and designed, built, or used as a shelter or enclosure for persons, animals, or property of any kind including tents or awnings used for purposes of a building.

Building Height The vertical distance of a building measured from the average elevation of the finished lot grade along the front of the building to the highest point of the building.

Building Line A line beyond which the foundation wall and any roofed porch, vestibule or other such portion of a building shall not project.

Building, Principal The building in which is conducted the principal and primary use of the lot on which the structure is situated.

Care Home A rest home, nursing home, convalescent home, home for the aged or similar use established and operated on a profit or non-profit basis to provide lodging and meals and domiciliary care for the aged, infirm, chronically ill or convalescent persons. The term “care home” shall include the term “extended care facility” as defined by Georgia Law. Such facility shall be licensed pursuant to applicable Georgia codes. This term does not include facilities for the care of mental patients, alcoholics, drug addicts, and does not include nursery school.

Caretaker or Employee Residence An accessory residence (including mobile and manufactured homes) placed on an otherwise occupied tract for use by a bona fide caretaker, employee or the owner himself.

Child Care A service offered at any place operated by a person, society, agency, corporation, institution, or group where pay is received for group care of minor children (under 18 years of age) for less than 24 hours per day, without transfer of legal custody.

Child Care, Day-Care Center A place operated and where pay is received for group care for less than 24 hours per day, without transfer of legal custody, of 19 or more children under 18 years of age.

Child Care, Family Day-Care Home A private residence operated by any person who receives pay for the supervision and care for less than 24 hours a day, without transfer of legal custody, at least three but not more than six children under 18 years of age who are not related to such person and whose parents or guardians are not residents in the same private residence. All definitions reflect current State of Georgia definitions.

Child Care, Group Day Care Home Any place operated by any person or group wherein pay is received for not less than seven nor more than 18 children under 18 years of age for care and supervision for less than 24 hours per day.

Church A building in which people regularly assembles for religious worship intended primarily for purposes connected with such worship or for propagating a particular form of religious belief.

Club or Lodge Building in which organized religious, fraternal, recreational, social or educational meetings are conducted on a regular, non-profit basis. Fraternal organizations must show that they have received recognition and sanction from a parent group or organization. A private club must show that its membership is limited by either: (a) the use and operation of an amateur athletic facility including but not limited to golf courses, tennis courts, shooting ranges or swimming pools; or (b) residency in a particular subdivision, condominium, apartment project or other residential development.

Conditional Use A use which is not permitted inherently in a specific district but which may be permitted under specific conditions subject to approval by the Board of Commissioners.

Condominium A building or building on a single parcel comprised of multiple dwelling units in which each tenant holds full title to his dwelling unit and joint ownership in the common grounds.

Cul-de-sac A street which has one end open to traffic and the other end permanently terminated by a circular turn-around.

Day Care Center An establishment operating for profit which provides care and education for six or more children opened for the major portion of the day or night and in which meals are served.

Designated Official The Zoning Administrator or other designated official as determined by the Macon County Board of Commissioners.

Drive-In Any retail or service enterprise wherein a good or service is provided to the consumer on the inside of the principal building and to the consumer while in his motor vehicle through an exterior wall of the principle building. The term "drive-in" includes but is not limited to drive-in restaurants and dairy bars, theaters, banks, laundries, food & beverage stores and car washes.

Dwelling A building or portion thereof designed or used for permanent residential purposes, not including recreation vehicles, hotels, motels or farm implement buildings, farm storage/shop buildings and all buildings used for animal confinement.

Dwelling, Single- Family Detached A dwelling containing not more than one dwelling unit that is designed as a single-family household.

Dwelling, Multi-Family A building designed, constructed, altered for three or more adjoining dwelling units, where the occupants of each individual unit are living independently of each other, with each dwelling unit having a party wall or party floor connecting it to at least one other dwelling unit in the same building. Multi-family buildings may also be townhomes provided they meet all State of Georgia and International Code requirements.

Dwelling Unit A building or portion thereof, that provides complete living quarters including kitchen, bathroom and living space with all plumbing indoors for one or more persons living in a single housekeeping environment.

Duplex A duplex is a structure used for residential purposes and consisting of two living units with a common wall.

Easement A grant to a person or to the public by a property owner of a strip of his land for road right-of-way or other specified purposes.

Equestrian Center A tract of land of five acres or more on which more than four adult horses are kept for the purpose of training boarding, sale or breeding, or where instruction pertaining to the same is given for a fee. For the purposes of this zoning ordinance this term includes facilities for riding trails and rings, shows, competitive equestrian events and riding lessons.

Family A family is a group of individuals not necessarily related by blood, marriage, adoption or guardianship living together in a dwelling unit as a single housekeeping unit. For the purposes of this ordinance, “family” does not include any society, club, fraternity, sorority, association, lodge, federation, or like organizations; or any group of individuals who are in a group living arrangement as a result of criminal offenses or drug and alcohol rehabilitation.

Farm A parcel of land consisting of a minimum of ten (10) plus acres on which bona fide agricultural and related uses are conducted as specified in “agriculture”.

Farm Implements Includes but not limited to, any tools, machinery, equipment, appliances, devices or apparatus used to perform agricultural operations, except when such implements are intended for sale in the ordinary course of business.

Farm Implement Building A building that is used to store machinery, farm implements, hay, or other agricultural equipment or products to protect it from the weather during the period of not being used or protection from the environment for an extended period of time. This structure will not be supplied with power or any electrical generating equipment to enhance or add to the overall structure of the building. This will consist of pole construction without walls but not limited to and will be a permanent attachment to the property itself.

Farm Storage/ Shop Building A building without electricity used to temporarily store farm machinery, farm implements, equipment, seed, plants and harvested crops used in agricultural practices from the weather. A building with electricity used to store seed, agricultural products, farm machinery, and equipment and to repair farm equipment.

Farm Stand A booth or stall located on a farm from which produce and farm products only are sold to the general public.

Farmland, Prime Land which is best suited to producing food, feed, forage, fiber and oilseed crops produces the highest yields with minimum inputs of energy and money, and results in the least damage to the environment when farmed.

Farm Animal House Structure designed primarily for the housing of cattle, swine, sheep, emus, etc. for commercial sale of milk or animals.

Fish Farm (1) Commercial - A business enterprise in which the grower's income is derived from harvesting fish in mass, and subsequent bulk sale of large volume catches to one buyer, usually under contract. **(2) Recreational** A facility in which fishermen catch fish, usually one at a time, for sport and/or food, and in which the owner of the facility may or may not charge for the fish taken.

Flood or Flooding A general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of inland or tidal waters, or (2) the unusual and rapid accumulation or runoff of surface waters from any source.

Floodplain The low-lying and relatively flat areas adjoining inland waters, and including, at a minimum, that area subject to a one percent or greater chance of flooding in any given year.

Floodway The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Flood Zone Zones as they appear on the Flood Insurance Rate Map (FIRM) in which the risk premium insurance rates have been established by a Flood Insurance Study.

Frontage That dimension of a lot measured along the front street / road right-of-way line. If said front street /road right-of-way line is curved, then the dimension along the chord of the arc.

Garage, Mechanical/Repair Building (s) and premises designed or used for the purpose of service or commercial repair of motor vehicles, provided (1) that all body work and painting shall be conducted within fully enclosed buildings, (2) that the storage of junk, wrecked vehicles, dismantled parts or supplies shall be solely for the purpose of repairing motor vehicles and not as a salvage or junkyard business, and (3) that the storage of junk, wrecked vehicles, dismantled parts or supplies not be visible beyond the premises.

Group Home A residence under the ownership and supervision of a public educational or governmental institution occupied or intended for occupancy by several unrelated persons or families, and in which cooking facilities are shared among all resident persons or families.

Group Personal Care Home See "Personal Care Home, Group".

Halfway House A center for formerly institutionalized individuals, such as mental patients, drug addicts, alcohol dependent or previously incarcerated person(s), designed to facilitate readjustment to private life.

Hazardous Waste Any solid waste which has been defined as a hazardous waste in regulations promulgated by the administrator of the United States Environmental Protection Agency pursuant to the federal act which are in force and effect on February 1, 1991, codified as 40 C.F.R. Section 261.3 and any designated hazardous waste, and as that term is defined in O.C.G.A. ** 12-8-62, as amended.

Hazardous Waste Facility Any property or facility that is intended or used for storage, treatment, or disposal of hazardous waste and which has been legally certified, licensed, approved and otherwise sanctioned by the appropriate state and federal agencies.

Hobby Farm A small farm less than ten (10) acres in size operated for pleasure or supplemental income rather than for primary income. As defined by the IRS a farm is considered a hobby farm if it does not profit in any three of five consecutive years or two of seven consecutive years.

Home Occupation An occupation or profession conducted entirely within a dwelling and which is carried on by a resident thereof and no more than two nonresidents, and which is clearly incidental and secondary to the use of the dwelling for residential purposes. A Home Occupation does not allow access by the public. A Home Occupation is designed to be less restrictive than a Home Office but more restrictive than a Residential Business in regard to access by the public, size, visibility, number of employees and types of business.

Home Office An office use conducted entirely within a dwelling which is carried on by an occupant thereof and no other individual, and which is clearly incidental and secondary to use of the dwelling for residential purposes. The office may be for the purpose of service or trade workers who customarily work at various locations, such as electricians, plumbers, appraisers, real estate salespersons, or individuals who work at home, such as writers or computer programmers. There will be no changes that would alter the character of the dwelling or reveal from the exterior that the dwelling is being used in part for other than residential purposes. The office shall be limited to one room of the dwelling and not exceed more than three hundred square feet in area. Home Office shall not include any business, which involves the sale, manufacture or repair of merchandise on the premises. Home Offices shall also not include any business requiring access by the public, including, but not limited to, customers, clients or vendors. No outside storage or display, including signs is permitted and no one other than family members who reside on the premises may be employed in the office.

Hospital Any institution receiving patients and rendering medical care including those wherein mentally retarded, mentally disturbed, epileptic, alcoholic or drug addicted, chronically ill and physically disabled patients are treated or cared for. Such facility shall be legally and properly certified, licensed, approved and otherwise sanctioned by the appropriate state or federal agency.

Hotel A building where overnight accommodations are provide for ten or more individuals of the general public for compensation and where provisions for cooking are made in a central kitchen and not in individual rooms or suites and where ingress and egress to all rooms are made through an inside lobby or office.

Hunting/Fishing Camp A location at which permanent and/or temporary housing facilities are located for temporary occupancy by hunters and fishermen.

Industrial Park A tract of land subdivided and developed according to a comprehensive development plan in a manner which provides a park setting for industrial establishments.

Industrialized Building A term used in Georgia, “industrialized building” replaces the now obsolete term “Factor-Built Housing” and describes certain manufactured housing regulated by the Georgia Department of Community Affairs. Georgia law defines industrialized buildings as “any structure or component thereof which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation or assembly on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof”. Industrialized buildings are constructed and regulated in accordance with the “Industrialized Building Act” (Georgia Law 1982 (O.C.G.A., Title 8, Chapter 2, Article 2, Part 1). An industrialized building shall meet all requirements of the zoning district in which it is located. The term shall also include modular home and systems built home or unit.

Kennel, Commercial Any place in or at which more than four adult dogs, cats, rabbits or other domesticated animals are kept for the purpose of sale, boarding, care, breeding or training, and for which any fee is charged for such services. This term does not apply to similar facilities operated for agrarian or agricultural purposes.

Laboratory An establishment or premises where scientific services are provided including testing or analysis of medical, chemical, physical, mechanical, electric or electronic nature, or the calibration of instruments.

Landfill An area of land on which, or an excavation in which, solid waste is placed for permanent disposal and which is not a land application unit, surface impoundment, injection well, or compost pile, as that term is defined in O.C.G.A. ** 12-8-22, as amended.

Lodging Home See “boarding house”.

Lot A parcel of or a portion of land of varying size and shape, described as a single unit of property and held in single ownership by one person or in common ownership by more than one person or corporation. A parcel of land which satisfies the area requirements for the district within which it is located, or on which exists a legal nonconforming use, and has frontage along or legal access to a public right-of-way, and is intended as a unit for transfer of ownership or for building development. A lot shall have a separate tax parcel reference number designated in the office of the County Tax Commissioner and/or the County Tax Assessor.

Lot Line, Front The front property line coincident with the street right-of-way line. The front lot line of a corner lot shall be the lot line facing the principal building entrance.

Lot, Interior A lot other than a corner lot.

Lot Line, Rear The rear lot line is generally opposite the front lot line. If the rear lot line is less than ten feet in length or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a line parallel to the front lot line, not less than ten feet long, and lying wholly within the lot and farthest from the front lot line.

Lot, Substandard A lot, which does not meet the minimum lot size requirements for the district in which it is located.

Lot Width The distance between the side lot lines measured at the front building line.

Manufactured Home or Office A new or used structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-condition, and electrical systems contained therein. Such term shall also include any structure which meets all the requirements of this paragraph except size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of Housing and Urban Development and complies with the standards established under the National Manufacturing Housing Construction and Safety Standards established under the National Manufacturing Housing Construction and Safety Standards Act of 1974 as amended, 42 U.S.C. 5401, et seq. Manufactured home shall meet all requirements of Article IX, Section 2 of this ordinance.

Manufactured Home Park A parcel of land planned and improved for the placement of two or more mobile homes for non-transient use and occupancy or for rental occupancy. The term "park" includes the term "community".

Materials Recovery Facility A solid waste handling facility that provides for the extraction from solid waste of recoverable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials suitable for use as a fuel or soil amendment, or any combination of such materials, and as that term is defined in state statute.

Mobile Home A structure, transportable in one or more sections, which, in the traveling mode, is eight feet or more in width or 40 feet or more in length or, when erected on-site, is 320 or more square feet and which is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein and manufactured prior to June 15, 1976.

Modular Systems-Built Home or Building A factory fabricated dwelling which is constructed in one or more sections and is manufactured in accordance with the Georgia Industrialized Building Act and the rule of the Commission of the Georgia Department of Community Affairs. Each modular home shall meet the standards of an industrialized building and shall bear the seal of approval as issued by the Commission of the Georgia Department of Community Affairs. Modular homes are transported to the site and installed onto a permanent foundation, never having an axle or a tongue (hitch).

Modular Home A factory fabricated transportable (carted) building consisting of units designed to be incorporated at a building site on a permanent foundation as a permanent structure with the appearance of a conventional, on-site constructed building to be used for residential purposes, bearing a seal of compliance with regulations of the Southern Building Code Congress International, the Georgia Industrialized Building Act, or the Manufactured Housing Construction and Safety Standards Act, as amended.

Motel A building or group of detached, semidetached or attached buildings containing guest rooms or dwellings, typically having separate outside entrances for each guestroom, with garage or parking space conveniently located to each unit, and which is designed, used or intended to be used primarily for the temporary accommodation of individuals or families in transit.

Nonconforming Use Any use of a parcel or lot of land and/or building which lawfully exists at the time of adoption of this ordinance and which does not conform to the regulations of the district in which it is located.

Nursing Home An orphanage, rest home, care home, convalescent home, boarding home for the aged, or similar use established to render domiciliary care, but not including facilities for the care of mental patients, alcoholics, drug addicts, and not including day nurseries.

Occupy To use land or buildings for any length of time for a purpose for which the land or a building or part thereof is used or is intended to be used. Any variation of the term “occupy” shall be encompassed by this definition. Used synonymously with reside, dwell, inhabit.

Open Air Business Open Air Businesses shall include the following:

1. Retail sale of trees, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment.
2. Retail sale of fruit and vegetables.
3. Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children’s amusement park or similar recreation services.
4. Bicycle, trailer, motor vehicle, boat or home equipment sales, repair service or rental service.
5. Outdoor display and sale of garages, swimming pools and similar uses.

Park, Community A parcel of land owned by a unit of government or a private organization and used or intended to be used for recreational or leisure time activities, and which is open to the public at no charge. Such parks may include food or recreational sales as accessory uses.

Personal Care Home This term refers to a residence providing the protective care of adults who do not require chronic or convalescent medical or nursing care. Personal care involves responsibility for safety of the resident while inside the building and may include daily awareness by the management of the resident's functioning and whereabouts, making and reminding a resident of appointments, the ability and readiness for intervention in the event of a resident experiencing a crisis, supervision in the areas of nutrition and medication, and the actual provision of transient medical care. See also, "Group and Personal Care Home," "Congregate and Personal Care Home, Family".

Personal Care Home, Congregate This term refers to a personal care home for adults in a single-family residence or other type building, non-institutional in character and appearance, offering care to 16 or more person.

Personal Care Home, Group A personal care home for adults in a single-family residence or other type building, non-institutional in character and appearance, offering care to seven through fifteen persons.

Personal Care Home Family: This term refers to a personal care home for adults in a single-family residence non-institutional in character and appearance offering care to two through six persons.

Plat A sketch, map or survey of a lot, tract or parcel of land depicting the relative positions of lot lines, street rights-of-way and easements with the dimensions of these features inscribed thereon.

Plat, Development A preliminary design which shows the proposed layout of a subdivision in sufficient detail to indicate its workability and conformation to the design requirements of the subdivision regulations in all aspects, but not in final form for recording and the details are not completely computed. The development plat shall be approved by the Zoning board prior to any development.

Plat, Final A finished drawing of a subdivision showing completely and accurately all legal and engineering information and certification necessary for commission. Streets shown on the plat shall be approved by the board of commissioners prior to recordation.

Poultry House Structure designed primarily for the housing of chickens, turkeys, ducks or any other fowl for commercial sale of eggs or birds.

Private Road/Way A private street, drive or road provided solely for those property owners whose property is contiguous to and have a legal right to use. Such is not maintained or acceptable for maintenance by the governing authority but must meet minimum standards.

Public Right-of-Way A street or road which has been dedicated for public use by deed, plat and/or prescription.

Recreational Use of a Commercial Nature A building or use which provides entertainment, education, recreation or amusement for profit such as, but not limited to, a health spa, dance hall, bowling alley, skating rink, shooting range, amusement park, private zoo, sports stadium or arena, art gallery, concert hall, swimming pool or drive-in theater.

Recreational Vehicle A motorized camper, converted bus, tent-trailer or other similar vehicular or portable structure used or designed for temporary portable housing or occupancy while on vacation, recreation or other trips which provides sleeping accommodations.

Restaurant An establishment, however designated, at which food is sold for consumption on the premises. However, a snack bar, concession stand or refreshment stand at a public or non-profit community swimming pool, playground, park or marina operated solely for the convenience of patrons of the facility shall not be deemed a restaurant.

Residential Business An occupation or profession conducted within a dwelling, and which is carried on by an occupant thereof and no more than three (3) nonresidents, and which is clearly incidental and secondary to the use of the dwelling for residential purposes. The business may allow access by the public. The Residential Business is designed to be less restrictive than a Home Office or Home Occupation but more restrictive than a Rural Business in regard to access by the public, size, visibility, number of employees and types of business.

Right-of-way Line The outside boundary of a right-of-way, whether such right-of-way is established by usage, recorded easement, deed, dedication or by the official right-of-way map of Macon County.

Road A dedicated and accepted public right-of-way which affords the principal means of access to abutting properties.

Rural Business An occupation or profession conducted within a dwelling, an accessory structure or outside the dwelling and which is carried on by a resident of that property and no more than fifteen (15) nonresidents, and which is clearly incidental and secondary to the use of the property for residential dwelling purposes. The business may allow access by the public. The Rural Business is designed to be less restrictive than a Home Office, Home Occupation or Residential Business in regard to access by the public, size, visibility, number of employees and types of business.

Setback The minimum horizontal distance between the right-of-way line, or the lot line of an adjacent lot, and the front, rear or side lines of a building on the lot with setback restrictions. The term “required setback” means a line beyond which a building is not permitted to extend under the provision of this zoning ordinance establishing minimum depth and widths of yards.

Sexually Oriented Business Sexually oriented business means any business enterprise that: has as a regular and substantial business purpose the sale, display or rental of goods that are designed for use in connection with “specified sexual activities”, or that emphasize matters depicting, describing or relating to “specified sexual activities” or “specified anatomical areas”, or has one of the following as a regular and substantial business purposes: the providing of entertainment where the emphasis is on performances, live or otherwise that depict, portray, exhibit or display “specific anatomical areas” or “specified sexual activities”, or the providing of services that provide “specific sexual activities” or “specified anatomical areas” ancillary to other pursuits, or allow participation in “specified sexual activities” ancillary to other pursuits.

Salvage Yard The use of any space, whether inside or outside a building, for the storage, keeping, salvage or sale of junk, scrap metals or other scrap materials, including the dismantling, demolition or abandonment of one or more automobiles or other vehicles or machinery or parts thereof.

Shopping Center A group of commercial establishments planned, developed and owned or managed as a unit with on-site parking and of similar architectural characteristics.

Slow Rate Land Treatment System A system for wastewater treatment by spray irrigation (land application). The term refers to the advanced treatment of wastewater by irrigation on the land to support vegetative growth. For purposes of this zoning ordinance, the use may include ponds (lagoons) for the temporary storage of the treated wastewater before application to the spray fields.

Solid Waste Handling Facility A facility, the primary purpose of which is the storage, collection, transportation, treatment, utilization, processing, or disposal, or any combination thereof, of solid waste (as that term is defined in O.C.G.A. ** 12-8-22 as amended).

Special Flood Hazard Area Flood prone land subject to a one- percent or greater chance of flooding in any given year. In absence of official designation by the Federal Emergency Management Agency, such areas shall be those designated by the Macon County Board of Commissioners.

Street See “Road”

Structure Anything constructed or erected, the use of which requires permanent or semi-permanent location on the ground, or attached to something having permanent location on the ground.

Subdivision The division of a tract, parcel or lot into two or more building sites or other divisions for the purpose, whether immediate or future, of sale, or building development. This includes all divisions of land involving a new street or a change in existing streets and includes a re-Subdivision and, where appropriate, relates to the process of subdividing the land or area to subdivide.

Subdivision, Minor Any Subdivision containing not more than five (5) lots on an existing street, not involving any new streets or road, or the extension of County facilities , or the creation of any public improvement, and not in conflict with any provision or portion of the Comprehensive Plan or Subdivision Regulations.

Subdivision, Major All subdivisions not classified as a Minor Subdivision, including but not limited to subdivisions of six (6) or more lots, or any size subdivision requiring any new street or extension of county facilities, or creation of any public improvements.

Townhouse A residential structure containing three or more attached single-family units designed as a single structure having common or party walls. Each unit shall have its own front door which opens to the outdoors, and the units shall have two floors, but without access between adjoining units.

Travel Trailer A portable, vehicular structure not over eight feet wide by thirty-five feet long designed as a temporary dwelling for travel, recreational and vacation uses, and which may or may not have kitchen equipment, toilet, lavatory and bathing facilities, but if such facilities are included, a sewage holding tank for sanitary waste is required. Any vehicle designed or converted to a design with plumbing connections for attachment to outside sewage systems shall not be included in this definition.

Travel Trailer Park A parcel of land which has been planned and developed to accommodate two or more travel trailers, tents or other camping units for temporary occupancy. Maximum length of occupancy of any tenant shall not exceed sixty consecutive days.

Use, Permitted Those uses specifically listed in this ordinance as “uses permitted inherently” and conditional uses subject to approval by the board of commissioners.

Use, Principal The principal purpose for which a lot, building or land is designed, arranged, intended, occupied or maintained.

Variance A grant of relief or other modification of the requirements of this ordinance.

Vehicle Any device or contrivance for carrying or conveying persons or objects, said device being designed to be self-propelled by its own motor or power.

Water System, Community A potable water supply and treatment system other than an individual or public water system serving more than one building, residence, manufactured or mobile home or other facility designed or used for human occupancy or congregation. The system is one which is owned by a person or legal entity other than a unit of government.

Water System, Individual A potable water system other than a community or public water system serving a single building, residence, manufactured or mobile home, or other facility designed or used for human occupancy or congregation.

Water System, Public A potable water supply and treatment system, other than an individual or community water system, owned by a unit of government.

Zoning Administrator The official or other designated authority charged by the Macon County Board of Commissioners with the administration and enforcement of this ordinance or his/her duly appointed representative.

Zoning Commission The public body appointed by the Macon County Board of Commissioners, members of which serve specified terms, responsible for administering the Macon County Zoning Ordinance and, when deemed appropriate, recommending to the Macon County Board of Commissioners specific changes in said ordinance. Also referred herein as “Zoning Board”.

ARTICLE IV: GENERAL PROVISIONS

In addition to requirements stipulated elsewhere in this resolution, the use of land shall be subject to the following general provisions.

Section 1 Scope

No building structure, land or part thereof, shall be used or occupied, and no building or structure shall hereinafter be erected, constructed, re-constructed or altered and maintained, and no new use or change shall be made or maintained on or of any building, structure or land or part thereof, except in conformity with the provision of this ordinance and other applicable local, state building and health codes. Please see Article XVIII: Nonconforming Uses for further information regarding development regulations In Macon County.

Section 2 Accessory Building

An accessory building shall not be located less than ten (10) feet from side or rear lot lines.

When an accessory building is attached to the principal building by a breezeway, passageway, or similar means, it shall be considered part of the principal building and shall comply with the yard/setback requirements of the principal building.

No accessory building shall be constructed prior to construction of the principal use building, with the exception of farm buildings in the Agriculture district.

An accessory building in the side yard of a corner lot shall not be closer to the right-of-way line of a side road than the required front yard setback along said side road.

An accessory building is a building that is greater than 200 Square Feet. All other buildings will be considered as pump house for protection of operational part of wells.

Section 3 Automobile Service Station/Truck Terminals

All fuel pumps and above-ground storage tanks shall be setback at least twenty-five (25) feet from the nearest road right-of-way line.

Curb cuts (vehicular entrance or exit) for service stations shall not exceed thirty-five (35) feet in width, and there shall not be more than two (2) curb cuts to a service station per road frontage. Two (2) curb cuts on the same road frontage shall be separated by a distance of not less than twenty-five (25) feet.

Where a service station abuts a residential district, the commercial land use must erect a solid evergreen buffer, solid fence or wall at least six (6) feet high along that portion of the boundary shared with the residential district.

Section 4 Corner Visibility

No structure, plant(s) or other visual obstruction between the heights of two (2) feet and twelve (12) feet above grade elevation shall be allowed or permitted within twenty-five (25) feet of the intersection of two (2) road rights-of-way, or the intersection of a road right-of-way and railroad right-of-way. Utility poles and traffic signs may be allowed in said area.

Section 5 Home Occupations

The intent of this section is to provide for the reasonable development of home occupations as an accessory use to a residential use.

1. The owner of a home occupation must have a county business license as required by county code.
2. The number of employees not living on-site shall be limited to two..
3. No internal or external physical alteration which would be inconsistent with residential use of the building shall be permitted.
4. Business use shall not occupy more than 25% of the gross floor area of the residence.
5. No mechanical equipment shall be used for a home occupation except that which is normally used for domestic or agricultural purposes.
6. No display of products shall be visible from the road, and only products produced on the premises may be sold on the premises.
7. The only vehicles permitted in connection with the conduct of the customary home occupation shall be vehicles used primarily as passenger vehicles.
8. Adequate off-street parking must be provided for the residents, employees and business visitors.
9. Only one (1), point-of-business, motionless, non-lighted sign, not exceeding two (2) square feet in area, is allowed on-site, and it must be attached to the structure housing the home occupation. No advertising signs are allowed on-site.
10. The occupation shall not constitute a nuisance in the neighborhood.
11. Nursing or convalescent homes, childcare centers, boarding houses, massage studios; restaurants or similar establishments shall not be considered home occupations.
12. Rural Business Description, Development Standards, Exemption
 - 12.1 A rural business shall be secondary or incidental to the primary use of property for agricultural or residential purposes. Such business shall be primarily directed toward providing local or neighborhood services to rural-residential areas. Rural businesses are intended to be of smaller size, intensity and scale than commercial uses that would be more commonly found in a commercial district. Rural businesses shall be similar to home occupations except that the activity can occur in an accessory structure detached from the residence. In addition, an applicant for a rural business permit must be residing on the subject property prior to any application being filed for consideration by the Zoning Commission, and must maintain residency thereon throughout the period the business continues to operate.
 - 12.2 Development Standards. The following standards shall apply to all rural businesses.

- a. A permitted, rural business shall be valid only as long as the original petitioner owns and operates the business and maintains a valid business license. The rural business use permit is not transferable. The rural business use permit shall become void upon expiration of the business license. Any subsequent owner of property previously permitted for a rural business use must apply to the Zoning Commission for a rural business use permit.
 - b. The property containing the site of the rural business must also be the bona fide residence of the petitioner/business owner.
 - c. A rural business shall be located on property containing at least one (1) acre of land, and the site upon which the business is actually conducted shall not exceed one-half acre of land.
 - d. Only one (1) non-illuminated sign, limited to a maximum of sixteen (16) square feet, shall be permitted. This sign may have two (2) faces of up to sixteen (16) square feet each, back to back, sharing the same set of supports.
 - e. Adequate off-street parking must be provided for residents, employees and business visitors.
13. Exemptions: The following standards shall apply to all rural businesses unless the petitioner can demonstrate to the satisfaction of the Zoning Commission that exemption from one or more of the standards will not result in adverse impacts on surrounding property (ies). A modification of the following standards shall be permitted only if: (a) there are special and unusual topographic conditions unique to the property or structure, or (b) the proposed use is clearly of such a small scale, and will remain at such small scale that conducting or operating the business would not be obvious or noticeable from the adjoining property or by the public in general, and (c) if the intent of the rural business is maintained.
- 13.1. The rural business must be located to the side or rear of the principal residence on the property.
 - 13.2. Neither the structure in which the rural business is housed, nor the grounds on which rural business activity is performed, shall contain equipment which would not ordinarily be found in accessory structures in an agricultural/residential district.
 - 13.3. The structure shall be readily and easily usable for customary agricultural and residential uses.
 - 13.4. The architectural style shall be in keeping with surrounding agricultural and residential development.
 - 13.5. A rural business shall not exceed 15,000 square feet of gross floor area.
 - 13.6. A rural business shall have no more than twenty- five employees who do not reside in the principal residence on-site.

Section 6 Limited Use (LU) Provision

Upon receipt of a rezoning petition the Zoning Commission may determine the proposed development, though neither permitted nor conditioned in the district in which the proposed development site is located, may have less impact than some of the land uses permitted or conditioned in the district. The Zoning Commission may, in response to a rezoning petition, recommend to the Board of Commissioners that the site in question be approved for development as a specific limited use, e.g. C-2 L.U. beauty shop, rather than for the more general land use of commercial development. However, any such limited use must previously have been specifically permitted or conditioned in at least one of the county's zoning districts.

Section 7 Lot Frontage

Each lot containing a principal dwelling shall have frontage of at least one hundred (100) feet on a publicly owned or maintained right-of-way, except as may otherwise be stipulated herein. A variance may be permitted for lot frontage on a cul-de-sac, provided lot width at the building line is not less than the frontage granted by variance.

Section 8 One Principal Building

Per lot except as otherwise provided herein, only one single-family, detached dwelling and its customary accessory structures shall hereafter be placed or erected on any residential lot. For the purpose of supporting farming operations there shall be permitted in the Agriculture district one (1) secondary residential use per each ten (10) acres on a farm under single ownership (maximum of eight secondary residences) where the following conditions can be met:

1. Each secondary residence can be established only for persons directly supporting farming operations or for siblings and/or their spouses.
2. Each secondary residence shall occupy a land area of not less than one acre reserved for the specific use of said residence.
3. Each such land area shall be identified by permanent, physical markers and assigned an address in accordance with the county's system of addressing rural properties.
4. Each such land area shall receive approval from the county health department as to its suitability as a site for an effective sanitary sewage disposal system designed to accommodate wastes generated by occupants of said site.
5. A domestic water supply which satisfies the rules and regulations administered by the county health department shall be made available to each secondary residence.
6. No commercial use of this special provision shall be permitted.
7. Each secondary residence shall have a minimum road frontage of 100 feet; have direct access to the public thoroughfare system.
8. Individual power supply sources shall be provided to each secondary residence, and each utility installation shall meet such standards as have been adopted by appropriate, local authorities.
9. Secondary residences shall meet the requirements of local construction codes established by the Macon County Board of Commissioners.

10. Any change in use or occupancy must be approved by the Zoning Administrator.
11. Permits for construction will not be issued prior to approval of each of the aforementioned conditions, as applicable.

Section 9 Open Air Business

Open- air businesses shall blend with the rural environment in which they are permitted, and be compatible with surrounding rural development. Open-air business uses shall include the following:

1. Retail sale of trees, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment.
2. Retail sale of fruit and vegetables.
3. Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park or similar recreation services.
4. Bicycle, trailer, motor vehicle, boat or home equipment sales, repair service or rental service.
5. Outdoor display and sale of garages, swimming pools and similar uses.

Section 10 Agreement with Health Codes

No requirement mandated herein shall be enforced where said requirement or provision is in conflict with public health, safety and welfare codes enforced by the Macon County Health Department.

Section 11 Shared Open Space Prohibited

Required open space may not be used by another building. No part of any yard, other open space, or off-street parking or loading space required in connection with any building, structure, or use by this ordinance shall be considered to be part of a required yard, or other open space, or off-street parking or loading space for any other building, structure, or use.

Section 12 Reduction of Yard or Lot Area

No lot existing at the time of passage of this ordinance shall be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless said reduction or division is necessary to provide land that is needed and accepted for public use.

Section 13 Every Lot Shall Abut a Road

1. No building shall be erected on a lot which does not abut an open public road or a private road meeting current county development standards and duly approved by the Road Superintendent;
2. The standard drive way to a lot shall not be less than 12 feet in width;

3. There shall be no overhead branches or sign obstruction located on the entry way hanging lower than 12 feet;
4. The road must be accessible in all weather and;
5. If the road is a one-way in and one way out there must be an area of clearance of not less than 100 feet or a cul-de-sac style of turn around point at the end of the “road”.

Section 14 Multiple Frontage Lots

Lots which front more than one road or street shall satisfy the front setback requirements for each road or street it fronts.

Section 15 Uses Prohibited

If either a use or class of use is not specifically stated as being permitted in a district, either as a matter of right, or as a Special Exception, then such use, class of use or structures for such use shall be prohibited in such district.

Section 16 Substandard Lots of Record

Any lot of record existing at the time of the adoption of this ordinance which has an area or a width which is less than that required by this ordinance may be used as a building site for a structure or use permitted in that zone; provided, however, that the same yard, setback, open space, and other dimensional requirements are met that would be required for a standard lot.

Section 17 Substandard Lots Resulting From Public Dedication or Condemnation

In the event an undeveloped lot of record is reduced in size through an act of public dedication or condemnation for public purposes, the development standards contained in the chapter for width, depth, or area may be waived by the Macon County Zoning Commission and such property may be utilized for all permitted and, where authorized, conditional uses. Said waiver is permissible only if the county health department determines that the health and general welfare of the lot owner and Macon County will not be adversely affected by the intended use. Adjacent, underdeveloped lots of record which are owned by the same individual and which are affected by dedication or condemnation for public purposes shall be combined, and where possible to standard lots.

Section 18 Area Surrounding the Structure

Every lot that holds a residential structure shall have an area that is cleaned of dead vegetation at least 40 feet from the base of the living/storage structure.

ARTICLE V: ESTABLISHMENT OF DISTRICTS

Section 1 Purpose

For purposes of this ordinance, the area of Macon County outside the incorporated communities of Ideal, Marshallville, Montezuma, and Oglethorpe, is divided into land use districts or zones for the purposes of promoting the proper location, height, bulk, number of stories, size of open space, density and distribution of population and use of buildings, structures, and land for trade, industry, residence, recreation, agriculture, forestry, conservation, sanitation, protection against flooding, public activities, and other purposes so as to lessen congestion in roads and streets; to secure safety from fire, panic, and other dangers; to promote the public health and general welfare; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population, to prevent urban sprawl; to facilitate adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to promote desirable living conditions and stability of neighborhoods; to protect against blight and depreciation; to secure economy in governmental expenditures; to conserve the value of buildings and to encourage the most appropriate use of land, buildings, and structures throughout Macon County, and for other purposes.

Section 2 Establishment of Districts

In order to carry out the intent and purpose of this ordinance, unincorporated Macon County is hereby divided into the following districts:

<u>DISTRICT NAME</u>	<u>Abbreviation</u>
Agricultural Intensive	AG-1
Agricultural Residential	AG-2
River Protection	RP
Single Family Residential	R-1
Multi-Family Residential	R-2
Manufactured Home Park	R-3
Recreational Vehicle Park	RVP
Local Commercial	C-1
General Commercial	C-2
Industrial	I
Cultural/Historical	CH
Flood Hazard (Overlay District)	FH

Section 3 Purpose of Districts

The Agriculture Districts is established in recognition of the high incidence of farmland and prime farmland in the county, high rate of farmer participation in the farmland preferential tax assessment program, the economic impact of farming on Macon County, the general population decline which has occurred in the unincorporated area during the preceding forty-year period (1960-2000) and projected minimal population growth over the next 20 years. There are two Agricultural Districts: The Agricultural Intensive District and The Agricultural Residential District. The intent of both districts is to protect the right-to-farm while allowing non-agricultural land uses which are compatible with agriculture, and which tend to support and serve the needs of residents and land use in the Agriculture district.

The Agricultural Intensive District is established in recognition of the high incidence of prime farmland in certain areas the county and the importance of protecting this economic, cultural and natural resource from non-compatible land uses and higher land densities.

The Agricultural Residential District is intended to provide residents more housing choice in the agricultural and rural residential areas of the county by allowing higher residential densities of housing in those areas where prime farmland is less prevalent and where municipal water services may be available now or in the near future. Although agricultural is the predominant land use in this district, and is encouraged to remain so and significant prime farm land acreage is present, this natural resource is much less concentrated than in the Agricultural Intensive District.

The River Protection district is created in recognition of the natural resources, eco-systems, flora and fauna which make positive contributions to the local quality of life in Macon County and to protect these resources from the development they so often attract. The purpose of the River Protection is also to promote public health, safety, and general welfare, and to minimize public and private property losses due to flood conditions along the Flint River and its tributaries.

The Single-Family Residential district is established to encourage development of single-family, detached housing including stick-built, modular and manufactured homes and to encourage neighborhood maintenance and preservation. This district will allow a variety of higher density housing when public water and sewer services are available and when those public water and sewer services have the capacity to serve new development but discourage developments which would generate traffic levels and patterns on neighborhood roads in conflict with the a roads current capacity and acceptable service level.

The Multi-Family Residential district will allow a variety of higher density housing when public water and sewer services are available and when those public water and sewer services have the capacity to serve new development but discourage developments which would generate traffic levels and patterns on neighborhood roads in conflict with the a roads current capacity and acceptable service level.

The Manufactured Home Park district is created and designed for the development of manufactured home parks and related facilities within a well - planned environment and operated in Macon County for the health, safety, and welfare of those who reside in said park and all citizens of Macon County.

The RVP district is established as a place for tourist, vacationers, sportsmen and sportswomen to stay temporarily in Macon County while enjoying its' many natural and historic resources. The length of stay for any occupant will not exceed one hundred eighty (180) days. RVP shall be well-planned and designed and operated in Macon County for the health, safety, and welfare of those who reside in said park, for the preservation of the health, safety, and welfare of all citizens of Macon County.

The Local Commercial district is intended to permit retail business and service uses that are needed to serve nearby residential areas. Uses are prohibited which would create hazards, offensive and loud noises, vibration, smoke, glare, heavy truck traffic, or late hours of operation. The intent of the this district is also to encourage the concentration of local business areas in locations proposed in the future land use plan to the advantage of consumers, merchants, and the community, thereby promoting the best use of land at certain strategic locations by prohibiting marginal, strip business development along county roads.

The General Commercial district is established to provide for and encourage development of a wide variety of sales and services in response to the broader commercial needs of the county and to provide areas for more intense commercial uses usually located along major arterials and used as a gateway into municipalities and in need of public water and sewer.

The Industrial district is established to provide suitable area for industrial development and manufacturing facilities that can operate with Macon County' existing public infrastructure capabilities.

The Flood Hazard district is established to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to

require that land uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

- Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;
- control filling, grading, dredging and other development which may increase flood damage or erosion;
- prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands; and
- control the alteration of natural floodplains, stream channel, and natural protective barriers which are involved in the accommodation of floodwaters.

The Cultural – Historic district purpose is to recognize, plan and protect the integrity of Macon County's unique and historic areas. The county finds that its historic areas and their scenic surroundings are important cultural, recreational and economic assets, critical to the public's long-term interest. Zoning standards and regulations should protect these areas while advancing community development goals and furthering and protecting the public's health, safety and welfare. New construction in these areas should complement rather than interrupt, obscure, or otherwise damage or destroy the historic areas.

Section 4 District Zoning Map

The boundaries of zoning districts are shown upon the map designated as the official zoning district map of unincorporated Macon County. The zoning map and all notations, references, and other information shown thereon are a part of this ordinance and have the same force and effects as if the zoning district map and all the notations references and other information show thereon were fully set forth and described herein, which zoning district map is properly attested and is on file with the Macon County Zoning Administrator and available for public review.

Section 5 Interpretation of District Boundaries

Where boundaries are indicated as approximately following street lines, land lot lines, militia district lines, railroad lines, stream beds or river beds, private lot lines or corporate limit lines, such lines existing at the time of passage of the zoning resolution shall be construed to be such boundaries.

Where a district boundary divides a parcel, location of the district boundary shall be determined by use of the map scale appearing on the official zoning map, unless clearly indicated otherwise by dimensions on the zoning map.

Where a public right-of-way is officially vacated or abandoned, the vacated property shall be considered as being within the same zoning district as the adjoining property.

Where district boundaries are shown so as to indicate they are approximately parallel to the centerlines of roads or highways, such boundaries shall be construed as being measured from or being parallel to the center lines of such roads or highways. If no distance is provided, dimensions shall be determined by the use of the map scale appearing on the official zoning map.

Section 6 Official Zoning Map

The location and boundaries of the zoning districts established by this ordinance are bounded and defined as shown on the maps entitled "Zoning Map of Macon County, Georgia." Said map shall also be identified by the signature of the clerk, the County Commission Chairman of Macon County and the adoption date of this ordinance. The zoning maps and all explanatory matters thereon are hereby adopted and made a part of this ordinance.

ARTICLE VI: ZONING DISTRICT STANDARDS AND PERMITTED USES

Section 1 Zoning District, Lot and Height Standards

The requirements regarding lot size, building size, and building placement on the lot for each zoning district shall be met as indicated in Article IV - General Provisions and Article VI, Section I Zoning District, Lot and Height Standards. Please note the districts not listed in this table have standards in separate articles of this ordinance. This table is provided for quick reference and such standards are set forth in greater detail in Articles VII - XV: Development Standards.

Zoning District	Minimum Lot Area	*Minimum Lot Width at Setback Line (ft.)	**Front Yard (ft.)	Side Yard Setback	Rear Yard Setback	Max. Bldg. Height (ft.)
Agricultural Intensive AG-1	1 Acre	150'	90'	20'	20'	100'
	10 Acres per 2 nd Residence					
Agricultural Residential AG-2	2 Acres	210'	150'	50'	50'	40'
River Protection (RP)	See Text	100'	50'	50'	50'	20'
Single-Family Residential (R-1)	1 Acre	150'	90'	20'	25'	40'
Multi-Family Residential (R-2)	1 Acre	150'	90'	20'	25'	40'
Manufactured Home Park (R-3)	2 Acres	210'	100'	20'	20'	20'
Recreational Vehicle Park (RVP)	5 Acres	300'	90'	25'	25'	20'
Local Commercial (C-1)	1 Acre	150'	75'	15'	25'	40'
General Commercial (C-2)	1 Acre	150'	75'	15'	25'	40'
Industrial (I)	1 Acre	150'	90'	20'	25'	100'
Cultural/Historical (CH)	25 Acres	500'	150'	50'	50'	40'
Flood Hazard Overlay District (FH)	See Article XIII Section 2.2	100'	50'	50'	50'	20'

Section 2 Permitted Uses in Zoning Districts

The following matrix indicates uses permitted in all districts (A), uses prohibited (N), and conditional (C) uses permitted after review by the zoning committee and approved by the county commission.

*See underlying zoning districts for uses allowed, not allowed, or conditional

** See text for additional allowed and conditional use information

Permitted Uses in Zoning Districts

USES	ZONING DISTRICTS											
	AG-1	AG-2	RP	R-1	R-2	R-3	RVP	C-1	C-2	I	CH	FH (Overlay)*
Agricultural												
Agricultural Services (Feed Mill)	A	A	N	N	N	N	N	N	N	A	N	
Aquaculture Production – Fishing Pond	A	A	N	N	N	N	N	N	N	N	C	
Chip Mill	N	N	N	N	N	N	N	N	N	C	N	
Concentrated Animal Feeding/Production Operations(Cattle, Pork, Poultry)< 50%	A	A	N	N	N	N	N	N	N	N	A	
Concentrated Animal Feeding/Production Operations(Cattle, Pork, Poultry)> 50%	C	C	N	N	N	N	N	N	N	N	N	
Commercial Swine Feeding Operation	A	A	N	N	N	N	N	N	N	N	A	
Crops (Field/Row)	A	A	A	N	N	N	N	N	N	N	N	
Dairy Farming	A	A	A	N	N	N	N	N	N	N	A	
Deer & Game Processing	A	A	N	N	N	N	N	N	N	N	N	
Greenhouse**	C	C	A	N	N	N	N	N	A	N	N	
Horticulture (Fruits, Nuts, Vegetables; Processing)	A	A	N	N	N	N	N	N	N	N	N	
Horticulture Production (Fruits, Nuts, Vegetables) Non-Processing	A	A	A	N	N	N	N	C	C	N	A	
Horticulture (Greenhouse or Plant Nursery), Commercial Sales	A	A	A	N	N	N	N	C	C	C	N	
Hunting / Fishing Camp	A	A	A	N	N	N	N	N	N	N	C	
Livestock, Fish & Birds	A	A	A	N	N	N	N	N	N	N	N	
Livestock Sales Pavilion, or Farmer's Market	A	A	N	N	N	N	N	N	N	N	N	

USES	ZONING DISTRICTS											
	AG-1	AG-2	RP	R-1	R-2	R-3	RVP	C-1	C-2	I	CH	FH (Overlay)*
Poultry Producers, Egg Producers Production	A	A	N	N	N	N	N	N	N	N	N	
Produce Stands/Farm Stands	A	A	N	N	N	N	N	A	A	N	C	
Silviculture Production	A	A	A	N	N	N	N	N	N	N	A	
Slaughter House, Stock Yards	A	A	N	N	N	N	N	N	N	C	N	
Stable (Riding), Private	A	A	N	N	N	N	N	N	N	N	N	
Timber Production and Harvesting	A	A	A	N	N	N	N	N	N	N	A	
Alternative Energy Systems												
Solar Panels, etc.	C	C	N	N	N	N	N	N	N	A	N	
Wind Turbines, etc.	C	C	N	N	N	N	N	N	N	A	N	
Animal Care Facilities												
Animal Hospital and Veterinary Clinics	A	A	N	N	N	N	N	A*	A	N	N	
Commercial Kennels, Boarding and Breeding*	A	A	N	N	N	N	N	C	C	N	N	
Pet Grooming Shops	C	C	N	N	N	N	N	A	A	N	N	
Automotive and Farm Equipment Sales and Services												
Automobile Sales	C	C	N	N	N	N	N	N	A	N	N	
Boat Sales	C	C	N	N	N	N	N	N	A	A	N	
Boat Service	C	C	N	N	N	N	N	N	A	A	N	
Farm Equipment/Heavy Equipment rental	C	C	N	N	N	N	N	N	A	A	N	
Parts and Tire Store	C	C	N	N	N	N	N	A	A	A	N	
Paint Shops	C	C	N	N	N	N	N	A	A	A	N	
Repair Shops	C	C	N	N	N	N	N	A	A	A	N	
Tire Re-treading and Recapping	N	N	N	N	N	N	N	C	A	A	N	
Trailer Sales	N	N	N	N	N	N	N	A	A	A	N	
Upholstery Shop	N	N	N	N	N	N	N	A	A	A	N	
Vehicle Storage (Open Storage of Wrecked or Junk Vehicles)	C	N	N	N	N	N	N	C	C	A	N	
Car Wash	N	N	N	N	N	N	N	A	A	N	N	

USES	ZONING DISTRICTS											
Building Materials	AG-1	AG-2	RP	R-1	R-2	R-3	RVP	C-1	C-2	I	CH	FH (Overlay)*
Paint, Glass and Wallpaper Stores	C	C	N	N	N	N	N	A	A	N	N	
Plumbing and HVAC Equipment Dealers	C	C	N	N	N	N	N	A	A	N	N	
Wood and/or Lumber Production (Saw Mill)	C	C	N	N	N	N	N	N	N	A	N	
Communication												
Billboards	A	A	N	N	N	N	N	C	C	A	N	
Broadcasting Stations	N	A	N	N	N	N	N	N	C	C	N	
Telephone Business Exchange	C	C	N	N	N	N	N	N	A	C	N	
Transmission Towers/Telecommunication Facilities	C	C	N	C	C	N	N	C	C	C	N	
Construction Contractor												
Heavy Construction Contractors WITH Equipment and Material Yard	N	N	N	N	N	N	N	N	A	A	N	
Heavy Construction Contractors WITHOUT Equipment and Material Yard	N	N	N	N	N	N	N	A	A	A	N	
Construction and Special Trade Contractor Sales and Services With Screened Outside Storage	A	A	N	N	N	N	N	N	A	N	N	
Education												
Research and Training Facility	C	C	N	N	N	N	N	C	A	C		
Schools (Public and Private)/Accredited Nursery***	C	C	N	C**	C	N	N	N	C	N		
Vacation Schools	A	A	C	C	C	C	C	N	N	C		
Public (Government Owned) Buildings and Structures	A	A	N	C	N	N	N	N	C	C		
Manufacturing												
Alcohol or Alcoholic Beverage	N	N	N	N	N	N	N	N	N	A	N	
Asphalt Plants	N	N	N	N	N	N	N	N	N	C	N	
Automobile and Truck Manufacture	N	N	N	N	N	N	N	N	N	A	N	

USES	ZONING DISTRICTS											
Manufacturing Cont'd	AG-1	AG-2	RP	R-1	R-2	R-3	RVP	C-1	C-2	I	CH	FH (Overlay)*
Brick, Clay, Tile or Concrete Products	N	N	N	N	N	N	N	N	N	C	N	
Canning Plant	N	N	N	N	N	N	N	N	A	A	N	
Cement, Lime Gypsum or Plaster of Paris	N	N	N	N	N	N	N	N	N	C	N	
Chemical, Organic and Inorganic	N	N	N	N	N	N	N	N	N	C	N	
Commercial Incinerator	N	N	N	N	N	N	N	N	N	C	N	
Corrosive Acid or Alkali Storage and Manufacturing	N	N	N	N	N	N	N	N	N	C	N	
Distillation of Beverages	N	N	N	N	N	N	N	N	N	A	N	
Distillation of Bones and Glue Manufacture	N	N	N	N	N	N	N	N	N	N	N	
Dye Works	N	N	N	N	N	N	N	N	N		N	
Explosive Manufacture or Storage	N	N	N	N	N	N	N	N	N	C	N	
Fabrication and Manufacturing Business Employing Not More Than 25 Workers in the Office and Manufacturing Operations(i.e. Small Tool and Shop, Dental, Surgical and Optical	N	N	N	N	N	N	N	N	A	N	N	
Fish, Poultry, Beef, and Pork Processing	N	N	N	N	N	N	N	N	N	C	N	
Rendering Plants and Fertilizer Manufacture Other than Blending	N	N	N	N	N	N	N	N	N	C	N	
Lumber Yards/ Saw Mills	N	N	N	N	N	N	N	N	N	C	N	
Manufacturing and/or Processing Facility of Sewage Sludge (Bio-Solids)	N	N	N	N	N	N	N	N	N	C	N	
Manufacture and Storage of Gas Including But Not Limited to Butane, Propane, Chlorine or Other Toxic or Noxious or Pyrophoric Gases	N	N	N	N	N	N	N	N	N	C	N	
Ice Manufacturing Plants	N	N	N	N	N	N	N	N	N	A	N	
Paper and Pulp Manufacturing	N	N	N	N	N	N	N	N	N	C	N	
Petroleum Bulk Plants/ Refining	N	N	N	N	N	N	N	N	N	C	N	

USES	ZONING DISTRICTS											
	AG-1	AG-2	RP	R-1	R-2	R-3	RVP	C-1	C-2	I	CH	FH (Overlay)*
Sugar Refineries	N	N	N	N	N	N	N	N	N	C	N	
Food Processing	N	N	N	N	N	N	N	N	N	A	N	
Pallet Manufacture	N	N	N	N	N	N	N	N	C	A	N	
Recycling Centers	N	N	N	N	N	N	N	N	N	C	N	
Any Other Processing or Assembly of Goods	N	N	N	N	N	N	N	N	N	A	N	
Recreation Amusement and Entertainment												
Assembly Halls(public Meeting Hall, Lodge Hall)	C	C	N	N	N	N	N	N	A	A	C	
Billiards and Pool Hall/Game Room	N	N	N	N	N	N	N	A	A	N	N	
Indoor Theaters	N	N	N	N	N	N	N	A	A	N	N	
Bowling Alley and Skating Rinks	N	N	N	N	N	N	N	A	A	N	N	
Civic, Social, and Fraternal Organizations/ Private Club**(Not For Profit)	C	C	N	C**	C	N	N	N	C	C	N	
Cultural Facilities	C	C	N	N	N	N	N	C	C	N	N	
Indoor Fitness Center	C	C	N	N	N	N	N	C	C	N	N	
Indoor/Outdoor Fitness Center/ Physical fitness facility	N	N	N	N	N	N	N	N	A	N	N	
Movie Theater/Live Performance Theater	N	N	N	N	N	N	N	A	A	N	N	
Museum	N	N	N	N	N	N	N	N	A	N	N	
Parks (Private)	N	N	N	C	C	C	N	C	C	N	N	
Parks (Public)	N	N	N	C	A	A	N	C	C	N	N	
Recreation Centers	N	N	N	N	N	N	N	C	C	N	N	

USES	Zoning Ordinance											
	AG-1	AG-2	RP	R-1	R-2	R-3	RVP	C-1	C-2	I	CH	*FH (Overlay)*
Public or Privately Owned Recreational Facilities i.e., Golf and Country Club, Hunting Preserves, Swimming or Tennis Clubs, Shooting, Trap and Skeet Ranges, etc.	C	C	N	C	N	N	N	N	C	C	N	
Golf Course	N	N	N	C	C	N	N	N	N	N	N	
Golf Driving Range, Miniature Golf	C	C	N	C	C	N	N	N	N	N	N	
Skateboard Park, Bicycle Race Track	C	C	N	N	N	N	N	N	N	N	N	
Automobile or Motorcycle Go-Cart Tracks, etc.	C	C	N	N	N	N	N	N	N	N	N	
Parks, Campgrounds, Campsites, and Primitive Campsites	C	C	N	N	N	N	N	N	N	N	N	
Stables (Riding) Commercial DUP	A	A	N	N	N	N	N	N	N	N	N	
Carnival, Rodeo, Horse Show, Shooting Event, Athletic Event or Community Fair	C	C	N	N	N	N	N	N	N	N	N	
Swimming Pool**	C	C	C	A	A	A	C	C	A	N	N	
Residential Uses												
Single Family(Site-Built)	A	A	A	A	N	N	N	N	N	N	C	
Duplex	N	N	N	C	A	N	N	N	N	N	N	
Triplex	N	N	N	C	A	N	N	N	N	N	N	
Apartments	N	N	N	C	A	N	N	N	N	N	N	
Townhouse	N	N	N	C	A	N	N	N	N	N	N	
Condominiums	N	N	N	N	A	N	N	N	N	N	N	
Patio Houses	N	N	N	N	A	N	N	N	N	N	N	
Zero-Lot Line Houses	N	N	N	N	C	C	C	N	N	N	N	

USES	ZONING DISTRICTS											
	AG-1	AG-2	RP	R-1	R-2	R-3	RVP	C-1	C-2	I	CH	FH (Overlay)*
Manufactured Housing Unit	N	N	N	A	C	N	N	N	N	N	C	
Manufactured Housing Unit Park	N	N	N	N/C	C	N	N	N	C	C	N	
Manufactured Housing Unit Subdivision	N	N	N	C	C	N	N	N	N	N	N	
Industrialized Building/Modular Housing	N	N	N	A	A	N	N	N	N	N	N	
Houses for Handicapped or Infirm and Child Cared												
In-House Day Care	C	C	N	C	C	C	N	C	C	N	N	
Group Day Care Center	C	C	N	C	C	C	C	C	C	N	C	
Nursery/Kindergarten	C	C	N	C	C	C	N	C	C	N	N	
Adult or Children Day Care	C	C	N	N	N	N	N	N	N	N	N	
Personal Care Home (Family)	N	N	N	N	N	N	N	N	N	N	N	
Personal Care Home (Group or Congregate)	C	C	N	C	N	N	N	N	N	N	N	
Half-Way Homes	N	N	N	C	N	N	N	N	N	N	N	
Orphanages	C	C	N	N	N	N	N	C	C	C	N	
Medical Facilities												
Hospital**	C	C	N	C	C	N	N	N	C	C	N	
Medical Clinics	N	N	N	C	N	N	N	A	A	N	N	
Dental Clinics	N	N	N	N	N	N	N	A	A	N	N	
Sanitariums	N	N	N	C	N	N	N	N	N	N	N	
Nursing Homes	N	N	N	C	N	N	N	N	N	N	N	
Miscellaneous Rooms for Rent												
Housing Migrant Farm Workers	A	A	N	N	N	N	N	N	N	N	N	
Rooming House, Boarding House	N	N	N	C	C	N	N	N	C	C	N	
Bed and Breakfast Inn	C	C	N	C	C	N	N	C	C	C	N	

USES	ZONING DISTRICTS											
	AG-1	AG-2	RP	R-1	R-2	R-3	RVP	C-1	C-2	I	CH	FH (Overlay)*
Temporary Emergency Construction Repair	N	N	N	N	N	N	N	N	A	N	N	
Travel Trailer Park/RV Campground***	C	C	N	N	N	N	A	N	N	A	N	
Religious Facilities												
Cemetery (Church Affiliated or Commercial)	C	C	N	N	C	C	N	N	N	C	C	
Churches	C	C	A	C	C	C	C	C	C	C	C	
Restaurants, Bars, Night Clubs, Entertainment Facilities												
Alcohol Drinking Establishments(Night Club, Lounge)	N	N	N	N	N	N	N	N	A	C	C	
Drive-In Restaurants	N	N	N	N	N	N	N	C	A	C	N	
Dine-In Restaurants (Only, No Dancing, Floor Show, Live Entertainment)	N	N	N	N	N	N	N	C	A	A	N	
Restaurants and Other Retail Food Establishments	N	N	N	N	N	N	N	C	A	A	N	
Drive-In Theater	N	N	N	N	N	N	A	A	A	N	N	
Dine-in, Carry Out, Delivery Restaurants	N	N	N	N	N	N	A	A	A	N	N	
Skating Rinks	N	N	N	N	N	N	A	N	A	N	N	
Sexually Oriented Business	N	N	N	N	N	N	N	N	N	C	N	
Carry-Out, Delivery Services (Only)	C	C	N	N	N	N	A	N	A	N	N	
Retail Trade												
Apparel and Accessory Stores	C	C	N	N	N	N	A	A	A	N	N	
Bicycle Sales	C	C	N	N	N	N	A	A	A	N	N	
Books and Stationary Stores	C	C	N	N	N	N	A	A	A	N	N	
Camera and Photographic	N	N	N	N	N	N	N	N	A	N	N	
Catalog and Mail Order Houses	N	N	N	N	N	N	N	N	A	A	N	
Communication Related Business(No Tower)	N	N	N	N	N	N	N	N	A	A	N	

USES	ZONING DISTRICTS											
	AG-1	AG-2	RP	R-1	R-2	R-3	RVP	C-1	C-2	I	CH	FH (Overlay)*
Clothing	N	N	N	N	N	N	N	N	A*	A	N	
Drugstores	N	N	N	N	N	N	N	N	A*	A	N	
Farm and Garden Supply Stores	A	A	N	N	N	N	N	A	A	N	N	
Flea Market (indoor)	N	N	N	N	N	N	N	N	C	A	N	
Flea Market Outdoor	C	C	N	N	N	N	N	C	A	C	N	
Florists	C	C	N	N	N	N	A	A	N	N	N	
Food Stores	N	N	N	N	N	N	N	A*	A	N	N	
Food Stores (Including the Minor Manufacturing of Food)	A	A	N	N	N	N	N	A	A	N	A	
Furniture, Home Furnishings and Equipment Stores	C	C	N	N	N	N	N	A	A	N	N	
Gasoline Service Station			N	N	N	N	N	N	A	N	N	
Gift, Novelty, Antique and Souvenir	C	C	N	N	N	N	N	A	A	N	N	
Hardware and General Merchandise Shops	A	A	N	N	N	N	N	A	A	N	N	
Hobby, Toy and Game Shops	A	A	N	N	N	N	N	A	A	N	N	
Jewelry Stores	A	A	N	N	N	N	N	A	A	N	N	
Liquor Stores	A	A	N	N	N	N	N	A	A	N	N	
Merchandise Store (Specialized)	N	N	N	N	N	N	N	A	A	N	N	
Nursery/Greenhouse (Retail)	N	N	N	N	N	N	N	N	A	N	N	
Petroleum(Liquefied Gas)	N	N	N	N	N	N	N	N	C	C	N	
Manufactured Housing Units Sales and Storage	N	N	N	N	N	N	N	N	A	A	N	
News Dealers and Newsstands	N	N	N	N	N	N	N	A	A	N	N	
Sales of Goods (Produced and Processed on Premises)	A	A	N	N	N	N	N	N	A	N	N	
Retail Store or Service Including Manufactured/ fabrication of Onsite articles sold at Retail Stores	N	N	N	N	N	N	N	N	A	N	N	

USES	ZONING DISTRICTS											
	AG-1	AG-2	RP	R-1	R-2	R-3	RVP	C-1	C-2	I	CH	FH (Overlay)*
Tobacco Shop/Stand	N	N	N	N	N	N	N	A	A	N	N	
Rural Business												
Automated or Do- it Yourself Car Washes	N	N	N	N	N	N	N	N	N	N	N	
Sale, Lease and Rentals (Principal Use)	N	N	N	N	N	N	N	N	N	N	N	
Sale, Lease and Rentals (Accessory Use)	N	N	N	N	N	N	N	N	N	N	N	
Service Station/Retail Sale of Gasoline	N	N	N	N	N	N	N	N	N	N	N	
Antique Shops	C	N	N	N	N	N	N	N	N	N	N	
Sporting Goods Stores	C	N	N	N	N	N	N	N	N	N	N	
Barber and Beauty Shops	C	N	N	N	N	N	N	N	N	N	N	
Custom Made Furniture	C	N	N	N	N	N	N	N	N	N	N	
Custom Made Sporting Goods	C	N	N	N	N	N	N	N	N	N	N	
Offices (i.e., Accountants, Financial Institutions, Lawyers, Doctors, Real Estate, Other Professionals and Businesses)	A	C	N	N	N	N	N	N	N	N	N	
Meat Cutting as a Retail Service to the Public	A	A	N	N	N	N	N	A	A	A	N	
Custom Dress Making, Tailoring,	A	A	C	C	C	C	C	A	A	C	N	
Taxidermist	C	C	N	N	N	N	N	C	C	A	C	
Upholstery Shops	C	C	N	N	N	N	N	A	A	N	N	
Services												
Artisan	C	C	N	N	N	N	N	N	N	N	N	
Art	C	C	N	C	C	N	N	N	N	N	N	
Ambulance Services	C	C	N	N	N	N	N	N	A	A	N	
Bed and Breakfast Home	C	C	N	C	C	C	N	A	A	N	N	
Bed and Breakfast Inn	N	N	N	C	C	N	N	A	A	N	N	
Bank with Drive-in Window	N	N	N	N	N	N	N	C	C	C	N	
Business , Professional, or Governmental Office Service Establishments	N	N	N	C	N	N	N	A	A	A	N	
Correctional Institution/Jail/Detention Center	N	N	N	N	N	N	N	N	C	C	N	

USES	ZONING DISTRICTS											
	AG-1	AG-2	RP	R-1	R-2	R-3	RVP	C-1	C-2	I	CH	FH (Overlay)*
Dancing School/Studio	N	N	N	C	C	N	N	N	N	N	N	
Diaper Service	N	N	N	N	N	N	N	N	C	A	N	
Dry Cleaning Plants and Power Laundries	N	N	N	N	N	N	N	A	A	A	N	
Funeral Home	N	N	N	N	N	N	N	P	A	N	N	
Laundries (Coin Operated)	N	N	N	N	N	N	N	A	A	N	N	
Laundry and Dry Cleaning Pick-up Stations	N	N	N	N	N	N	N	A	A	N	N	
Mortuary	N	N	N	C	C	N	N	A	A	N	N	
Moving Service	N	N	N	C	C	N	N	A	A	N	N	
Music	N	N	N	C	C	N	N	A	A	N	N	
Personal Service Business	N	N	N	N	N	N	N	A	A	N	N	
Photographic Studies	N	N	N	C	C	N	N	A	A	N	N	
Post Office	N	N	N	N	N	N	N	A	A	N	N	
PUBLIC (Government-Owned) Buildings and Structures, Such as a School	N	N	N	C	N	N	N	A	A	N	N	
Small Repair Shops (i.e. Appliance, Automobile, farm Equipment, Jewelry, Machinery, Radio, TV.)	C	C	N	N	N	N	N	A	C	A	N	
Tailoring	N	N	N	N	N	N	N	A	A	N	N	
HVAC	N	N	N	N	N	N	N	N	A	N	N	
Storage												
Accessory Buildings****	A	A	C	A	A	A	C	C	C	C	C	
Mini-Warehouses	N	N	N	N	N	N	N	N	A	A	N	

USES	ZONING DISTRICTS											
	AG-1	AG-2	RP	R-1	R-2	R-3	RVP	C-1	C-2	I	CH	FH (Overlay)*
Lumber Storage, Scrap Metal, Miscellaneous Scrap or Other Salvageable Material Storage Beyond the Needs of a Homeowner	N	N	N	N	N	N	N	C	A	N	N	
Storage and Maintenance (Equipment and Vehicle)	A	A	N	N	N	N	N	C	C	A	N	
Warehousing and Wholesalers	N	N	N	N	N	N	N	N	C	A	N	
Transportation												
Airfield/Airports	C	C	N	N	N	N	N	C	C	C	N	
Truck Terminals/Motor Freight	N	N	N	N	N	N	N	N	N	A	N	
Waste Facilities												
Land Application of Municipal or Industrial Waste	N	N	N	N	N	N	N	N	N	C	N	
Landfills	N	N	N	N	N	N	N	N	N	C	N	

ARTICLE VII: AGRICULTURAL INTENSIVE DISTRICT (AG-1)

Section 1 Agricultural Development Requirements and Standards

***Agriculture district. Minimum lot size in the Agricultural Intensive District (AG-1) is one (1) acre. However, a minimum of ten (10) acres is required per secondary residence on each farm only in AG-1. Any acreage proposed to be subdivided for residential or other use in this district must be rezoned to the appropriate zoning classification.

Section 2 Protective Screening Between Agricultural and Residential Districts

1. Protective screening for Agricultural Intensive District (AG-1) and Residential (R-1, R-2, R-3) adjacent to or across the street (with the exception of major arterial or major collector roads) from residential districts shall be in compliance with applicable sections of this Code. See Article XVI - Protective Screenings and Buffers, Residential Buffers.

1.1 Compatibility

The development standards for the Agricultural Intensive and Agricultural Residential are the same, except for the ability to create a farm workers resident area as stated above.

1.2 Conflicts

By their very nature, some agricultural activities generate noise, odor and insects detrimental to nearby land uses/occupants. To the extent which these conflicts are a function of size of the specific agricultural activity, the adverse or negative effects of some of these noises, odors and insects can be mitigated somewhat by distance. For the purpose of mitigating said impacts, minimum distances between agricultural activities and surrounding land uses are hereby established (Sections 5, 6 and 7) on the basis of low-density and high-density agricultural operations.

1.3 Non-Commercial Farm Animal Operations

Farm animal operations of sizes smaller or equal to the following thresholds are classified as non-commercial:

Dairy Cows	66
Ducks	500
Horses	50
Poultry	60,000
Sheep	1,000
Steers/Heifers	100
Swine	250

Turkeys	5,500
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- 1.4 All non-commercial farm animal operations constructed or expanded shall construct all buildings and fencing used for animal confinement (e.g. poultry house, farrowing house, milk parlor) at least 500 feet from the property line; provided, however, that, upon approval of the Board of Commissioners of Macon County in accordance with the provisions of Article XIX, Section 14, a non-commercial farm animal operation may be constructed closer to an existing use if an agricultural adjacency waiver is submitted in connection with the application for a building permit. See definition of agricultural adjacency waiver.

Confinement fencing is not to be confused with boundary fencing, the latter of which may be constructed along the right-of-way and property line. The area between confinement fencing and boundary fencing may be used for row crop, vegetable or orchard production, or pasture. In the event said area is used for pasture, it shall not be stocked at a rate higher than recommended by generally accepted animal husbandry practices for open grazing of the specific animal species.

Where said area is grazed, fencing, as necessary, shall be erected around any surface feature, e.g. bog, to prevent livestock from congregating along boundary fencing adjacent to the property line. Livestock catch pens shall be allowed in this grazing area provided the specific site does not retain water.

- 1.5 Any site(s) used for temporary storage, or active or passive treatment, of any waste or by-product of a low-density farm animal operation shall be located at least 300 feet from the property line, and 500 feet from existing dwellings. All handling and land application of waste and by-products from the operation shall comply with all applicable state and federal regulations.
- 1.6 Machinery and equipment used to ventilate animal confinement buildings must be installed in such a way that air removed from said buildings is directed away from nearby existing developments and or housing.
- 1.7 Any development proposed for a site adjacent to an existing non-commercial farm animal operation shall be constructed at least 500 feet from the adjoining property line when said development is adjacent to a non-commercial operation; provided, however, that such proposed development may be constructed closer to an existing non-commercial farm animal operation if an agricultural adjacency waiver is submitted in connection with the application for a building permit. See definition of agricultural adjacency waiver.
- 1.8 All dead animals shall be disposed of by a method approved by the Georgia Environmental Protection Division and the Georgia Department of Agriculture in a manner that does not adversely affect ground or surface water or create a public health concern.
- 1.9 A farm animal operation that is in compliance with the requirements of this ordinance and the requirements of all state, federal and local laws, rules and regulations shall be presumed not to be a nuisance.

2. Low-density Farm Animal Operations

2.1 Farm animal operations between the following thresholds are classified as low density:

Dairy Cows	67 - 250
Ducks	501 - 1,500
Horses	51 - 150
Poultry	60,001 - 200,000
Sheep	1,001 - 3,000
Steers/Heifers	101 - 300
Swine	251 - 750
Turkeys	5,501 - 16,500

2.2 All low-density farm animal operations constructed or expanded shall construct all buildings and fencing used for animal confinement (e.g. poultry house, farrowing house, milk parlor) at least 500 feet from the property line; provided, however, that, upon approval of the Board of Commissioners of Macon County in accordance with the provisions of Article XIX, Section 14, a low-density farm animal operation may be constructed closer to an existing use if an agricultural adjacency waiver is submitted in connection with the application for a building permit. See definition of agricultural adjacency waiver.

Confinement fencing is not to be confused with boundary fencing, the latter of which may be constructed along the right-of-way and property line. The area between confinement fencing and boundary fencing may be used for row crop, vegetable or orchard production, or pasture. In the event said area is used for pasture, it shall not be stocked at a rate higher than recommended by generally accepted animal husbandry practices for open grazing of the specific animal species.

Where said area is grazed, fencing, as necessary, shall be erected around any surface feature, e.g. bog, to prevent livestock from congregating along boundary fencing adjacent to the property line. Livestock catch pens shall be allowed in this grazing area provided the specific site does not retain water.

2.3 Any site(s) used for temporary storage, or active or passive treatment, of any waste or by-product of a low-density farm animal operation shall be located at least 200 feet from the property line, and 500 feet from existing dwellings. All handling and land application of waste and by-products from the operation shall comply with all applicable state and federal regulations.

- 2.4 Machinery and equipment used to ventilate animal confinement buildings must be installed in such a way that air removed from said buildings is directed away from nearby existing developments.
- 2.5 Any development proposed for a site adjacent to an existing low-density farm animal operation shall be constructed at least 500 feet from the adjoining property line when said development is adjacent to a low-density operation; provided, however, that such proposed development may be constructed closer to an existing low-density farm animal operation if an agricultural adjacency waiver is submitted in connection with the application for a building permit. See definition of agricultural adjacency waiver.
- 2.6 All dead animals shall be disposed of by a method approved by the Georgia Environmental Protection Division and the Georgia Department of Agriculture in a manner that does not adversely affect ground or surface water or create a public health concern.
- 2.7 A farm animal operation that is in compliance with the requirements of this ordinance and the requirements of all state, federal and local laws, rules and regulations shall be presumed not to be a nuisance.

3. High-density Farm Animal Operations

- 3.1 Farm animal operations of exceeding the following thresholds are classified as high density:

Dairy cows	250
Ducks	1,500
Horses	150
Poultry	200,000
Sheep	3,000
Steers/Heifers	300
Swine	750
Turkeys	16,500

- 3.2 All high-density farm animal operations constructed or expanded shall construct farm buildings and fencing used for animal confinement (e.g. poultry house, farrowing house, milking parlor) at least 1,250 feet from the property line; provided, however, that, upon approval of the Board of Commissioners of Macon County in accordance with Article XIX, Section 14, a high-density farm animal operation may be constructed closer to an existing use if an agricultural adjacency waiver is submitted in connection with the application for a building permit. See definition of agricultural adjacency waiver.

Confinement fencing is not to be confused with boundary fencing, the latter of which may be constructed along the right-of-way and property line. The area between confinement fencing and boundary fencing may be used for row crop, vegetable or orchard production, or pasture. In the event said area is used for pasture it shall not be stocked at a rate higher than recommended by generally accepted animal husbandry practices for open grazing of the specific animal species.

Where said area is grazed, fencing, as necessary, shall be erected around any surface feature, e.g., bog, to prevent livestock from congregating along boundary fencing adjacent to the property line. Livestock catch pens shall be allowed in this grazing area provided the specific site does not retain water.

- 3.3. Any site(s) used for temporary storage, or active or passive treatment, of any waste or by-product of a high-density farm animal operation shall be located at least 500 feet from road property line and 750 feet from an existing dwelling. All handling and land application of waste and by-products from the operation shall comply with all applicable state and federal regulations.
- 3.4. Machinery and equipment used to ventilate animal confinement buildings must be installed in such a way that air removed from said buildings is directed away from nearby existing developments and/or housing.
- 3.5. Any development proposed for a site adjacent to an existing high-density farm animal operation shall be constructed at least 1,250 feet from the adjoining property line when said development is adjacent to a high-density operation; provided, however, that such proposed development may be constructed closer to an existing high-density farm animal operation if an agricultural adjacency waiver is submitted in connection with the application for a building permit. See definition of agricultural adjacency waiver.
- 3.6. All dead animals shall be disposed of by a method approved by the Georgia Environmental Protection Division and the Georgia Department of Agriculture in a manner that does not adversely affect ground or surface water or create a public health concern.
- 3.7. Any farm animal operations exceeding the following thresholds are considered to be conditional uses subject to review, evaluation and permitting by the Macon County Board of Commissioners:

Dairy Cows	2,100
Ducks	5,000
Horses	1,500
Poultry	375,000
Sheep	30,000
Steers/Heifers	3,000

Swine	7,500
Turkeys	165,000

- 3.8. No high-density farm animal operation shall be constructed within one mile of the corporate limits of the Cities of Ideal, Marshallville, Montezuma, Oglethorpe or Andersonville as said corporate limits exist at the time the permit for construction is issued or within one mile of the property lines of the Andersonville National Historic Site or Massey Lane Gardens.
- 3.9. A farm animal operation that is in compliance with the requirements of this ordinance and the requirements of all state, federal and local laws, rules and regulations shall be presumed not to be a nuisance.

4. Rural/Residential Business Description, Development Standards, Exemption

- 4.1 A rural/residential business shall be secondary or incidental to the primary use of property for agricultural or residential purposes. Such business shall be primarily directed toward providing local or neighborhood services to rural-residential areas. Rural businesses are intended to be of smaller size, intensity and scale than commercial uses that would be more commonly found in a commercial district. Rural/residential businesses shall be similar to home occupation/office except that the activity can occur in an accessory structure detached from the residence. In addition, an applicant for a rural business permit must be residing on the subject property prior to any application being filed for consideration by the Zoning Committee, and must maintain residency thereon throughout the period the business continues to operate. A rural/residential business may be accessed by the public and may have 3 to 15 employees.
- 4.2 Development Standards. The following standards shall apply to all rural/residential businesses.
- a. A permitted, rural business shall be valid only as long as the original petitioner owns and operates the business and maintains a valid business license. The rural business use permit is not transferable. The rural business use permit shall become void upon expiration of the business license. Any subsequent owner of property previously permitted for a rural business use must apply to the Zoning Commission for a rural business use permit.
 - b. The property containing the site of the rural business must also be the bona fide residence of the petitioner/business owner.
 - c. A rural business shall be located on property containing at least one (1) acre of land, and the site upon which the business is actually conducted shall not exceed one-half acre of land.

- d. Only one (1) non-illuminated sign, limited to a maximum of sixteen (16) square feet, shall be permitted. This sign may have two (2) faces of up to sixteen (16) square feet each, back to back, sharing the same set of supports.
 - e. Adequate off-street parking must be provided for residents, employees and business visitors.
- 4.3 Exemptions. The following standards shall apply to all rural businesses unless the petitioner can demonstrate to the satisfaction of the Zoning Commission that exemption from one or more of the standards will not result in adverse impacts on surrounding properties. A modification of the following standards shall be permitted only if: (a) there are special and unusual topographic conditions unique to the property or structure, or (b) the proposed use is clearly of such a small scale, and will remain at such small scale that conducting or operating the business would not be obvious or noticeable from the adjoining property or by the public in general, and (c) if the intent of the rural business is maintained.
- a. The rural business must be located to the side or rear of the principal residence on the property.
 - b. Neither the structure in which the rural business is housed, nor the grounds on which rural business activity is performed, shall contain equipment which would not ordinarily be found in accessory structures in an agricultural/residential district.
 - c. The structure shall be readily and easily usable for customary agricultural and residential uses.
 - d. The architectural style shall be in keeping with surrounding agricultural and residential development.
 - e. A rural business shall not exceed 15,000 square feet of gross floor area.
 - f. A rural business shall have no more than twenty- five employees who do not reside in the principal residence on-site.

ARTICLE VIII: AGRICULTURAL RESIDENTIAL DISTRICT (AG-2) AND RIVER PROTECTION (RP) DEVELOPMENT STANDARDS

Section 1 Agricultural Development Requirements and Standards

Agricultural Residential District. Minimum lot size (AG-2) is two (2) acres. This is for one primary resident and the Minimum width at setback line is 210' the front yard setback is 150' side yard setback 50' and rear setback 50'. There is a maximum building height of 40'.

1. Protective Screening between Agricultural and Residential Districts

Protective screening for Agricultural Residential District (AG-2) and Residential (R-1, R-2, R-3) adjacent to or across the street (with the exception of major arterial or major collector roads) from residential districts shall be in compliance with applicable sections of this Code.
See Article XVI: Protective Screenings and Buffers

1.1 Compatibility.

The development standards for the Agricultural Intensive and Agricultural Residential are the same, except for the ability to create a farm workers resident area as stated in Article VIII, Section 1 – Agricultural Residential District.

1.2 Conflicts.

By their very nature, some agricultural activities generate noise, odor and insects detrimental to nearby land uses/occupants. To the extent which these conflicts are a function of size of the specific agricultural activity, the adverse or negative effects of some of these noises, odors and insects can be mitigated somewhat by distance. For the purpose of mitigating said impacts, minimum distances between agricultural activities and surrounding land uses are hereby established (Sections 5, 6 and 7) on the basis of low-density and high-density agricultural operations.

1.3 Non-Commercial Farm Animal Operations

1. Farm animal operations of sizes smaller or equal to the following thresholds are classified as non-commercial:

Dairy Cows	66
Ducks	500
Horses	50
Poultry	60,000
Sheep	1,000
Steers/Heifers	100
Swine	250
Turkeys	5,500

- 1.4 All non-commercial farm animal operations constructed or expanded shall construct all buildings and fencing used for animal confinement (e.g. poultry house, farrowing house, milk parlor) at least 1000 feet from the property line; provided, however, that, upon approval of the Board of Commissioners of Macon County in accordance with the provisions of Article XIX, Section 14, a non-commercial farm animal operation may be constructed closer to an existing use if an agricultural adjacency waiver is submitted in connection with the application for a building permit. See definition of agricultural adjacency waiver.

Confinement fencing is not to be confused with boundary fencing, the latter of which may be constructed along the right-of-way and property line. The area between confinement fencing and boundary fencing may be used for row crop, vegetable or orchard production, or pasture. In the event said area is used for pasture, it shall not be stocked at a rate higher than recommended by generally accepted animal husbandry practices for open grazing of the specific animal species.

Where said area is grazed, fencing, as necessary, shall be erected around any surface feature, e.g. bog, to prevent livestock from congregating along boundary fencing adjacent to the property line. Livestock catch pens shall be allowed in this grazing area provided the specific site does not retain water.

- 1.5 Any site(s) used for temporary storage, or active or passive treatment, of any waste or by-product of a low-density farm animal operation shall be located at least 300 feet from the property line, and 1000 feet from existing dwellings. All handling and land application of waste and by-products from the operation shall comply with all applicable state and federal regulations.
- 1.6 Machinery and equipment used to ventilate animal confinement buildings must be installed in such a way that air removed from said buildings is directed away from nearby existing developments and or housing.
- 1.7 Any development proposed for a site adjacent to an existing non-commercial farm animal operation shall be constructed at least 1000 feet from the adjoining property line when said development is adjacent to a non-commercial operation; provided, however, that such proposed development may be constructed closer to an existing non-commercial farm animal operation if an agricultural adjacency waiver is submitted in connection with the application for a building permit. See definition of agricultural adjacency waiver.
- 1.8 All dead animals shall be disposed of by a method approved by the Georgia Environmental Protection Division and the Georgia Department of Agriculture in a manner that does not adversely affect ground or surface water or create a public health concern.
- 1.9 A farm animal operation that is in compliance with the requirements of this ordinance and the requirements of all state, federal and local laws, rules and regulations shall be presumed not to be a nuisance.

2 Low-density Farm Animal Operations

- 2.1 Farm animal operations between the following thresholds are classified as low density:

Dairy Cows	67 – 250
Ducks	501 - 1,500
Horses	51 – 150
Poultry	60,001 - 200,000
Sheep	1,001 - 3,000
Steers/Heifers	101 – 300
Swine	251 – 750
Turkeys	5,501 - 16,500

- 2.2 All low-density farm animal operations constructed or expanded shall construct all buildings and fencing used for animal confinement (e.g. poultry house, farrowing house, milk_parlor) at least 1000 feet from the property line; provided, however, that, upon approval of the Board of Commissioners of Macon County in accordance with the provisions of Article XIX, Section 14, a low-density farm animal operation may be constructed closer to an existing use if an agricultural adjacency waiver is submitted in connection with the application for a building permit. See definition of agricultural adjacency waiver.

Confinement fencing is not to be confused with boundary fencing, the latter of which may be constructed along the right-of-way and property line. The area between confinement fencing and boundary fencing may be used for row crop, vegetable or orchard production, or pasture. In the event said area is used for pasture, it shall not be stocked at a rate higher than recommended by generally accepted animal husbandry practices for open grazing of the specific animal species.

Where said area is grazed, fencing, as necessary, shall be erected around any surface feature, e.g. bog, to prevent livestock from congregating along boundary fencing adjacent to the property line. Livestock catch pens shall be allowed in this grazing area provided the specific site does not retain water.

- 2.3 Any site(s) used for temporary storage, or active or passive treatment, of any waste or by-product of a low-density farm animal operation shall be located at least 200 feet from the property line, and 1000 feet from existing dwellings. All handling and land application of waste and by-products from the operation shall comply with all applicable state and federal regulations.
- 2.4 Machinery and equipment used to ventilate animal confinement buildings must be installed in such a way that air removed from said buildings is directed away from nearby existing developments.
- 2.5 Any development proposed for a site adjacent to an existing low-density farm animal operation shall be constructed at least 1000 feet from the adjoining property line when said development is adjacent to a low-density operation; provided, however, that such proposed development may be constructed closer to an existing low-density farm animal operation if an agricultural adjacency waiver is submitted in connection with the application for a building permit. See definition of agricultural adjacency waiver.

- 2.6 All dead animals shall be disposed of by a method approved by the Georgia Environmental Protection Division and the Georgia Department of Agriculture in a manner that does not adversely affect ground or surface water or create a public health concern.
- 2.7 A farm animal operation that is in compliance with the requirements of this ordinance and the requirements of all state, federal and local laws, rules and regulations shall be presumed not to be a nuisance.

3.0 High-density Farm Animal Operations

- 3.1 Farm animal operations exceeding the following thresholds are classified as high density:

Dairy cows	250
Ducks	1,500
Horses	150
Poultry	200,000
Sheep	3,000
Steers/Heifers	300
Swine	750
Turkeys	16,500

- 3.2 All high-density farm animal operations constructed or expanded shall construct farm buildings and fencing used for animal confinement (e.g. poultry house, farrowing house, milking parlor) at least 2500 feet from the property line; provided, however, that, upon approval of the Board of Commissioners of Macon County in accordance with Article XIX, Section 14, a high-density farm animal operation may be constructed closer to an existing use if an agricultural adjacency waiver is submitted in connection with the application for a building permit. See definition of agricultural adjacency waiver.

Confinement fencing is not to be confused with boundary fencing, the latter of which may be constructed along the right-of-way and property line. The area between confinement fencing and boundary fencing may be used for row crop, vegetable or orchard production, or pasture. In the event said area is used for pasture it shall not be stocked at a rate higher than recommended by generally accepted animal husbandry practices for open grazing of the specific animal species.

Where said area is grazed, fencing, as necessary, shall be erected around any surface feature, e.g., bog, to prevent livestock from congregating along boundary fencing adjacent to the property line. Livestock catch pens shall be allowed in this grazing area provided the specific site does not retain water.

- 3.3 Any site(s) used for temporary storage, or active or passive treatment, of any waste or by-product of a high-density farm animal operation shall be located at least 500 feet from road property line and 1500 feet from an existing dwelling. All handling and land application of waste and by-products from the operation shall comply with all applicable state and federal regulations.
- 3.4 Machinery and equipment used to ventilate animal confinement buildings must be installed in such a way that air removed from said buildings is directed away from nearby existing developments and/or housing.
- 3.5 Any development proposed for a site adjacent to an existing high-density farm animal operation shall be constructed at least 2500 feet from the adjoining property line when said development is adjacent to a high-density operation; provided, however, that such proposed development may be constructed closer to an existing high-density farm animal operation if an agricultural adjacency waiver is submitted in connection with the application for a building permit. See definition of agricultural adjacency waiver.
- 3.6 All dead animals shall be disposed of by a method approved by the Georgia Environmental Protection Division and the Georgia Department of Agriculture in a manner that does not adversely affect ground or surface water or create a public health concern.
- 3.7 Any farm animal operations exceeding the following thresholds are considered to be conditional uses subject to review, evaluation and permitting by the Macon County Board of Commissioners:

Dairy Cows	2,100
Ducks	5,000
Horses	1,500
Poultry	375,000
Sheep	30,000
Steers/Heifers	3,000
Swine	7,500
Turkeys	165,000

- 3.8 No high-density farm animal operation shall be constructed within one mile of the corporate limits of the Cities of Ideal, Marshallville, Montezuma, Oglethorpe or Andersonville as said corporate limits exist at the time the permit for construction is issued or within one mile of the property lines of the Andersonville National Historic Site or Massey Lane Gardens.

- 3.9 A farm animal operation that is in compliance with the requirements of this ordinance and the requirements of all state, federal and local laws, rules and regulations shall be presumed not to be a nuisance.

Section 2 River Protection District (RP)

1. Land Conversion

No acreage in forest land/woodland at the time this ordinance becomes effective shall be converted to any use other than forest land/woodland or agriculture row-crop, except as provided herein below.

2. Limitations on Development

- 2.1 The following thresholds shall apply to development in the River Protection zone (as shown on the map) which is applicable to all other districts.
- 2.2 On parcels of public record of three acres or less as of the effective date of this ordinance, a maximum of one (1) acre may be developed.
- 2.3 The maximum developable area on parcels of public record as of the effective date of this ordinance which are greater than three acres and up to fifty (50) acres is 1.5 acres.
- 2.4 The maximum developable area on parcels of public record as of the effective date of this ordinance which are greater than fifty (50) acres is 3.0%, not to exceed ten (10) acres.
- 2.5 The Georgia Erosion and Sedimentation Act restricts land disturbance and trimming of vegetation within 25 foot buffer adjacent to creeks, streams, rivers, saltwater marshes, and most lakes and ponds. Macon County has added a 25 foot buffer to this for any and all development in this area.

3. No improved roads shall be constructed. All existing, interior roads must maintain a dirt or gravel surface.
4. Harvest of forests and all other silvicultural practices shall conform to the Best Management Practices for Forestry as published by the Georgia Forestry Commission.
5. Row-crop agricultural activities shall conform to Best Management Practices for Agriculture as published by the Georgia Soil and Water Conservation Commission.

ARTICLE IX: (R-1) SINGLE-FAMILY (SITE-BUILT, MODULAR, MANUFACTURED HOME) RESIDENTIAL DEVELOPMENT (SUBDIVISION) STANDARDS

Section 1 Modular Home Requirements

This pertains to placement in a Residential Development (Subdivision). This pertains to all minor and major subdivisions located in this section. See Subdivision definitions.

1. Every modular home shall:
 - 1.1 Be suitable for year round occupancy;
 - 1.2 Be placed on a permanent masonry foundation or other substantial foundation that will comply with the Georgia Minimum Building Code for the erection and support of modular homes, and to be substantially fixed to its site also in compliance with the Georgia Minimum Building Code;
 - 1.3 Be connected to a water system approved by, either the Macon County Health Department, or the Georgia Department of Natural Resources Environmental Protection Division, as the case may be, and present to the County Inspector a letter or certification of such approval;
 - 1.4 Be connected to an approved waste disposal system approved by, either the Macon County Health Department, or the Georgia Department of Natural Resources Environmental Protection Division, as the case may be, and present to the County Inspector a letter or certification of such approval;
 - 1.5 Have all electrical supply systems and connections that comply with the current Georgia State Minimum Electric Code;
 - 1.6 Be landscaped with trees, shrubs, and other plan material substantially equal to or better than one-family dwelling within five hundred (500) feet;
 - 1.7 Have a maintained area around the structure that will be not less than 40 feet extending from the base of the structure;
 - 1.8 Meet the General construction and safety standards of the latest edition of the Georgia State Minimum Building Codes;
 - 1.9 Have areas between the bottom perimeter of the modular home and the ground shall be covered with material that is suitable and adequately functional to adequately protect the underside of the modular home and to keep the modular home from being unsightly. The owner of the modular home is responsible for skirting. The skirting shall be installed only after the inspection of the modular home by the County Inspector and a Certificate of Occupancy has been issued. The skirting shall then be installed within thirty (30) days of the issuance of the Certificate of Occupancy and

- 1.10 All electrical, plumbing, and heating and air connections, improvements and repairs shall be made by an individual licensed by the State of Georgia.

Section 2 Single -Family Manufactured Home Requirements (Subdivision).

This pertains to all minor and major subdivisions located in this section. See Subdivision definitions.

1. Additions - Any addition to a mobile home or accessory building shall comply with applicable requirements of the Building, Electrical, Plumbing and Gas Codes.
2. Foundations - All residential and accessory buildings shall be placed on properly engineered foundations which meet applicable installation requirements and applicable state and local codes.
3. Siding material - All mobile homes shall have exterior siding materials consisting of wood, masonry, concrete, stucco, hardboard siding, vinyl or metal lap. The exterior siding material shall extend to ground level, except that when a solid concrete or masonry perimeter foundation (under-pinning) is used, the siding material need not extend below the top of the foundation.
4. Tie-down - All mobile homes shall be secured to their respective sites in accordance with applicable state codes.
5. Certificate of Occupancy - Satisfactory compliance with all permitting and inspection requirements shall be achieved before the Certificate of Occupancy is issued.
6. Manufactured homes not meeting criteria listed above must be removed from Macon County or brought into compliance within 30 days of notification of non-compliance by the County Building Inspector.

Every Single-Family Manufactured Home shall:

- 6.1 Be suitable for year round occupancy;
- 6.2 Be placed on a permanent masonry foundation or other substantial foundation that will comply with the Georgia Minimum Building Code for the erection and support of modular homes, and to be substantially fixed to its site also in compliance with the Georgia Minimum Building Code;
- 6.3 Be connected to a water system approved by, either the Macon County Health Department, or the Georgia Department of Natural Resources Environmental Protection Division, as the case may be, and present to the County Inspector a letter or certification of such approval; and
- 6.4 Be connected to an approved waste disposal system approved by, either the Macon County Health Department, or the Georgia Department of Natural Resources Environmental Protection Division, as the case may be, and present to the County Inspector a letter or certification of such approval;

- 6.5 Have all electrical supply systems and connections that comply with the current Georgia State Minimum Electric Code; and
- 6.6 Be landscaped with trees, shrubs, and other plan material substantially equal to or better than one-family dwelling within five hundred (500) feet.
- 6.7 Have a maintained area around the structure that will be not less than 40 feet extending from the base of the structure.
- 6.8 Meet the General construction and safety standards of the latest edition of the Georgia State Minimum Building Codes.
- 6.9 Have areas between the bottom perimeter of the modular home and the ground shall be covered with material that is suitable and adequately functional to adequately protect the underside of the modular home and to keep the modular home from being unsightly. The owner of the modular home is responsible for skirting. The skirting shall be installed only after the inspection of the modular home by the County Inspector and a Certificate of Occupancy has been issued. The skirting shall then be installed within thirty (30) days of the issuance of the Certificate of Occupancy.
- 6.10 All electrical, plumbing, and heating and air connections, improvements and repairs shall be made by an individual licensed by the State of Georgia.

Section 3 Manufactured Home Subdivision Minimum Improvements

A manufactured home shall be placed on a concrete block foundation with poured concrete footing sixteen inches by sixteen inches by four inches thick. Skirting or underpinning of fiberglass, metal, or masonry materials shall be placed so as to completely enclose the understructure. Wind-load anchors (tie-downs) capable of sustaining wind velocities of seventy (70) miles per hour shall be installed.

All manufactured homes must have HUD approved plate or sticker and comply with applicable codes of Macon County and State of Georgia.

The roadway system in a manufactured home subdivision shall be maintained under private ownership with grading improvements, drainage improvements, road base and road paving improvements all in conformance with county road development specifications. All interior streets shall have a minimum paved surface of ten (10) feet for one-way streets and twenty-two (22) feet for two-way streets.

Section 4 Stick-Built/Site-Built Requirements

This pertains to placement of stick-built/site-built homes in a residential development (subdivision). This pertains to all minor and major subdivisions located in this section. See Subdivision definitions.

- 1. Every stick built home shall:
 - 1.1 Be suitable for year round occupancy;

- 1.2 Be placed on a permanent masonry foundation or other substantial foundation that will comply with the Georgia Minimum Building Code for the erection and support of stick-built/site-built homes, and to be substantially fixed to its site also in compliance with the Georgia Minimum Building Code;
- 1.3 Be connected to a water system approved by, either the Macon County Health Department, or the Georgia Department of Natural Resources Environmental Protection Division, as the case may be, and present to the County Inspector a letter or certification of such approval; and
- 1.4 Be connected to an approved waste disposal system approved by, either the Macon County Health Department, or the Georgia Department of Natural Resources Environmental Protection Division, as the case may be, and present to the County Inspector a letter or certification of such approval;
- 1.5 have all electrical supply systems and connections that comply with the current Georgia State Minimum Electric Code; and
- 1.6 Be landscaped with trees, shrubs, and other plant material substantially equal to or better than one-family dwelling within five hundred (500) feet;
- 1.7 Be a maintained area around the structure that will be not less than 40 feet extending from the base of the structure;
- 1.8 Meet the General construction and safety standards of the latest edition of the Georgia State Minimum Building Codes as stated by DCA;
- 1.9 Areas between the bottom perimeter of the home and the ground shall be covered with material that is suitable and adequately functional to adequately protect the underside of the stick-built/site-built home and to keep the home from being unsightly and accessible by animals. This will be a solid constructed material that will need to be approved by the Building Official; and
- 1.10 All electrical, plumbing, and heating and air connections, improvements and repairs shall be made by an individual licensed by the State of Georgia.

ARTICLE X: R-2 - MULTIPLE – FAMILY RESIDENTIAL (MFR) DEVELOPMENT (SUBDIVISION) STANDARDS

Section 1 MFR Placement Requirements

Multi-Family Residential District (MFR) requirements pertaining to placement in a Residential Development (Subdivision). This pertains to all minor and major subdivisions located in this Section. See Subdivision definitions.

Section 2 MFR Dimensional Requirements

Multi-family development within the MFR district, shall meet the following dimensional requirements.

1. Minimum required lot area for the first dwelling unit 6,000 square feet.
2. Minimum additional lot area per dwelling unit for each unit in excess of one, 3,000 square feet.
3. Multi-family shall not exceed six units per acre = one unit per 7,560 square feet.
4. Minimum required lot width of 70 feet per dwelling unit plus an additional five feet of lot width for each unit in excess of one.
5. Minimum required building setback line is 25 feet from the right-of-way line.
6. Minimum required side yard ten feet plus one foot for each foot in height that a structure exceeds 20 feet above the elevation at the adjacent lot line nearest to such structure. Corner lots shall have a side yard setback of 20 feet along the side street line. For any side or rear lot line which abuts a single-family or two family residential districts there shall be a buffer as defined in Article XIV.
7. Minimum required rear yard, 25 feet for single-family and two family residential units and 30 feet for multi-family units, plus one additional foot for each foot in height that the structure exceeds 20 feet above the elevation at the contiguous lot line nearest to such structure.
8. Maximum possible lot coverage: The total ground area covered by the principal building and all accessory buildings shall not exceed 50 percent of the total lot area.
9. The height of buildings shall not exceed 45 feet, except upon approval of the Macon County Zoning Board.
10. All multi-family developments shall meet fire codes including fire walls and shall require the approval of the Fire Marshal.
11. Multi-family developments shall utilize on-site sewer treatment when not served by a municipal wastewater system.

12. The only multi-family units that may be developed on parcels with septic tank systems are duplexes and the following standards apply:
 - 12.1. Minimum lot size is one and one-half acre and each dwelling unit shall have a minimum of 1,000 square feet of heated floor space.
 - 12.2. Front yard-50 feet from right-of-way line.
 - 12.3. Side yard-25 feet from property line.
 - 12.4. Back yard-45 feet from property line.

ARTICLE XI: (R-3) MANUFACTURED HOME DEVELOPMENT STANDARDS

Section 1 Manufactured Home Park Development Standards

Section 2 Definitions

The following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

1. Manufactured Home: A structure, built and transportable in one or more sections on a permanent chassis/running gear, and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes plumbing, heating, air conditioning and electrical systems contained therein. Manufactured Homes shall be constructed in accordance with the Manufactured Housing Construction and Safety Standards Act of 1974, as amended, 42 U.S.C. 5401, et seq.
2. Manufactured Home Park: A parcel of land planned and improved for the placement of two or more manufactured homes for non-transient use and occupancy or for rental occupancy. A conditional use permit shall be required for the establishment of a manufactured home park. The term "park" includes the term "community". Every manufactured home park shall:
 - 2.1 Be suitable for year round occupancy;
 - 2.2 Be placed on permanent masonry foundation or other substantial foundation that will comply with the Georgia Minimum Building Code and O.C.G.A. 8-2-160, et. seq., which provides for the installation of manufactured homes, for the erection and support of manufactured homes and to be substantially fixed to its site also in compliance with the Georgia Minimum Building Code and O.C.G.A. 8-2-160, et. seq.;
 - 2.3 Be connected to a water system approved by, either the Macon County Health Department, or the Georgia Department of Natural Resources Environmental Protection Division, as the case may be, and present to the County Inspector a letter or certification of such approval; and
 - 2.4 Be connected to an approved waste disposal system approved by, either the Macon County Health Department, or the Georgia Department of Natural Resources Environmental Protection Division, as the case may be, and present to the County Inspector a letter or certification of such approval;
 - 2.5 Have all electrical supply systems and connections that comply with the current Georgia State Minimum Electric Code;
 - 2.6 Be landscaped with trees, shrubs, and other plan material substantially equal to or better than one-family dwelling within five hundred (500) feet;
 - 2.7 The area between the bottom perimeter of the manufactured home and the ground shall be covered with material that is suitable and adequately functional to adequately protect the underside of the manufactured home and to keep the

manufactured home from being unsightly. The owner of the manufactured home is responsible for the skirting. Skirting shall be installed only after the inspection of the manufactured home by the County Inspector and a Certificate of Occupancy has been issued. The skirting shall then be installed within thirty (30) days of the issuance of the Certificate of Occupancy and

- 2.8 All electrical, plumbing, and heating and air connections, improvements and repairs shall be made by an individual licensed by the State of Georgia.
3. **Mobile Home:** A generic term for a factory-built dwelling unit built on a permanent chassis, made to be readily transportable on its own running gear in one or more sections totaling no less than three hundred twenty (320) square feet which is subject to the Georgia Motor Vehicle Title Registration Act, meeting the construction and safety standards of the national code administered by the U.S. Department of Housing and Urban Development, and manufactured prior to June 15, 1976. Mobile homes do not satisfy current building codes. The term does not include "recreational vehicle".
4. **Mobile Home Space:** A plot of ground within a mobile home park designated for the accommodation of not more than one mobile home of single-family occupancy.
5. **Service Building:** A building, housing facilities such as recreational, maintenance, laundry, and office structures necessary to the successful development and management of a modular home park.
6. **Travel Trailer:** A motorized camper, converted bus, tent-trailer or other similar vehicular or portable structure used or designed for temporary portable housing or occupancy while on vacation, recreational, or other trip and provided with sleeping accommodations. The travel trailer shall not be used for permanent housing or a permanent residence and must be tagged or attached to the property.
7. **Rent or Rental:** The term rent or rental shall mean any enumeration whether in money, barter, or kind, that is given or received as consideration for the occupancy of a mobile home, modular home or manufactured home, or the occupancy of a tract, space or parcel of land upon which a mobile home is situated.
8. **Set Up:** Preparing the manufactured home, modular home or mobile home for occupancy by installing the unit pursuant to applicable state statute, attaching the unit to utilities as opposed to placing the mobile home in inventory or in temporary storage.

Section 3 Conflict with other Regulations

1. Whenever the regulations of this chapter require a greater width or size of yards, courts, or other open space, or an imposed other restrictive standards that are required in or under any other statute or ordinance, the regulations and requirements of this chapter shall govern.
2. Whenever the provisions of any other statute or ordinance require more restrictive standards than are required by this chapter, the provisions of such statute or ordinance shall govern.

Section 4 Application for Permission to Develop or Maintain a Manufactured Home Park

1. It shall be unlawful for any person to develop or maintain a manufactured home park in the county unless it is duly permitted and licensed to operate a business in the county pursuant to the provisions of this section.
2. The manufactured home park shall be approved by the County Building Inspector before a permit is issued.
3. The application for the development of a manufactured home park shall have attached to the application proof that all Macon County taxes due Macon County from the applicant have been paid in full, and no permit may be issued until all taxes due from the applicant are paid in full on land and all building owned by the property owner.
4. The County Inspector may recommend approval of a planned manufactured home park when all conditions precedent to this chapter has been met.
5. An application and all accompanying plans and supporting data shall be filed in triplicate with the County Inspector at least thirty (30) days prior to a regular meeting of the Board of Commissioners. The application shall be in writing and it shall include the following information:
 - 5.1 The name and address of the applicant;
 - 5.2 The location and description of the boundaries of the property intended for planned manufactured home park development;
 - 5.3 A complete manufactured home park plan showing all existing conditions and proposed site development as required in this section including preliminary plans of all buildings, improvements and facilities constructed or to be constructed within the manufactured home park (on a topographic map). Such plan shall be drawn at a scale of one (1) inch equals not more than one hundred (100) feet. Any significant modification of park layout shall be reported and filed annually to the Building Official of Macon County;
 - 5.4 Any other information reasonably required by the County Inspector to determine the proposed park's compliance with legal requirements;
 - 5.5 The application should be verified by the County Inspector and the Board of Commissioners is authorized to revoke the manufactured permit in the event any false statements are made on the application; and
 - 5.6 Proof that an application has been made to the Health Department for approval of the manufactured home park, or proof that approval of the Health Department has been obtained.

Section 5 Dimensional and Site Development Requirements (Manufactured Home Park Plan) See Subdivision Regulations

The manufactured home park plan shall show or propose all requirements listed in this article and, in addition, all such requirements shall be complied with before a certificate of occupancy may be issued. The manufactured home park shall, at a minimum, conform to the following:

1. Frontage and Area: A manufactured home park shall front for at least one hundred (100) feet on a county or state road and shall be approve as to design by the Board of Commissioners prior to operation.
2. Entrance and Exits: The entrances and exits to the manufactured home park shall be from a county or state road. All entrance and exit streets have a right-of-way width of at least sixty (60) feet and a surface width of at least twenty-eight (28) feet and a distance of at least one hundred (100) feet from the public thoroughfare extending into the park, and after the first one hundred (100) feet shall be deemed an interior street.
3. Park Boundaries: A manufactured home park shall be bounded with a ten (10) foot buffer strip along the exterior property lines of the park not bounding a county or state road. The buffer strip shall be planted with evergreen trees or shrubs that grow at least eight (8) feet in height and provide a visual screen.

Section 6 Minimum Number of Manufactured Home Spaces

Any legal entity that owns and rents two or more spaces shall be required to obtain a permit and will be subject to the terms of this Ordinance.

Section 7 Yard Requirements

1. Each space shall be at least fifty-two (52) feet wide and clearly defined.
2. There shall be a twenty-foot (20) side yard; side yard being the space parallel to the longest dimension of the home.
3. There shall be a forty (40) foot minimum distance between homes, side-to-side and a forty- (40) foot minimum distance between homes, end-to-end.
4. No manufactured home shall be located closer than twenty-five (25) feet to any street and within the park or within forty (40) feet of any exterior public street.

Section 8 Design Approval

The manufactured home park applicant shall submit with the application a layout of the proposed manufactured home park which layout shall be prepared by a registered surveyor or engineer and shall show the location and number of manufactured homes in said park along with street design.

Section 9 Drainage

The park shall be located on a well-drained and properly graded site. The site drainage improvements shall meet the requirements of the State.

Section 10 Interior Streets and Drives

All manufactured home parks shall contain a street system designed to provide convenient circulation within the park, and shall have unobstructed access to a public street or highway in accordance with requirements of the county. The following requirements shall apply to the development of a park's street system:

1. All interior streets shall have a right-of-way width of at least (40) forty feet unless a greater width for drainage purposes is required. The minimum surface width shall be twenty-two (22) feet for an interior street.
2. All park streets shall be provided with a smooth, graveled all-weather surface having a minimum width of twenty-two (22) feet which shall be durable and well drained under normal weather conditions;
3. All park streets shall be maintained by the park owner in a state of good repair at all times;
4. Street base and surface construction materials shall be as required by the county's street and road standards. Written approval of the street system by the County Inspector shall be required before the first manufactured home building permit will be issued,
5. Individual parking spaces shall be at least eight (8) feet in width.
6. All structures located on the space shall observe the required set back and distance requirements.

Section 11 Off-Drive Parking

1. No automobile parking shall be permitted on that portion of the interior street system designated as the entrance or exit portion and being that portion of the street that is sixty (60) feet in width and one hundred (100) feet deep as measured from the major public thoroughfare.
2. At least two automobile spaces shall be provided for each manufactured home space. The parking spaces shall be provided on the individual spaces or on street parking lanes or on an off street parking lot that is located within two hundred (200) feet of the manufactured home spaces the parking lot serves.

Section 12 Improvements to Manufactured Home and Manufactured Home Spaces

1. Any addition to any manufactured home located within a manufactured home park shall be free-standing, self-supporting, and built in conformity with the Georgia Minimum Housing Code.
2. Each manufactured home space shall be given a lot number and accordingly marked to be visible from the street providing access thereto.

Section 13 Special Conditions and Safeguards

In recommending approval of any planned manufactured home park, the Board of Commissioners may attach special conditions and safeguards to protect both the occupants of the park and the occupants of surrounding property, including such matters as protection against noise, lights, dust, and fire. Where required to serve these ends, walls, planting, surfacing, or other natural or artificial means for protection may be required as a part of such special conditions on which the recommendation for approval of a manufactured home park is based. Failure to meet such conditions shall be grounds for refusal of issuance of a certificate of occupancy.

Section 14 Minimum Size and Sanitation Facilities of Manufactured Homes

No manufactured home which has less than two hundred fifty (250) square feet of floor space and which does not contain a built-in bathroom with water, closet, lavatory and shower or tub which is in working condition, shall be placed in a planned manufactured home park.

Section 15 Lighting

All interior drives and walkways within the manufactured home park shall be lighted at night with electric lamps spaced at intervals of no more than one hundred fifty (150) feet. Such lighting shall meet the minimum requirements of the state manufactured home regulations.

Section 16 Refuse Collection Facilities

Each manufactured home park shall be provided with a sanitary method of solid waste collection and disposal meeting the requirements of the county and state.

Section 17 Service Buildings

Service buildings such as shelters, restrooms, management offices and storage facilities are permitted in each manufactured home park and are subject to the following requirements:

1. Such buildings and their parking areas shall not occupy more than ten (10) percent of the gross land area of the park;
2. All service buildings shall be required to conform to the county building, plumbing and electrical codes adopted by the county.

Section 18 Existing Mobile Home Parks

Any additions to or expansions to any existing Mobile Home Park as of _____ shall be subject terms of this ordinance. At such time as the title to any mobile home park is transferred, except as security for loans, the terms of the Mobile Home Park Ordinance and all revisions will apply to the transferee and to the mobile home park, and the parties shall comply as follows:

1. The Transferor and Transferee are required to notify the County Building Inspector of the transfer of title.
2. The requirements stated in this Mobile Home Ordinance may be submitted prior to the transfer of title, or may be submitted after the transfer of title, but must be submitted within thirty (30) days of the transfer of title.

3. An inventory of the mobile home park will be made to determine the areas of the park that do not conform to the Mobile Home Park Ordinance. The inventory shall be submitted to the County Building Inspector.
4. Also submitted to the County Building Inspector will be an itemized estimated cost that will be incurred to bring the mobile home park into compliance with the then current Mobile Home Park Ordinances.
5. The County Building Inspector will review the inventory and itemized cost and identify those changes that are necessary for health or safety reasons.
6. The County Building Inspector will review the inventory and list the changes required for health or safety reasons and the practical and inexpensive changes that can be made to bring the mobile home park into compliance.
7. If the Transferee accepts the changes recommended by the County Building Inspector, the changes will be incorporated into a plan for renovation. If the Transferee does not accept the changes recommended by the County Building Inspector, the transferee may appeal the recommended changes to the Board of Commissioners within five (5) days of the County Inspector's recommendations.
8. Once the list of the changes is final, the Transferee will proceed to create and prepare a plan for renovations and will make the renovations to the mobile home park. The time for completion of the renovations will be set by the County Building Inspector, and will depend on the extent of the work and the availability of material and labor. Extensions may be granted upon written request detailing the reasons for the extension.
9. The owner of each and every mobile home park in Macon County shall comply with the requirements of Section 22 of this Ordinance.

Section 19 Skirting

All owners or developers of manufactured home parks and all mobile homes erected or set up shall have skirting around the entire home. All existing structures are required to be in compliant within two (2) years of adoption of this ordinance.

Section 20 Development Compliance

1. Each phase, enlargement or expansion of all planned spaces, as well as all streets, utilities, and other required improvements necessary to serve them pursuant to this chapter shall be completely constructed according to the manufactured home park plan approved by the Board of Commissioners before the first manufactured home building permit will be issued.
2. Failure of the developer or applicant to construct this minimum phase within two (2) years after approval by the Board of Commissioners shall cause such approval to expire.

Section 21 Inspection

1. The building inspector is hereby authorized and directed to make inspections to determine the condition of manufactured home parks located within the county, in order

that such inspector may perform the duty of safeguarding the health and safety of occupants of manufactured home parks and of the general public.

2. The building inspector shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter.
3. The building inspector shall have the power to inspect the register containing a record of all manufactured homes and occupants using the manufactured home park.
4. It shall be the duty of the owners or occupants of manufactured home parks or of the person in charge thereof, to give the building inspector free access to such premises at reasonable times for the purpose of inspection.
5. It shall be the duty of every occupant of a manufactured home park to give the owner thereof, or the owner's agent or employee, access to any part of such manufactured home park or its premises at reasonable times for the purposes of making such repairs or alterations as are necessary to effect compliance with the chapter or with any lawful order issued pursuant to the provisions of this chapter.

Section 22 Decal Required

1. All persons owning a manufactured home located in Macon County on January 1st of each year shall obtain from the Tax Commissioner a decal before April 1st, as provided in O.C.G.A. 48-5-493. This requirement pertains to all manufactured homes and mobile homes, including those exempted from taxation by homestead exemption, or other provisions of state law.
2. The decal shall be affixed to each manufactured home and mobile home in such manner as to cause the decal to be easily visible for inspection.
3. Owners of manufactured homes locating their homes, and owners of mobile homes relocating their homes in Macon County after January 1st of any year shall be required to report the location of their home to the Tax Commissioners Office and the Building Inspector within ten (10) working days.

Section 23 Title Reports by Manufactured Home Park Operators

1. Every owner and operator of a manufactured home park is required to give to the County Inspector an inventory of all manufactured homes located in the park sixty (60) days from the effective date of this ordinance. Subsequent inventories shall be delivered to the County Inspector by January 20th of each succeeding year.
2. Every owner, manager, and operator of a manufactured home park is required to report to the County Inspector any manufactured home moved into the mobile home park after January 1st of each year.
3. Every owner, manager, and operator of a manufactured home park and changes to the map shall be reported by January 20th of each year.

4. Every owner, manager, and operator of a manufactured/mobile home park is required to notify the County Inspector of any change in ownership or any change in the name of any park within thirty (30) days of such change.
5. The County Inspector will notify the Tax Commissioner of the information that has been furnished to him by the owner and operator of the park as may be needed by the Tax Commissioner for the updating of the Tax Commissioner's records.
6. This section applies to all manufactured home and mobile home park owners, including those in existence prior to the adoption of the original mobile home park ordinance.

Section 24 Manufactured Home Installation

Prior to the installation and set-up of a manufactured home in a manufactured home park located in Macon County, the person or legal entity planning to install the manufactured home, or the owner of the home, shall apply for, and receive, a permit to install the manufactured home in Macon County. The requirements for the installation and set-up of a manufactured home in Macon County are as follows:

1. Proof that an application has been made for a well and septic tank, or proof the well and septic tank has been accepted by the County Health Department, or proof that the manufactured home will be served by an EPD approved water and/or sewage system.
2. Proof that an installer licensed by the State of Georgia as per O.C.G.A. 8-2-164, will install the manufactured home.
3. Proof that the manufactured home has been registered with the Macon County Tax Commissioner.
4. Evidence of ownership of the lot where the manufactured home will be installed and if not owned of the manufactured home, evidence of a rental agreement, or some other agreement signed by the property owner.
5. The manufactured home shall be installed in compliance with the installation of manufactured home requirements as stated in O.C.G.A. 8-2-160, et. seq., and as amended.

Section 25 Certificate of Occupancy

No newly installed manufactured home in Macon County will be occupied until the County Inspector has issued a Certificate of Occupancy. The requirements of the issuance of a Certificate of Occupancy are as follows:

1. Compliance with the Rules and Regulations of the "Uniform Standards Code for Manufacturer's Home Act (O.C.G.A. 8-2-10 et. seq., and as amended)
2. Inspection by the County Building Inspector for compliance with the applicable ordinances.

Sections 26 to 29 Reserved

Section 30 Penalties and Incentives

1. Failure to Obtain a Permit. If any person commences a manufactured home park without first obtaining a permit, the person shall be subject to revocation of any permit or other authorization received from the County and associated with the establishment of the manufactured home park.
2. Stop Work Orders. Upon notice from the County Inspector, work on the manufactured home contrary to the provision of this ordinance, or in a dangerous or unsafe manner, shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property, his authorized agent, or the person or persons in charge of constructing the manufactured home park on the property, and shall state the conditions which shall be met before a permit is issued.

ARTICLE XII: (RVP) RECREATIONAL VEHICLE PARK DEVELOPMENT STANDARDS

Section 1 Maximum Length of Stay, Area Requirements, Minimum

1. Regulations in the RVP district are established for recreational vehicle parks where the principal use is for overnight tourists or for vacationers whose stay will not exceed one hundred eighty (180) days.
2. The park shall be on a lot of not less than five (5) acres, with a width at the building line of not less than three hundred (300) feet.
3. The density of spaces shall not exceed nine (9) per acre without a community water system approved by the county health department.

Section 2 Yard Requirements

1. Recreational vehicles shall be separated from each other by not less than fifteen (15) feet.
2. No recreational vehicle shall be located closer to any exterior property line than the corresponding yard requirement in the surrounding or adjoining district in which it is located.

Section 3 Minimum Requirements

1. Each space within a recreational vehicle park shall be provided with an all-weather surface of sufficient area to provide parking for both trailer and towing vehicle. All other exposed ground surfaces shall be covered or protected with a vegetative growth that is capable of preventing soil erosion and eliminating dust.
2. Water supply connections shall be made to a public water system wherever possible and feasible, as determined by the county health department. Where a public system is not available, a private system approved by the county health department may be used.
3. The water supply shall be capable of supplying fifty (50) gallons per space per day for all spaces lacking individual water connections and one hundred (100) gallons per day for all spaces provided with individual water connections.
4. Each recreational vehicle park shall be provided with at least one (1) water supply station per one hundred (100) trailer sites, or fraction thereof. Such water supply outlet shall include at least one sanitary hydrant and necessary appurtenances, and shall be protected against back flow and back-siphonage.
5. Connection shall be made to a public sanitary sewerage system whenever possible and feasible, as determined by the county health department. Where a public system is not available, a private system approved by the county health department, and where applicable, the Georgia Water Quality Control Board may be used. No septic tanks are permitted.

- 5.1. Each recreational vehicle park shall be provided with a sanitary station in the ratio of at least one (1) station for each one hundred (100) trailer spaces or fraction thereof, and each station shall be separated from any recreational vehicle space by a distance of at least fifty (50) feet.
- 5.2. A sanitary station shall consist of at least a trapped four-inch sewer riser pipe connected to the park's sewerage system, surrounded at the inlet end by a concrete apron sloped to the drain, and provided with a suitable hinged cover, and water outlet, with the necessary appurtenances to permit periodic wash down of the immediate area.
- 5.3. No wastewater or other liquid effluent shall be discharged or allowed to accumulate on the ground surface.
6. Grounded and weatherproof electrical outlets supplying at least one hundred ten (110) volts shall be provided at each recreational vehicle space. All electrical facilities shall comply with the regulations of the National Electrical Code.
7. At least one (1) solid waste container approved by the county health department shall be provided for each recreational vehicle space.
8. Where dependent trailers are to be located, central toilet facilities shall be provided. Central toilets shall be plainly marked, separated by sex, lighted at night, and located within two hundred (200) feet of the trailer spaces served. For each ten (10) spaces or every fraction thereof, not less than one (1) commode, one (1) lavatory, and one (1) tub or shower head shall be provided for each sex. In addition, for each twenty (20) trailer spaces or fraction thereof, at least one (1) urinal shall be provided in each central toilet designated for men.
9. All-weather drives at least twenty (20) feet wide shall be provided to each trailer space within the park.
10. A permanent, protective screen as described herein shall be required.

Section 4 General Requirements

1. Grounds, buildings, and structures shall be maintained free of insects and rodents. Extermination methods and other measures to control insects and rodents shall conform to requirements of the county health department.
2. The park area shall be so maintained as to prevent the growth of ragweed, poison ivy, and other noxious plants considered to be detrimental to health.
3. No open fire shall be permitted, except in facilities designed for such purposes. No open fire shall be left unattended. No fuel shall be used, nor material burned, which causes odors or dense smoke.
4. The person to whom approval is given to operate a recreational vehicle park shall at all times operate the park in compliance with this resolution, and shall provide adequate

supervision to maintain the park area, its facilities and equipment in good repair and in a clean and sanitary condition.

5. Every operator of a travel trailer park shall maintain a register as required by Georgia State Law.
6. Every park operator shall notify the local health authority immediately of any suspended communicable or contagious disease within the park area. In the case of disease diagnosed by a physician as a disease that needs to be quarantined, the departure of the trailer or its occupants or the removal of any articles, which have been exposed to infection, is prohibited.

ARTICLE XIII: (C-1) LOCAL, (C-2) GENERAL COMMERCIAL DISTRICT AND (I) INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS

Section 1 Protective Screening Commercial Districts

Protective screening for Local Commercial (C-1) and General Commercial Districts (C-2) adjacent to or across the street (with the exception of major arterial or major collector roads) from residential districts shall be in compliance with applicable sections of this Code. See Article XVI: Protective Screenings and Buffers.

Section 2 Restrictions Commercial Districts

The following restrictions shall apply to all permitted and conditional businesses in the C-1 district.

1. Eating and drinking establishments are allowed to have tables outside; however, there shall be no more than ten (10) tables, or up to 25 percent of the number of indoor tables, whichever number is less.
2. Retail businesses shall have no more than 7,000 square feet of gross floor area.

No business operations shall be conducted between the early morning hours of midnight and 5 am with the exception of normal business opening and closing activities, cleaning, restocking, etc. Nor shall any establishment be open to the public during said hours.

Unless specifically covered by this chapter, all other sections of this ordinance shall apply to all establishments.

Section 3 Protective Screening Industrial District

See Article XVI: Protective Screenings and Buffers.

Section 4 Non-Residential Development Standards

1. General. If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to the land shall make provision as the Zoning Board may require. A nonresidential subdivision shall also be subject to all the requirements of site plan approval as set forth in Macon County's subdivision ordinance. A nonresidential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the Zoning Board, and shall conform to the proposed land use and standards established in the Comprehensive Plan, Official Zoning Map, and Zoning Ordinance.
2. Standards. In addition to the principles and standards in these regulations, which are appropriate to the planning of all development including new subdivisions, the applicant shall demonstrate to the satisfaction of the Zoning Board that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:
 - 2.1 Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
 - 2.2 Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
 - 2.3 Special requirements may be imposed by the local government with respect to street, curb, gutter, and sidewalk design and construction.
 - 2.4 Special requirements may be imposed by the local government with respect to the installation of public utilities, including water, sewer, and storm water drainage.

ARTICLE XIV: (CH) CULTURAL /HISTORICAL DISTRICT DEVELOPMENT STANDARDS

Section 1 Statement of Purpose

The CH District is to protect the integrity of areas of unique value to the community. The CH district will include or provide a buffer to sites so designated. Minimum lot area is twenty-five (25) acres.

Section 2 Description of District

Historic Areas shall be those areas listed and described herein and further delineated on the Official Zoning Map, which is incorporated and made a part of this ordinance.

Section 3 Definitions

Historic Area means a geographically definable area that possess form, character, and visual qualities derived from arrangements or combinations of topography, vegetation, space, scenic vistas, architecture, appurtenant features, or places of natural or cultural significance, that create an image of stability, comfort, local identity, and livable atmosphere, and which is listed and described within this article, and further delineated on the official zoning map.

Section 4 Local Government Policy Directives

Because Macon County finds that its historic areas are of special interest deemed desirable and necessary to conserve for present and future owners, the county shall:

Incorporate into the Macon County Comprehensive Plan updates and short-term work plans, specific goals for the historic areas relative to land use, housing, community facilities, economic development and natural and historic resources;

As part of such planning, have special regard for and give special attention to the design, construction and maintenance needs of public thoroughfares, pedestrian ways, open spaces, landscape elements (including trees), recreation areas and comparable amenities of the area, and prepare plans, designs, sketches and/or models proposing public improvement of these facilities and areas;

Prepare special and detailed recommendations with respect to improved housing, education, employment, health, protection and other human resource requirements of the historic areas;

Ensure appropriate communication among interested public agencies, and provide for the active participation by residents of the historic areas in the preparation of plan elements and program elements noted above;

Designate a responsible local government official to coordinate these activities;

Recommend to the county Board of Commissioners, by a certain date, ways and means by which the county should improve its maintenance and operating programs within the designated historic areas, if applicable; and

Ensure that no county program of any kind results in adverse impacts on the designated historic areas.

Section 5 Visual Compatibility Standards

Buffer Zones. Any land lot proposed to be subdivided or otherwise developed that is contiguous to a designated historic area shall include a vegetative buffer between the lot to be developed and adjacent historic area. The buffer shall be provided by the owner of the property proposed to be developed.

If the lot proposed to be developed is located within the historic area itself, then the buffer shall be between the lot to be developed and other adjacent lots in the historic area.

If the proposed development and adjacent historic area fall within different zoning districts, then the buffer shall be as specified in Article XVI of this Zoning Ordinance.

If the two lots are both within the same zoning district, then the minimum buffer area of 50 feet shall apply. The county Board of Commissioners may waive this requirement, however, if it is found that:

1. The proposed new construction will be visually compatible with the Historic Area,
2. The historic area already has sufficient buffer area to protect it from visual intrusions, and/or
3. This buffer would adversely affect the character of the historic area, by isolating it from its larger compatible surroundings, for example.

Section 6 Other Visual Compatibility Standards

In addition to any other provisions of this article, zoning ordinance or other applicable law, anyone who lives in, or owns property within, an existing or proposed historic area may request additional visual compatibility standards for that historic area, relating to new construction within that historic area, landscaping, sign placement, demolition protocols, or other. Any such proposal must originate from a person living in or owning property in the affected historic area. Such requests shall be submitted to the Macon County Historic Preservation Commission, on forms available at the Macon County Planning and Zoning office. The historic preservation commission will review each request and forward the request (with comments) to the Macon County Zoning Commission. The Zoning Commission will then review the request, schedule a public hearing before the Macon County Board of Commissioners, and provide a recommendation at that hearing, prior to decision by the Board of Commissioners.

Section 7 Administration of this Article

Provisions of the Overlay District shall be administered by the Macon County Planner and or the Macon County Zoning Administrator or person designated by the Macon County Planner or Zoning Administrator.

Proposals to designate historic rural areas may be submitted by the Macon County Historic Preservation Commission, Macon County Planning Commission, Macon County Board of Commissioners, Macon County residents, or owners of property in Macon County.

Proposals to establish special visual compatibility standards for proposed or designated historic areas may be submitted only by persons living in or owning property within those historic areas, other provisions of this zoning ordinance and other applicable law notwithstanding.

All proposals to designate historic rural areas and/or establish visual compatibility standards for those areas must be submitted to the historic preservation commission on forms available at the Macon County Planning and Zoning office.

Proposals to designate historic rural areas and/or establish visual compatibility standards shall be reviewed by Macon County Historic Preservation Commission and Macon County Zoning Commission, and approved or disapproved by the Macon County Board of Commissioners after public hearing per requirements of Article XIX, Section 9 of this ordinance. Notice of the public hearing on the proposed designation of the historic area shall be mailed to all owners of property within the proposed area, as well as to the owners of property adjacent to the proposed area. Originator of proposal to designate historic rural areas shall be responsible for providing a list of all property owners to be notified.

The Macon County Board of Commissioners, after consultation with the Macon County Historic Preservation Commission and Macon County Planning Commission, may revoke the designation of any historic area that subsequently loses its historic character or visual integrity.

Decisions by the Macon County Board of Commissioners may be appealed in the manner described in this zoning ordinance.

ARTICLE XV: (FH) FLOOD HAZARD OVERLAY DISTRICT DEVELOPMENT STANDARDS

Section 1 Statement of Purpose

1. The Flood Hazard district is established to promote public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
 - 1.1 require that land uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
 - 1.2 restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;
 - 1.3 control filling, grading, dredging and other development which may increase flood damage or erosion;
 - 1.4 prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands; and
 - 1.5 control the alteration of natural floodplains, stream channel, and natural protective barriers which are involved in the accommodation of floodwaters.
2. More specifically, this district is established to:
 - 2.1 protect human life and health;
 - 2.2 minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
 - 2.3 maintain a stable tax base by providing for sound use and development of flood prone areas in such a manner as to minimize flood blighted areas;
 - 2.4 minimize expenditure of public money for costly flood control projects;
 - 2.5 minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 - 2.6 minimize prolonged business interruptions; and
 - 2.7 insure that potential home buyers are notified that property is in a flood area.
 - 2.8 The Georgia Erosion and Sedimentation Act restricts land disturbance and trimming of vegetation within 25 foot buffer adjacent to creeks, streams, rivers, saltwater marshes, and most lakes and ponds. Macon County has added a 25 foot buffer to this for any and all development in this area.

Section 2 District Boundaries

The Flood Hazard District boundary shall be coterminous with the areas of Special Flood Hazard as identified by the Federal Emergency Management Agency in the Flood Insurance Rate Map with an effective date of June 4, 1996, and any subsequent revisions thereto. The Zoning Commission may also include those areas known to have flooded historically, or defined through standard engineering analysis by governmental agencies or private parties but which have not been incorporated in the Flood Insurance Rate Map.

Section 3 Permitted Uses

1. The Flood Hazard District is an overlay district applying to all other districts identified herein to the extent to which Special Flood Hazard areas identified by the Federal Emergency Management Agency in the Flood Insurance Rate Map overlap with other districts. The Flood Hazard District does not consist of permitted and conditional uses, but imposes additional standards of development on all permitted uses and conditional uses enumerated in all other districts. In reviewing plans for development in the Flood Hazard district the Zoning Commission shall be guided by the following standards:
 - 1.1 Any structure or filling of land permitted shall be of a type not appreciably damaged by floodwaters,
 - 1.2 Any structure or filling of land permitted shall be designed, constructed and placed on the lot so as to offer minimum obstruction to, and effect upon, the flow of water,
 - 1.3 Any structure, equipment or material permitted shall be firmly anchored to prevent it from floating away, and thus damaging other structures and threatening to obstruct bridge openings and other restricted sections of the stream,
 - 1.4 Where, in the opinion of the Zoning Commission, topographic data, engineering and other studies are needed to determine the effects of flooding on a proposed structure or fill and/or the effect of the structure or fill on the flow of water, the Zoning Commission may require the applicant to submit such data or other studies prepared by competent engineers or other technical personnel,
 - 1.5 The granting of approval of any structure or land use in the Flood Hazard district shall not constitute a representation, guarantee or warranty of any kind or nature by Macon County or by any officer or employee thereof, of the practicality or safety of any structure or use proposed, and shall create no liability upon or cause action against such public body, officer or employee for any damage that may result pursuant thereto.
2. Limitations on Development
 - 2.1 The following thresholds shall apply to development in the River Protection zone.

- 2.2 On parcels of public record of three acres or less as of the effective date of this ordinance, a maximum of one (1) acre may be developed.
- 2.3 The maximum developable area on parcels of public record as of the effective date of this ordinance which are greater than three acres and up to fifty (50) acres is 1.5 acres.
- 2.4 The maximum developable area on parcels of public record as of the effective date of this ordinance which are greater than fifty (50) acres is 2.5%, not to exceed ten (10) acres.
- 2.5 The Georgia Erosion and Sedimentation Act restricts land disturbance and trimming of vegetation within 25 foot buffer adjacent to creeks, streams, rivers, saltwater marshes, and most lakes and ponds. Macon County has added a 25 foot buffer to this for any and all development in this area.

ARTICLE XVI: PROTECTIVE SCREENING AND BUFFER STRIPS

Section 1 Purpose and Intent

All plans for protective screening shall be submitted to the Zoning Commission Zoning Administrator for prior approval of materials, their use and the arrangement thereof. If, in the opinion of the Zoning Commission screening would serve no good purpose, the Commission may waive protective screening requirements.

Section 2 Residential Buffers

Where an industrial or commercial district abuts directly upon a residential district a landscaped greenbelt, not less than twenty (20) feet deep, shall be established by and maintained by said industrial or commercial developer along the industrial or commercial property's entire boundary with the residential zone. Such greenbelt shall be planted with deciduous trees, evergreens, flowering trees and/or ornamental trees set no closer than six (6) feet to the fence or wall. The remainder of the landscaped area, which is not planted with the aforementioned stock, shall be in well-kept lawn. All landscaping shall be maintained in a healthy growing condition.

Section 3 Landscape

The owner/developer of any: (1) property zoned R-2, (2) commercially zoned property which abuts an industrial zone, (3) industrially zoned property which abuts a commercial zone, (4) commercially or industrially zoned property which abuts a residential zone, (5) conditional use commercial or conditional use industrial property shall provide landscape strips, as herein defined, ten (10) feet deep along the full length of the developed portion abutting any public road, and five (5) feet deep along the developed portion of side and rear property lines.

Section 4 Acceptable Plant Material

In those instances where the natural vegetation and topography is insufficient to achieve the desired level of screening as required by this chapter, a planted buffer shall be provided and shall consist of plant material of such growth characteristics as will provide an acoustical and visual screen. Acceptable trees (excluding dwarf varieties) for use in required buffers and landscape strips include, but are not limited to, the following:

American Holly	Loblolly Pine
Arizona Cypress	Redbay Loquat
Cherry Laurel	Virginia Pine
Eastern Red Cedar	White Pine
Leyland Cypress	Yaupon Holly
Little Gem Magnolia	

Section 5 Shrubs

Shrubs used to form hedges shall not be deciduous. They shall be at least two (2) feet above ground level when planted. They shall be spaced in such a way that when mature, they will form a continuous visual screen (hedge) that is at least six (6) feet in height. Acceptable types of shrubs include, but are not limited to, the following:

Burford Holly	Japanese Privet
California Privet	Northern Bayberry
Cleyera	Pittsorum
European Privet	Sasanqua Camellia
Euonymus	Southern Waxmyrtle
Japan Yew	Tea Olive

Section 6 Salvage Yard Buffers

A solid-faced fence eight (8) feet high, and buffer strip eight (8) feet deep, as defined herein, meeting acceptable standards designated by the Zoning Commission, and providing an adequate visual shield, shall be erected along all road frontages and all sides visible from public roadways.

ARTICLE XVII: SIGN REGULATIONS

Section 1 Findings on the Public Health, Safety, and Welfare

Building code requirements address many public concerns about dangerous signs. Georgia Standard Building Code provisions relative to signs are supposed to ensure that they will not pose a fire hazard and are appropriately anchored or secured so that they do not fall or blow down. However, the building code does not regulate the location of signs, except to prevent them from interfering with an entryway or fire escape (Southern Building Code Congress International, Inc. Standard Building Code. 1994. Section 3108.1.9., Location Restrictions).

Section 2 Public Safety Rationales Not Achieved by the Standard Building Code

Without a sign ordinance, signs can pose a clear danger to public safety. It has long been recognized that signage controls are needed to promote traffic safety and avoid traffic accidents. A 1980 Federal Highway Administration study found a positive correlation between billboards and accident rates (Scenic America. Fact Sheet (1): Billboard Control: Fighting Visual Pollution. <http://www.scenic.org/fact1.htm>). Furthermore, a 2009 study, Safety Impacts of Emerging Digital Display by Technology Outdoor Advertising Signs Final Report, by Jerry Wachtel, CPE, recognized that inattentive driving was a major contributor to highway crashes and that new technologies were enabling the outdoor advertising industry to display more attention –getting messages that were likely to cause drivers to be less attentive to the driving task. Also, those studies sponsored by government agencies, insurance companies, and auto safety organizations performed in the past decade regularly demonstrated that the presence of roadside advertising signs, such as digital billboards, contributed to driver distraction at levels that adversely affect safe driving performance.

1. Signs too close to the road can cause accidents. Without additional regulations, signs can be placed dangerously close to rights-of-ways in locations where they might be struck by an oncoming vehicle using the road or having to veer off the road.
2. Signs can impair visibility. The placement of signs can interfere with the sight of motorists trying to exit a driveway onto a public road. Traffic safety is improved by restricting the size, height, and spacing of signs.
3. Signs distract motorists. By their very nature, signs are designed to direct attention to something and distract motorists to view a message or turn off the roadway and into a property to frequent a business, place, or activity. To the extent that signage captures the sight and attention of a motorist, it distracts motorists from the primary purpose of safely maneuvering a vehicle along the road.
4. Signs can confuse motorists by mimicking traffic safety signals and signs. Motorists might confuse signs that contain flashing or blinking red, green, or yellow lights (such as a lighted portable sign adjacent to the road) with roadway traffic signals, emergency vehicles, or other hazards. Signs constructed of shapes like an octagonal “stop” sign might also impair public safety by confusing the motorist.

5. Limitations on window signs can increase visibility from the public right-of-way and thus deter crime and robberies. Sign controls that limit the amount of storefront and door areas that can be covered with signs enhance visibility of activities within the store or building. Limits on window signs can provide for an appropriate minimum of exterior visibility and thus increase public safety of commercial areas through a reduction in crime potential.
6. Signs can affect the aesthetics of the community. Sign regulations help communities maintain their scenic heritage and unique character. The appearance of the community, which is substantially influenced by signs, is essential to the County's long-term economic viability and helps determine how residents and visitors alike perceive it. Sign control is an integral part of improving visual character and quality of life. In 1954, Justice Douglas of the high court found the following: "The concept of public welfare is broad and inclusive. The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully controlled (Berman v Parker 348 U.S. 26, 75 S. Ct. 98, 99 L. Ed. 27 1954)".

Section 3 The Purpose of these Sign Regulations

1. Permit signs that will not, by their size, location and construction, endanger the public safety of individuals. For example:
 - 1.1 obstructs sight distance along a public right-of-way;
 - 1.2 would tend by its location, color or nature to be confused with or obstruct the view of traffic signs or signals, or to be confused with a flashing light of an emergency vehicle, or simulates an official traffic control or warning sign so as to confuse or mislead the traffic; and
 - 1.3 would by its nature or moving parts tend to confuse traffic or create any potential hazard to traffic.
2. Provide a reasonable and comprehensive system of sign controls to ensure the development of a high-quality environment.
3. Enhance the aesthetic environment.
4. Encourage a desirable county character with a minimum of clutter while recognizing the need for signs as a form of communication.
5. Improve pedestrian and traffic safety.
6. Minimize the adverse effect of signs on nearby public and private property.
7. Enable the fair and consistent enforcement of these sign regulations.

Location - The location of signs shall conform to state law (See GA DOT regulations). In general, except for signs as allowed by state law, all signs shall be located on private property.

Sign Types and Standards - The following sign standards apply to all zoning districts as specified elsewhere in this section. If any other standards in the ordinance conflict with the standard in this article, the stricter regulation shall apply.

8. Freestanding Signs:

1. Pole Signs. Pole signs including a billboard shall not extend over a public right-of-way. All signs abutting the right-of-way line shall have the display area six feet or more above ground level measured from the grade at the right-of-way line. Any signs with a portion of the display area less than 6 feet above ground shall be erected 15 feet from the right-of-way line. The maximum size of a pole structure/sign face is 150 square feet. The maximum height of a pole sign is 40 feet from grade to highest section.
 2. Ground Sign. Ground signs less than three (3) feet high shall be set back at least three (3) feet from the right-of-way line. Otherwise, such signs shall be set back 15 feet from the right-of-way line. The maximum total area of a ground sign located in a residential district is 6 square feet.
9. Wall Sign and Flush-Mounted Canopy Signs. Wall and flush-mounted canopy signs (including signs attached flat against the wall or canopy and painted signs) shall be securely fastened by metal supports to the building surface along the sign's greatest dimension. They may project from the building up to 12 inches; however, if they project more than 4 inches from the building surface, they shall maintain a clear height of 8 feet above ground level.
10. Canopy (Awning) Signs. Canopy signs may cover the width of the door or window over which they are to hang. They may not be any taller than three (3) feet as measured on the surface to which they are attached and may project up to three (3) feet from the surface. However; any canopy projecting more than 12 inches may not hang any lower than the top of the window or door over which it is hung.
11. Window Sign. A sign installed inside a window and intended to be viewed from outside. For the purpose of this ordinance the area of a permanent window sign may be 1/10th of the total window surface. The area of a temporary sign may be 1/6th of the total window surface.

Section 4 Visibility Clearance

In any district no sign ~~or sign~~ shall be maintained within 15 feet of the right-of-way, intersection or of a street with a railroad right-of-way.

1. Illumination not to be a nuisance. Illumination devices such as, but not limited to signs, flood or spot lights shall be so placed and so shielded as to prevent the rays or illumination there from being cast into neighboring structures and/or onto approaching or passing vehicles.
 - 1.1 Lighted signs giving off light resulting in glare, blinding or any other adverse effect on traffic shall not be erected.
 - 1.2 The light from illuminated signs shall be established in such a way that adjacent properties and roadways are not adversely affected and that no direct light is cast upon adjacent properties.
 - 1.3 No sign shall be erected if it contains, or is illuminated by any flashing, intermittent or moving lights.

2. Other Restrictions. No sign shall be erected, attached or maintained which obstructs any fire escape, any means of ingress, egress, ventilation or which prevents free passage from one part of a road to any other part thereof.
 - 2.1 No ground sign shall exceed 32 square feet per sign face.
 - 2.2 Home businesses are allowed one illuminated sign, up to 6 square feet per sign face to be placed flat on a door, wall or window.
3. Multiple businesses/shopping center. Where several structures are built jointly with connecting walls and zero lot lines located in the commercial or commercial downtown zoning district and commonly called a shopping center or where there may be several business located in the same building, the maximum display area of all wall or flush mounted canopy signs for each business shall not exceed ten percent of the front facade of each individual business. There may be one sign (either pole or ground) for the shopping center/mall or building with a maximum 64 square feet (double-sided, back signs are allowed). Height shall be no more than 25 feet from grade to highest section of sign.
3. All signs within Macon County shall be U.L. approved and erected, constructed and maintained in accordance with the standards of this Article and applicable sections of the Macon County Building Code and only those signs that are permitted by these regulations shall be erected within the County. All signs shall require a building permit.
 - 3.1 It shall be unlawful for any person, agency, or firm to erect, structurally modify (other than normal maintenance), replace or relocate within Macon County, any sign without obtaining a sign permit. The permit shall be obtained from the Macon County Building Inspector's Office and payment of the permit fees shall be made as required by this section.
 - 3.2 Prior to the receipt of a sign permit, the person desiring to erect the sign shall file an application with the Building Inspector's Office. The following information shall be submitted:
 - a. The name, address, and telephone number of the owner or persons entitled to possession of the sign and that of the sign contractor or erector.
 - b. The location by street address of the proposed sign.
 - c. Two (2) copies of a blueprint or drawing including a site plan showing the location of the proposed installation, with particular dimensional reference of streets, walks, and existing structures.
 - d. Size of the sign.
 - e. Size character and method of illumination, if any.
 - f. Proposed method of fastening sign to the building.
 - g. Vertical distance between sign and finished grade.
 - h. Horizontal distance between sign and road right-of way.

- i. A lease or written statement of permission from the property owner on whose land the sign is proposed permitting the sign to be erected.
 - j. Where the sign construction requires an electrical connection, the electrical contractor shall obtain an electrical permit.
 - k. Any additional information deemed necessary by the Zoning Administrator.
- 4. It shall be the duty of the Building Official upon the receipt of the permit fees and the completed application of a sign permit to examine such plans and specifications. If the proposed structure is in compliance with the requirements of this section, within 10 working days from the date of filing a written permit shall be issued to the applicant. Issuance shall in no way prevent the Building Official from later declaring said sign to be nonconforming if the permit is obtained based on false information submitted by the applicant.
- 5. Permit Fees: Signs only. See addendum of fees set by the Board of Commissioners. There will be no charge if applicant has a current building permit.
- 6. Signs painted on or attached to utility poles, trees, or other natural features in Macon County shall be prohibited.
- 7. Portable signs are prohibited in all zoning districts except as allowed in this paragraph. Temporary (portable) signs may be displayed for up to 16 days, no more than 2 times per year. There shall be a minimum of 30 days between display dates. Portable signs must meet the following requirements:
 - 7.1 No flashing lights are allowed.
 - 7.2 Sign lettering and or background material shall not be fluorescent or neon coloring.
 - 7.3 Signs shall be prohibited in the public right-of-way.
 - 7.4 No portable sign shall be larger than 32 square feet and be no taller than 6 feet from grade.
- 8. Community decorations, either owned by the Macon County or authorized for display by the County Commission, may be displayed at any time, as long as they are displayed no longer than 16 days with a minimum of 14 days between displays. Community decorations may be continuously displayed from November through mid-January.
- 9. Signs are allowed on private property, provided that no more than two (2) signs are posted and are to meet the following requirements:
 - 9.1 Signs shall not be larger than 6 square feet.
 - 9.2 Signs are not allowed on public right-of-ways.
- 10. Any sign legally in existence prior to adoption of this ordinance, which does not conform to the requirements of this ordinance is declared nonconforming and subject to the following requirements:

- 10.1 Any sign legally in existence prior to this ordinance, which does not conform to the requirements set forth in this ordinance may be continued as a nonconforming sign so long as the size and height are not increased beyond the existing dimensions as of the effective date of this ordinance.
- 10.2 A nonconforming sign shall not be replaced by another nonconforming sign except that the substitution or interchange of poster panel, painted boards, plastic banners or other material shall be permitted, as long as the substructure supporting the back of the sign and the posts it is mounted to is sound and meets wind shear tolerances as stated in the International Building Codes available from the Macon County Building Inspector's office.
- 10.3 Maintenance and repair of nonconforming signs, including changing of copy, electrical repairs or lettering and necessary nonstructural repairs which do not further extend or intensify the nonconforming features of the sign shall be permitted. However, no structural repairs or changes in the size or shape of the sign shall be permitted except to make the sign comply with the requirements of this ordinance.
- 10.4 If a legal nonconforming sign is damaged or destroyed by any means to the extent that 50% or more of its current replacement value, exclusive of the cost of the support structure, the sign may not be rebuilt or used thereafter unless it conforms to all of the provisions of this ordinance. If the damage or destruction of the nonconforming sign is less than 50% of the replacement value, the sign may be rebuilt to its original condition in terms of size and height and may continue to be displayed.
- 10.5 A nonconforming sign shall be removed or altered to conform to the requirements of this ordinance when the nature of the business that is advertised on the sign changes or the sign is changed or modified wither in shape, size or legend.
- 11. Sign devices not permitted under this ordinance:
 - 11.1 Flashing signs.
 - 11.2 Signs that simulate an official traffic control or warning sign as to control or mislead the traffic or hide from view any traffic or street sign or signal.
 - 11.3 Signs which utilize a background of colored lights blending with traffic signals that might confuse a motorist when viewed from normal approach distance of 25 to 300 feet.
 - 11.4 Spinning signs or similar type devices.
 - 11.5 Signs not securely affixed to the ground or otherwise affixed in a permanent manner to an approved supporting structure.
 - 11.6 Roof signs after enactment of this ordinance (no permits shall be issued).
 - 11.7 Animated signs.
 - 11.8 Marquee signs other than those for theaters;
 - 11.9 Rotating signs.

- 11.10 LED electronic message signs.
- 12. Signs exempt from permits:
 - 12.1 Signs located permanently or temporarily located on public right-of way such as official traffic signs.
 - 12.2 Signs required to be posted by law.
 - 12.3 Signs under 6 square feet.
 - 12.4 Changing of the copy of a bulletin board, poster, board, display casement or marquee. The moving or relocating of embellishments that does not increase area of embellishments.
 - 12.5 Signs posted by governmental agencies.
- 13. Signs for new businesses shall not be portable signs. The business shall have permanent sign within 60 days of obtaining a business permit.
- 14. Appearance of Signs.
 - 14.1 All flat ground signs shall have concealed structural members except for vertical supports other supporting members, shall present good structural appearance and shall, when attached to a building appear to be an integral part of the building.
 - 14.2 All signs shall be maintained in good condition so as to present a neat and orderly appearance. The building official may cause to be removed after due notice any sign which is not well maintained.
 - 14.3 Vacant Buildings. Any owner-identification signs advertising a service or commodity associated with a vacant premise shall be removed or resurfaced by the owner or lessee not later than 30 days from the time the activity ceases. Commercial-renting leasing signs shall comply with the requirements of temporary signs. After 30 days, if the sign has not been removed, a penalty will be affixed and the Macon County shall remove the sign at the expense of the owner and same shall constitute a lien on the property.
 - 14.4 Each individual business is allowed one (1) permanent sign no larger than 6 sq. ft. mounted at the primary entrance. There shall be no roof signs or projecting signs.
 - 14.5 Temporary signs. Total window surface area covered by temporary signs on commercial buildings shall not exceed 1/16th of the window surface and there shall be no more than 3 temporary signs per 160 square feet of window surface area.
 - 14.6 There may be one (1) major business identification sign no more than 1/10th of the total window surface. The window business identification sign may consist either of a sign painted on the window or hung inside the window in such a manner as to be visible from the outside.
 - 14.7 Multiple family dwellings, townhouses, apartments, rooming and boarding houses: 1 sign for each street frontage no more than 32 square feet, plus one temporary sign no larger

than 6 square feet per street frontage. The signs must be 15 feet from the right-of-way line.

15. Variances to the Sign Ordinance. In some cases, where physical conditions peculiar to a premises can create problems with sign setback, area or height requirements a variance may be granted by the Macon County Zoning Commission.

15.1 Permit a setback for a sign that is up to 25% less than the required setback.

15.2 Permit the area or height of a sign to be increase by up to 25% more than the maximum height or area allowed.

16. See Article XIX, Section 14 Request for Variances of the Macon County Zoning Commission for additional information.

MAXIMUM NUMBER OF SIGNS IN COMMERCIAL OR INDUSTRIAL ZONING DISTRICTS

	INDIVIDUAL ESTABLISHMENTS	SHOPPING CENTER		BUSINESS/INDUSTRIAL PARK			
MAXIMUM NUMBER OF SIGNS	1 PER ESTABLISHMENT	1 PER ROAD FRONTAGE	1 PER BUSINESS WITHIN THE SHOPPING CENTER	1 PER ROAD FRONTAGE	1 PER INDUSTRY/ BUSINESS WITHIN THE PARK	MAXIMUM AREA SQUARE FEET/MAXI MUM HEIGHT	REQUIRED SETBACK FROM R.O.W. LINE
SIGN TYPES							
Pole Sign (Excluding Billboards)	P	P	NP*	P	NP	150/40	15
Ground Sign	P	P	NP*	P	NP	32/4	15
Wall and Flush Canopy Sign	NP	P	P	NP	P	See Article XVI (Signs) Section 3	See Article XVI (Signs) Section 3
Canopy (Awning) Sign	NP	NP	NP	NP	NP	See Article XVI (Signs) Section 3	See Article XVI (Signs) Section 3
Window Sign	P	NP	P	NP	P		
Non- Animated Portable	P	P	NP	P	P	40/6	15

P= Permitted

NP=Not Permitted

MAXIMUM NUMBER OF SIGNS IN RESIDENTIAL DISTRICTS

SIGN TYPE	MAXIMUM NUMBER OF SIGNS	MAXIMUM SIZE	MAXIMUM HEIGHT	REQUIRED SETBACK FROM R.O.W. LINE
Ground Sign	2 Per Lot	6 Square Feet	4 Feet	15 Feet

MAXIMUM NUMBER OF SIGNS IN C-2 COMMERCIAL DISTRICTS

SIGN TYPE	MAXIMUM NUMBER OF SIGNS	MAXIMUM SIZE	MAXIMUM HEIGHT	REQUIRED SETBACK FROM R.O.W. LINE
Billboards	2 Per Lot	150 Square Feet	40 Feet	15 Feet

*See Article XVI, Section 4; 2

ARTICLE XVIII: NONCONFORMING USES

Section 1 Continued Use

All legal land uses existing and active as of the effective date of this ordinance shall be allowed to continue in the same land use, even if such land use does not conform with the provisions of this ordinance. All such land uses shall be considered to be nonconforming.

Section 2 Extension and Alteration

No permit shall be issued to physically extend or structurally alter a nonconforming land use except to make said use conform to, or comply with, the provisions and requirements of this ordinance. A non-conforming use or structure may not be enlarged beyond its size at the time of the use or structure became non-conforming. This includes, but is not limited to, the size of the building, the use of additional land either on the same or adjoining property and additional and or more powerful equipment.

Section 3 Abandonment

A nonconforming use which has been discontinued for a continuous twelve-month period shall not be reestablished. A non-conforming use may not be resumed regardless of any reservation of any intent to abandon. However, a nonconforming, vacant home site that has a well and/or septic tank may be reestablished as a manufactured home site at any time in any district, except a commercial or industrial district, provided said use is reestablished in compliance with all applicable standards of the county health department. Any other use at the site of a previously abandoned land use shall be in conformity with provisions of this ordinance.

Section 4 Reestablishment/Restoration after Damage

A nonconforming land use damaged by fire, storm or any other cause may be restored to the same nonconforming use as existed before such damage provided restoration is begun within twelve months of such damage.

Section 5 Restoration to a Safe Condition

Nothing in this ordinance shall prevent the restoration of any building to a safe and sanitary condition when required to do so by the proper authorities of the county.

Section 6 Change in Tenancy or Ownership

Nonconforming land uses shall be allowed to continue under changes in tenancy, management and/or ownership.

Section 7 Change in Use

A nonconforming land use shall not be changed to another nonconforming land use.

Section 8 Nonconforming Signs

A nonconforming sign shall not be improved (other than for normal maintenance), altered or relocated except in conformance with provisions of this ordinance.

Section 9 Nonconforming Salvage Yards - Expansion and Screening

All nonconforming salvage yards shall be made to conform with the general provisions of this ordinance within a two-year period of ordinance adoption. Salvage yard expansion and screening requirements follow:

1. A buffer eight (8) feet high and eight (8) feet deep is required along the full perimeter of the salvage yard. If constructed, the buffer must be of wood, concrete or other materials approved by the Zoning Commission. If planted, the vegetation selected must be of a species and variety which, with the required proper maintenance, will reach a minimum height of eight feet within five years of planting. Both types of buffer must be maintained so as to block the view of the salvage yard, and help deflect, muffle or absorb noise generated by activities in the salvage yard.
2. Screening is intended to shield the view and reduce audible noise levels of salvage yards from surrounding properties and roadways, and to protect surrounding properties from fire. Modification of these requirements may be granted at the discretion of the Zoning Commission when the requested modification does not contravene the intent of these regulations. Requests for modification must be filed with the Zoning Officer and require a public hearing.
3. No salvage yard existing at the time this ordinance is adopted shall be expanded unless it meets requirements for screening.

Section 10 Exception for Extension and Alteration of Non-Conforming Farm-Animal Operations

Nothing in Article VII or Article VIII of this ordinance shall prohibit the replacement or alteration in a farm-animal house which was lawfully existing and active even if such replacement or alteration does not conform to the provisions of this ordinance. For the purposes of this Section, farm-animal operations include farm animal houses and poultry houses, as defined above in the Article III, Section 2: Definitions, which begins on page 7 of this ordinance. The non-conforming use shall in no way be expanded except by a variance granted by Section 14 of Article XIX.

ARTICLE XIX: ADMINISTRATION AND ENFORCEMENT

Section 1 Statement of Purpose

There is hereby created, simultaneous with enactment of this ordinance, the Macon County Zoning Commission and the office of the Zoning Administrator of Macon County.

Section 2 Zoning Commission

Created: Pursuant to Article IX, section 2, paragraph 4 of the Constitution of Georgia the Macon County Zoning Commission (hereinafter referred to as the “zoning commission”) is hereby created and established.

Section 3 Membership and Appointment

The zoning commission shall consist of five (5) members who meet the following requirements: Must be a resident of Macon County for at least five (5) years; have a high school diploma or GED equivalent, and pass a criminal background check. None of the zoning commission members shall hold any other public office. Zoning Commission members may be removed for cause, upon written charges, and after public hearing. Any member of the zoning commission shall be disqualified to act upon a matter before the zoning commission with respect to property or adjacent property in which the member has an interest.

Section 4 Quorum

Three members shall constitute a quorum for the transaction of business.

Section 5 Term of Office

The terms of the members shall be for four years; except in the appointment of the first zoning commission pursuant to this article, three of the members shall be appointed for four year terms and two members shall be appointed for two year terms. Any vacancy in membership shall be filled for the unexpired term in the same manner as the initial appointment.

Section 6 Compensation

The zoning commission members shall receive compensation as set by the Board of Commissioners for their service (see addendum) and they may be reimbursed for out-of-pocket expenditures made in connection with their duties.

Chairman: The zoning commission shall elect one of its members as chairman, who shall serve for one year or until his successor is elected.

Administrative assistance: The county commission shall provide such technical, administrative, and clerical assistance as is needed by the board to carry out its function under the provisions of these regulations.

Zoning Administrator The individual occupying this office shall administer said ordinance in cooperation with the Macon County Zoning Commission and the Macon County Board of Commissioners.

1. Appointment: The Zoning Administrator shall be appointed by the Macon County Board of Commissioners.
2. Duties and authority: In administering the provisions of this ordinance the Zoning Administrator shall:
 - 2.1 Serve as Administrative Secretary to the Zoning Commission.
 - 2.2 Establish a system with which to maintain public records concerning the administration of this ordinance, including all maps, amendments, certificates of zoning compliance, conditional uses, variances, records of public hearings, other records relevant hereto, and see that such records and documents are maintained in current status.
 - 2.3 Issue certificates of zoning compliance for all permitted uses, for conditional uses and variances recommended by the Zoning Commission and approved by the Macon County Board of Commissioners.
 - 2.4 Collect data and keep informed on matters of zoning administration and practice in order to make sound recommendations to the Zoning Commission.
 - 2.5 Undertake other duties as may from time to time be delegated or assigned by the Macon County Board of Commissioners.

Section 7 Text or Map Amendments

After due notice and public hearing the Macon County Board of Commissioners may supplement, modify, vary or change the boundaries of the zoning districts or the requirements of this resolution by adopting amendments to the zoning map or text.

1. Initiation of Amendment: Amendments to the zoning map or text may be proposed by the Board of Commissioners, the Zoning Commission, or by any owner of property within the area proposed for change.
2. Procedure: An application for amendment shall be filed with the office of the Zoning Administrator at least thirty (30) days prior to the date on which the request is to be considered by the Zoning Commission.
3. Review by the Zoning Commission: No amendment shall become effective unless it shall have been reviewed, and a public hearing held, by the Zoning Commission. The Zoning Commission shall have thirty (30) days following the public hearing within which to submit a recommendation to the Board of Commissioners. If the Zoning Commission fails to submit a recommendation to the Board of Commissioners within thirty (30) days after the public hearing, the Zoning Commission shall be deemed to have approved the proposal.

***Approval of all text and/or map amendments must be formally approved by the Macon County Board of Commissioners.

4. Public hearing: The Zoning Commission shall hold a public hearing on an application for amendment. Notice of the time and place shall be published at least fifteen (15) days but not more than forty-five (45) days before the hearing in a newspaper of general circulation in Macon County.
5. Fee: Each application for rezoning by amendment shall be accompanied by an application fee in the amount established by the Macon County Board of Commissioners to partially defray administrative costs.
6. Minimize time between applications: A property owner shall not resubmit a proposal of zoning amendment affecting the same property more than once in a six-month period, unless the applicant can show that the conditions upon which the previous denial were based have substantially changed.

Section 8 Zoning Policies and Procedures

Policies and Procedures are herein established to provide guidelines for the following zoning activities.

1. Adoption of a new County Zoning Ordinance.
2. Adoption of an amendment which changes the text of the ordinance (Text Amendment).
3. Adoption of an amendment which rezones property from one zoning classification to another. (Map Amendment)
4. Procedural requirements for amendments sponsored by the Macon County Board of Commissioners.
5. Procedural requirements for amendments sponsored by a property owner or agent.

Section 9 Policies and Procedures for County Initiated Zoning Changes

1. In the case of amendments to the text or map of this ordinance, the Zoning Commission and the Board of Commissioners will, where appropriate, utilize any new or existing land use studies, land use plans or other relevant documents as a resource. The Macon County Board of Commissioners will hold at least one public hearing on any proposed amendment to this ordinance.
2. Public hearing notices will be published within a newspaper of general circulation within Macon County at least one time and at least (15) fifteen days prior to the official public hearing date. The public notice will state the time, place, and purpose of the hearing.
3. Public hearings will be convened at the advertised time and place and will be presided over by the appropriate official.
4. The presiding officer of each respective public hearing will open the hearing by reviewing the following operating procedures.

5. Individuals wishing to address the Zoning Commission and County Commission at their respective hearings must first be recognized by the presiding officer for the purpose of speaking. Those addressing the Commission must first identify themselves by first and last names, and give their home road address, and where appropriate, business road address.
6. The presiding officer shall recognize one representative to speak on behalf of those supporting the question before the Commission for a time not to exceed fifteen (15) minutes.
7. The presiding officer shall recognize one representative to speak on behalf of those opposing the question before the Commission for a time not to exceed fifteen (15) minutes.
8. The presiding officer shall then grant a three (3) minute rebuttal to one spokesman supporting the question.
9. The presiding officer shall then grant a three (3) minute rebuttal to one spokesman opposing the question.
10. Appropriate notes or minutes will be recorded by the Zoning Commission and the County Commission at their respective public hearings.
11. The Zoning Commission shall prepare and submit the necessary minutes, evaluations and/or recommendations to the County Commission prior to the County Commission's Public Hearing.
12. The County Commission, at its public hearing, will review the evaluation and recommendations from the Zoning Commission and may choose to adopt, reject or modify the Zoning Commission recommendations, or the business may be tabled to the next regular County Commission meeting for additional study.

Section 10 Procedures for Rezoning Property Requests by a Citizen or Property Owner

1. An application for rezoning must be filed with the Zoning Administrator on a prescribed form, accompanied by an application fee in the amount established by the Macon County Board of Commissioners. The application shall be filed at least thirty (30) days prior to the meeting of the Zoning Commission at which the application is to be presented.
2. The Zoning Administrator will inform the applicant of the public hearing date. The Zoning Commission will convene a public hearing on each application at the date, time and location advertised. The public notice will appear at least one time in a newspaper of general circulation no less than 15 days nor more than 45 days prior to the public hearing.
3. The public hearing notice will name the applicant, the location of property to be affected, the present zoning class, the proposed zoning class and the date, time and place of both the Zoning Commission hearing and the public hearing held by the Macon County Board of Commissioners.
4. The Zoning Administrator shall have erected upon the property for which rezoning is to be considered a sign of no less than 17" X 24" announcing the public hearings, stipulating the dates, times, and places for the two hearings, the present zoning class and the

proposed zoning class. The sign shall be clearly visible from a public road and shall be erected not less than 15 days before the Zoning Commission hearing date.

5. Public hearings held by the County Commission will follow essentially the same procedures as those of the Zoning Commission.

***Approval of all rezoning of property requests must be formally approved by the Macon County Board of Commissioners.

6. Any application for rezoning of a particular parcel of property which is denied by the Board of Commissioners may not again be considered for rezoning until the expiration of at least six (6) months immediately following the defeat of the rezoning request.

Section 11 Rezoning Criteria

Decisions of whether to approve or deny a petition to rezone property shall be based on the following criteria. These criteria are established to assist the Zoning Commission and Board of Commissioners in balancing the interests of the public with the interests of the private property owner:

1. Does the proposed zoning classification promote the health, safety, morals and general welfare of Macon County?
2. The existing uses of the subject property and adjacent and near properties.
3. The current zoning of the subject property and adjacent or near properties.
4. The extent to which property values are diminished by the present zoning restriction.
5. The extent to which the restrictions diminishing the property's value promote the health, safety, morals and general welfare of the public.
6. The relative gain to the public compared to the extent of hardship imposed upon the individual property owner (in retaining the current zoning designation).
7. The suitability of the subject property for the zoned purposes.
8. The history of the use of the subject property considered in the context of land developments in the vicinity of the property.
9. Conformity with the Macon County Future Land Use Plan.

Section 12 Conditional Uses

The Zoning Commission may recommend to the Board of Commissioners approval of a petition to rezone provided the applicant agrees to certain specified conditions related to the proposed rezoning. The Board of Commissioners will make the final decision. The procedures and application process are the same as in Section 10 - Procedures for Rezoning Request by a Citizen or Property Owner. The sign posted on-site of the subject property shall include any conditions, requirements or limitations deemed by the Zoning Commission to be necessary for protection of adjacent properties and the community as a whole and to carry out provisions of this ordinance.

***Approval of all Conditional Uses requests must be formally approved by the Macon County Board of Commissioners.

Section 13 Criteria for the Review of Conditional Uses

An application to establish a conditional use shall be approved following a review by the Zoning Commission and a determination by the Macon County Board of Commissioners that:

1. The proposed use will not be contrary to the purpose(s) of this ordinance;
2. The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood, nor affect adversely the health and safety of residents and workers;
3. The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noises or fumes generation or type of physical activity; however, as noted in Article IV, Sections 1 and 4, some odors, noise, etc. is inherent in agricultural activities, and this ordinance is intended to promote the continuance of a healthy agribusiness presence in the county. To assist in determining whether or not a proposed use is a significant nuisance, the Zoning Commission should take into consideration whether or not the applicant has been in compliance with published Best Management Practices for the activity considered. Strict conformance to applicable BMPs should be recognized as adequate measures in most cases to offset nuisance concerns.
4. The proposed use will not be affected adversely by the existing uses, and the proposed use will be placed on a lot of sufficient size to satisfy the space requirements of said use;
5. Parking and all development standards set forth for each particular use for which a permit may be granted have been met, and
6. Provided, the Board of Commissioners may impose or require such additional restrictions and standards as may be necessary to protect the health and safety of workers and residents in the community and to protect the value and use of property in the general neighborhood, provided that, wherever the County Commission shall find, in the case of any permit granted pursuant to the provisions of these regulations, that any term, conditions or restrictions upon which such permit was granted are not being complied with, said Commission shall rescind and revoke such permit after giving due notice to all parties concerned and granting full opportunity for a public hearing.

Section 14 Variances

1. This section describes the process for addressing unusual situations or unique problems that may arise from the strict interpretation or enforcement of this Zoning Ordinance, including appeals from an administrative decision, for a special exception, and for unique hardships restricting reasonable use of a property. The Zoning Commission may grant specified variances from the requirements of the ordinance. The Zoning Commission shall have the power to authorize a variance from the terms of this ordinance where a literal enforcement of the zoning requirements would result in undue hardship, but where exercise of such authority is not contrary to the public interest. A Variance Request

Report shall be provided to the Board of Commissioners within fifteen (15) days of the request. If there is no objections made by the Board of Commissioners the variances will become effective within thirty (30) days.

2. Appeals, in general.

2.1 Types of Appeals. Persons may appeal to the Zoning Committee for relief under the following circumstances:

a. Special exception variance.

When an exception is desired for a particular property from certain requirements of this Ordinance, as specified in this Article.

b. Hardship variance.

When compliance with the requirements of the Zoning Ordinance would create a particular and unique hardship.

c. Administrative decision.

When aggrieved by an action or an interpretation of the Building Inspector or any other administrative official of the County made under this Zoning Ordinance. An administrative official is defined as the head of any department.

3. Special Exception Variances.

3.1 Appellant for a special exception variance.

A request for a special exception variance on a property shall be brought by the property owner or with the owner's permission, the holder of or applicant for a permit for development or construction on the property.

3.2 General limitations on relief.

Special exception variances shall be limited to relief from the following requirements of this Ordinance:

a. Accessory uses and buildings.

(a.1) The maximum allowable size of an accessory building may be increased with regard to its proportion of the floor area in the principal building.

(a.2) The placement or construction of an accessory use or building on a lot prior to or in lieu of a principal use or building may be authorized.

b. Minimum yard setbacks for principal buildings and accessory structures or uses.

c. Maximum building height.

- d. Minimum floor area requirements for dwellings.
- e. Maximum height of a fence.
- f. Minimum lot width.
- g. Minimum separation between agricultural and non-agricultural uses.
- h. Public street frontage.
- i. Buffers and screening.
- j. Signage, in accordance with a uniform sign plan.
- k. Minimum parking requirements, such as the number of spaces or improvement standards.
- l. Inter-parcel access requirements, such as the number of spaces or improvement standards.
- m. Minimum separation between driveways serving a single property.
- n. The number of non-resident employees working in a home-based business.
- o. The recombination of adjoining nonconforming lots.

4. Administrative Approval.

- 4.1 Special exception variances shall be considered by the Zoning Committee unless the variance is approved administratively. Only those variances listed in this subsection, below, and within the parameters stated, may be considered for administrative approval.
- 4.2 The Building Official, upon a finding that a special exception variance listed below meets the standards for approval contained in Section 14 may (but is not required to) administratively approve such special exception variance within and not exceeding the following parameters:
- 4.3 Minimum Yard Setbacks.
 - a. Not to exceed a reduction in the minimum setback required by 10%, except the front setback may be reduced or waived for a multi-family or nonresidential use if the parking is located in the side or rear yards.

- b. For a legal nonconforming lot of record, the Zoning Administrator may reduce the minimum required setbacks up to 20% in accordance with the provisions for such lots under ARTICLE XVIII.
 - (1) Maximum building height within (RP), (R-1), (R-2), (R-3), (RVP), (C-1), (C-2), (CH) not to exceed an additional 4 feet above the maximum allowed.
 - (2) Maximum building height within (I), (AG-1), or (AG-2) not to exceed an additional 25 feet above the maximum allowed.
 - (3) Automobile parking requirements.
Not to exceed a change by more than 20% in the number of spaces required.
- 4.4 Standards for approval of a special exception variance. A special exception variance may be granted by the Zoning Committee upon a finding that the relief, if granted:
 - a. Would not cause substantial detriment to the public good; and
 - b. Would comply with all fire safety, utility and environmental health code requirements; and
 - c. Would not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity; and
 - d. Would not diminish and impair property values within the surrounding neighborhood; and
 - e. Would not impair the purpose and intent of this Ordinance.
- 4.5 If denied, an application for the same special exception variance affecting the same property shall not be reconsidered for a period of 12 months from the date of denial; provided, however, that the Zoning Committee may reduce the waiting period under extenuating circumstances or on its own motion.
- 4.6 In no case shall a special exception variance be granted if a conditional use of the property has been approved through a zoning change granted by the Board of Commissioners.
- 5. Hardship Variances.
 - 5.1 Appellant for a hardship variance. A request for a hardship variance on a property shall be brought by the property owner or, with the owner's permission,

the holder of or applicant for a permit for development or construction on the property.

5.2 Hardship Variances, in general.

- a. Relief from the application of the provisions of this Ordinance may be granted by the Zoning Committee in specific cases upon a finding that:
 - (1) Compliance with such provision will result in a hardship to the property or owner that is substantially unwarranted by the protection of the public health, safety or general welfare, and the need for consistency among all properties similarly zoned; and
 - (2) The spirit of the regulations shall be observed, public safety and welfare secured, and substantial justice done.
- b. Such relief may be granted only to the extent necessary to alleviate such unnecessary hardship and neither as a convenience to the applicant nor to gain any advantage or interest over similarly zoned properties.
- c. The existence of a nonconforming use or special use of neighboring land, buildings or structures in the same zoning district or of permitted uses, special uses or nonconforming uses in other zoning districts shall not constitute a reason for approval of the requested variance.

5.3 Standards for Approval of a Hardship Variance.

A hardship variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding by the Zoning Committee that:

- a. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape, or topography; or
- b. The application of the Ordinance to the particular property would create an unnecessary hardship and would deprive the applicant of rights commonly enjoyed by other property owners within the district in which the property is located; or
- c. There are physical conditions that are peculiar to the property involved which adversely affect its reasonable use or usability as currently zoned; and

- d. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this Ordinance. In no case shall a hardship variance be granted for any of the following:
- 5.4 If denied, an appeal for the same hardship variance affecting the same property shall not be reconsidered for a period of 12 months from the date of denial; provided, however, that Zoning Committee may reduce the waiting period under extenuating circumstances or on its own motion.
- 5.5 In no case shall a hardship variance be granted for any of the following:
 - a. To address a condition or circumstance created by the applicant, including the result of an unwise investment decision or real estate transaction.
 - b. To change the conditions of approval imposed through a rezoning granted by the County Commission.
 - c. To reduce the minimum lot size required by the zoning district that is applicable to the property. For relief for nonconforming lots, see ARTICLE XVIII.
 - d. To allow a use of land, buildings or structures that is not allowed by the zoning district that is applicable to the property.
 - e. To increase the number of dwelling units or nonresidential building floor area otherwise permitted by the zoning district that is applicable to the property.
- 6. Process for Granting a Variance
 - Variance Application and Initial Actions.
 - 6.1 An application for a special exception or hardship variance shall include such descriptions, maps or drawings as needed to clearly illustrate or explain the relief requested. The Zoning Administrator may request such additional information from the appellant as necessary to provide a full understanding of the appellant's request.
 - 6.2 Following receipt of a complete application for a variance, the Zoning Administrator shall assemble such memos, papers, plans, or other documents as may constitute the record for the appeal or as may provide an understanding of the issues involved.
 - 6.3 Once the record has been assembled, the Zoning Administrator will:

- a. Review special exception variance applications that are eligible for administrative approval and shall exercise discretion as the Zoning Administrator deems appropriate in approving those that comply with the review standards;
- b. Schedule unresolved variance requests for consideration at the next meeting of the Zoning Commission for which adequate public notice can be given; and
- c. Send a letter by first class mail to the applicant or his attorney notifying the appellate of either 1) administrative resolution of the matter or 2) the date, time and place of the public hearing.

7. Public Notice.

Procedure - Applications for variance shall be filed with the Office of the Zoning Administrator; such application must be filed thirty (30) days before the date of the following Zoning Commission meeting in order that the required public notice may be given before the next scheduled meeting. The notice shall state the time, place and purpose of the hearing; and shall include the location of the property and the nature of the requested action.

7.1 A simple sketch of the site, showing the following shall accompany each application:

7.2 General location of existing structures and property lines.

- a. Location of proposed buildings and land use.
- b. Setbacks if applicable to the request.
- c. Public hearing - A public hearing shall be held by the Zoning Commission for the review of an application for a variance. Notice of the time and place of such hearing shall be published at least fifteen (15) days before the hearing in a newspaper of general circulation in Macon County.
- d. Fee - Each application for a variance shall be accompanied by an application fee in the amount established by the Macon County Board of Commissioners to partially defray administrative costs.
- e. Conditions and limitations - The Zoning Commission shall include any condition, requirement or limitation which may be necessary to protect adjacent properties and to carry out the provisions of this resolution.

8. Sufficiency of Public Notice.

8.1 Where published notice is given in accordance with this subsection and a sign has been posted in accordance with this subsection, no further notice to interested parties or adjacent or nearby property owners is required.

8.2 Appearance of a person at a public hearing shall constitute a waiver of any claims by such person based upon improper publication of notice or posting on the property by such person.

9. Withdrawal.

Any appellant wishing to withdraw an appeal prior to the meeting of the Zoning Commission shall file a written request for such withdrawal with the Planning Director. The appeal shall thereupon be removed from the Board's agenda and the request shall have no further effect.

10. Attendance Requirements.

The appellant or representative of the appellant shall be required to attend all public hearings on the appeal. The failure to attend may result in dismissal of the appeal, denial of the appeal, or continuance of the hearing at the Zoning Commissions sole discretion. Failure of the appellant or appellant's representative to appear at a deferred or rescheduled hearing shall result in automatic dismissal of the appeal.

11. Zoning Commission Variance Public Hearing.

11.1 Procedures, in general.

a. The Chair of the Zoning Commission or his/her designee, who shall act as the presiding official, shall convene the public hearing at the scheduled time and place.

b. The presiding official may administer oaths and compel the attendance of witnesses by subpoena.

c. At the public hearing, the appellant may appear in person or may be represented by counsel or other designated person.

d. The presiding official shall conduct the public hearing informally, as strict adherence to the rules of evidence is not required. The goal is a fair hearing.

e. All parties participating in the public hearing shall introduce only relevant evidence.

f. All parties participating shall have the right to present witnesses and to cross-examine witnesses.

g. Transcription.

(1) The public hearing shall be tape recorded by the staff to the Zoning Commission, either by videotape or by audiotape, in order to provide a verbatim record of the hearing.

- (2) The appellant, at the appellant's expense, may have the public hearing transcribed by a court reporter.

h. Time Limitations.

- (1) The presiding officer, in his or her discretion, may impose time limitations on comments of each person, provided that no less than ten minutes shall be allowed collectively for all those speaking in support of the proposed variance and no less than ten minutes shall be allowed collectively for all those speaking against the proposed variance.

i. Delay, rescheduling or continuation of hearing.

- (1) Public hearings may be delayed, rescheduled or continued to another time and date, provided announcement is given at the time and place of the scheduled hearing, of the new time, place and date of the rescheduled public hearing, which announcement shall constitute public notice for the hearing.

11.2 Opening the Hearing.

- a. The presiding official shall open the public hearing by stating the matter being considered at the hearing. At this time, the presiding official may summarize the public hearing procedures.
- b. The Zoning Administrator shall submit the assembled record of the variance request to the Zoning Committee. The Zoning Administrator shall provide such information or explanation as appropriate to the circumstances of the appeal.

11.3 Proponents of Proposal.

- a. Persons who support the proposal will be asked to comment first. The appellant or the appellant's representative may, upon recognition and upon statement of name, address and relationship to the matter, present and explain the proposal.
- b. The appellant shall have the burden of proof, which shall include the presentation of evidence and the burden of persuasion of each factor necessary to receive approval of the Zoning Committee.
- c. After completion of the presentation of the appellant, other persons who support the proposal will be asked to comment, and will be allowed to speak in support of the proposal upon recognition and upon identification of the person's name, address, and relationship to the matter.

11.4 Persons Opposing Variance.

Persons who oppose the variance request will next be asked to comment. Each interested person, after being recognized, and providing their name, address and relationship to the matter shall be afforded an opportunity to address the proposal.

11.5 Rebuttal.

The appellant shall have an opportunity for rebuttal concerning the proposed application. Rebuttal must be limited to points or issues raised by opponents to the application at the hearing.

11.6 Discussion.

a. Staff Recommendation.

All public comments having been heard, the Zoning Administrator shall submit preliminary findings of fact for consideration by the Zoning Committee. Such findings of fact shall address the standards for approval required by this Division for the type of variance requested and pertinent to the particular case.

b. The members of the Zoning Committee may discuss the matter among themselves. During this discussion period, the board members may call on the proponent or other persons to clarify points made previously, to answer questions or to provide additional information. Such persons may respond upon recognition.

11.7 Closing the Public Hearing

Upon conclusion of the hearing, the presiding officer shall adjourn the hearing. No further comments or presentations by the proponents or opponents of the variance request shall be allowed.

12. Variance Decisions by the Zoning Committee

12.1 Decision.

a. After the public hearing is closed, the Zoning Committee shall make a decision and adopt reasons supporting the decision. Such reasons shall be in writing and in the form of findings of fact.

b. In taking action on a variance request, the Board of Appeals may:

(1) Approve, approve with conditions, or deny the request; or

(2) Dismiss the variance request due to the nonattendance of the appellant of the appellant's representative; or

- (3) Continue the variance request for consideration at its next scheduled meeting or special called meeting; or
- (4) Allow withdrawal of the variance at the request of the appellant.

12.2 Conditional Approval.

In approving a variance, the Zoning Committee may impose conditions of approval that it deems necessary in order to make the requested action acceptable and consistent with the purposes of this Ordinance and of the zoning district(s) involved, to ameliorate negative issues identified through evaluation of the variance, or to further the goals and objectives of any County adopted plans.

12.3 Notification.

Once a decision is made, the staff to the Zoning Committee shall inform the appellant in writing of its findings of fact and its decision within 10 working days of the date of the decision.

12.4 Failure to Act.

If the Zoning Committee fails to make a decision by its second regularly scheduled meeting after the date of the public hearing, the variance request shall be deemed to have been denied unless the applicant has consented in writing to an extension of the deadline, in which event the deadline shall be deemed to be extended to the date provided in the written consent of the applicant.

12.5 Decision Final.

The decision of the Zoning Committee shall be final and may be appealed only to a court of competent jurisdiction. Such appeal must be taken within 30 calendar days of the decision of the Zoning Committee.

Section 15 Appeals of an Administrative Decision

1. Appellant.

Any person aggrieved by an alleged error in any order, requirement, decision or determination made in the interpretation or enforcement of this Ordinance by the Planning Director or any other department head of the County may initiate an appeal directly to the Board of Commissioners.

2. Initiation of Administrative Appeal.

- 2.1 An administrative appeal shall be taken within 30 days of the action or interpretation appealed from, by filing the appeal in writing with the Zoning Administrator specifying the grounds of the appeal. The Planning Director shall

transmit a notice of said appeal to the Board of commissioners specifying the grounds thereof.

- 2.2 The Zoning Administrator may initiate an administrative appeal independently when an interpretation or clarification of the meaning of words or phrases, of the particular boundaries of a zoning district, or of any other provision of this Ordinance is needed.

2. Temporary Suspension of Legal Proceedings.

An appeal of an administrative decision stays all legal proceedings in furtherance of the action appealed from, unless the administrative official from whom the appeal is made certifies to the Board of Commissioners, after the notice of appeal shall have been filed., that by reason of facts stated in the certificate a stay would, in such administrator's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order granted by a court of competent jurisdiction, due cause having been shown.

4. Action by the Board of Commissioners.

- 4.1 Upon receiving a notice of an administrative appeal, the Zoning Administrator shall assemble such memos, papers, plans or other documents as may constitute the record for the appeal or as may provide an understanding of the issues involved.

- 4.2 The Zoning Administrator shall:

- a. Transmit the administrative appeal request and all related documentation to the Board of Commissioners such that the administrative appeal request can be considered by the Board at their next regularly scheduled meeting following no less than two weeks after the filing of the appeal with the Zoning Administrator.
- b. Send a letter by first class mail to the appellant or his attorney notifying the appellant of the date, time and place of the Board of Commissioners' meeting.

- 4.3 At the designated meeting, the Board of Commissioners shall provide an opportunity for all persons interested in the appeal to be heard. Time limits on proponents and opponents may be imposed as the Chairman of the Board may deem necessary.

- 4.4 The Board of Commissioners, depending on the subject of the appeal, may:

- a. Decide appeals from any order, determination, decision or other interpretation by any person acting under authority of this Ordinance, where a misinterpretation or misapplication of the requirements or other provisions of this Ordinance is alleged.
- b. Interpret the use of words or phrases within the context of the intent of this Ordinance.

- c. Determine the boundaries of the various zoning districts where uncertainty exists.
- d. Interpret such other provisions of this Ordinance as may require clarification or extension in specific or general cases.

4.5 Decisions of the Board of Commissioners.

In exercising its powers on administrative appeals, the Board of commissioners may, in conformity with the provisions of this Ordinance reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination and to that end shall have all the powers of the official from whom the appeal is taken and may issue or direct the issuance of a permit.

4.6 Notification.

Once a decision is made, the Clerk of the Board of Commissioners shall inform the appellant in writing of its decision within 10 working days of the date of adoption of the minutes of the meeting when the decision is made.

4.7 Failure to act.

If the Board of Commissioners fails to make a decision by its second regularly scheduled meeting after the date of the meeting at which the appeal is considered, the appeal shall be deemed to have been denied unless the applicant has consented in writing to an extension of the deadline, in which event the deadline shall be deemed to be extended to the date provided in the written consent of the applicant.

4.8 Decision final.

A decision of the Board of Commissioners on an administrative appeal shall be final and may be appealed only to a court of competent jurisdiction. Such appeal must be taken with 30 calendar days of the decision of the Board of Commissioners

Section 16 Criteria for the Consideration of Variance Requests

The following criteria shall be utilized when considering request for variance from the terms of the ordinance, when approval of such will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the ordinance will, in an individual case, result in unnecessary hardship, yet maintain the spirit of this ordinance and preserve and secure the public safety and welfare. Such variance may be granted in such individual case of unnecessary hardship upon a finding of the Zoning Commission that:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question and because of its size, shape or topography;
2. Strict application of this ordinance to this particular piece of property would create an undue hardship, (e.g. locating a newly required livestock or poultry waste treatment facility in reasonable proximity to a dairy or poultry operation; and

3. Such conditions are particular to the particular piece of property involved and not the making of the applicant; and
4. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance; and
5. The proposed use will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood, and
6. The proposed use will be of a nature that vehicular and pedestrian traffic will be no more hazardous than is normal for the district involved; and
7. The location, size, intensity, site layout and periods of operation of any such proposed use will be designed to eliminate any possible nuisance (dust, noises, fumes, vibration, smoke or lights, etc.) emanating from the use which might be noxious to the occupants of other nearby uses, and,
8. The location and height of buildings or structures and the location, nature and height of walls and fences will be such that the proposed use will not interfere with or discourage appropriate development and the use of adjacent land and buildings, or unreasonably affect their value.

Section 17 Certificate of Zoning Compliance

1. A certificate of zoning compliance issued by the Zoning Administrator, and certifying that the proposed structure, land use, or alteration complies with the provisions of the zoning resolution, is required.
 - 1.1. Site plan - Each application for a certificate of zoning compliance shall be accompanied by a simple sketch of the site and indicating such information as may be needed to present a record of existing conditions and proposed use including proposed off-road parking and/or loading areas.
 - 1.2. Time limit - A certificate of zoning compliance shall become invalid after the use authorized is suspended or abandoned for the period of one (1) year.

Section 18 Appeals

1. An appeal by a person, firm, or corporation, or by any officer department, board or bureau may be taken to the Macon County Board of Commissioners where it is alleged that there is an error in any order, requirement, decision or determination made by the Zoning Administrator, Zoning Commission or other administrative official in the enforcement and interpretation of this ordinance. Such appeals shall be made within thirty (30) days of the administrative action by filing with the Macon County Clerk a Notice of Appeal specifying the grounds thereof. If the Notice of Appeal is not filed within the thirty (30) days, the only recourse shall be a court of record.
2. The County Clerk shall then transmit to the Board of Commissioners all papers constituting the record upon which the appeal was taken. The appeal shall stay all

proceedings in furtherance of the action, unless the Zoning Administrator certifies to the Board of Commissioners after the Notice of Appeals has been filed, that by reason of the facts stated in the Notice, a stay would, in the Zoning Administrator's opinion, cause immediate peril to life or property, in which case the proceedings shall not be stayed, other than by a restraining order, which may be granted by a court of record.

3. The Board of Commissioners shall fix a reasonable amount of time for the hearing of an appeal and shall give due notice to the parties concerned, including all landowners within three hundred (300) feet of the site in question. Such notice shall be delivered personally or by mail, addressed to the respective owners at the address given on the last assessment roll. The Board of Commissioners shall decide the appeal within a reasonable period of time with regard to the purposes of the ordinance. Upon the hearing, any party may appear in person or through their agent.
4. In the event the petitioner for an appeal remains discontented with the Board of Commissioner's decision on an appeal application; the petitioner shall have thirty (30) days to appeal the action to Macon County Superior Court.

Section 19 Fees

1. Fees for administration, inspection, application for rezoning, variance or conditional use applications and the issuance of permits or copies thereof required or issued under the provisions of this ordinance shall be collected by the Zoning Administrator in advance of the issuance of such permits.
2. The fee for rezoning, variance or conditional use application shall be established by the Board of Commissioners to cover the cost of administration, inspection and supervision resulting from the enforcement of this ordinance.

Section 20 Violations and Penalties

1. Any person, firm or corporation who violates the provision of this ordinance shall be guilty of a misdemeanor, and upon conviction, shall be punished for each violation, according to the laws of the State of Georgia. Each day a violation continues shall be deemed a separate offense.
2. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, placed, displaced, replaced or maintained, or any building or land is used in violation of this chapter, the Zoning Administrator, or any other appropriate county authority, deputy sheriff or any person who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus or other appropriate action or proceeding to prevent the violation.
3. The punishment imposed for any ordinance violation shall not exceed a fine of five hundred dollars (\$500.00) or sixty (60) days imprisonment or both, except as otherwise provided by general law, and shall not exceed the maximum punishment specified by this ordinance. (Pursuant to Official Code of Georgia Annotated Sec. 15-10-60).
4. Prosecutions for violation of this ordinance, as with other county ordinances, shall be pursuant to article 4 of the Official Code of Georgia Annotated and shall be heard and brought in the Magistrate Court of Macon County pursuant to O.C.G.A. Sec. 15-20-2(4).

Section 21 Validity

This ordinance and the various articles, sections, paragraphs and clauses thereof, are hereby declared to be severable. If any article, section, paragraph or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the ordinance shall not be affected thereby.

Section 22 Conflicting Provisions Repealed

All other ordinances of Macon County and parts of ordinances in conflict with this ordinance, to the extent of such conflict and not further, are hereby repealed.

Section 23 Effective Date

The provisions of this ordinance are hereby declared to be necessary for the preservation of the public peace, health, safety, and welfare of the people of Macon County, and are hereby ordered to be effective on _____, 2013.

Approved by the Macon County Board of Commissioners in regular session this _____ day of _____, 2013.

Attest:

Chairman

County Clerk

Amendments:

DATE

ADDENDUM TO THE ZONING ORDINANCE

APPLICABLE FEES AS APPROVED BY THE MACON COUNTY BOARD OF COMMISSIONERS

Reference ARTICLE XVII, Section 4 Visibility Clearance
Permit Fees: Signs Only-----\$75.00

Reference ARTICLE XIX, Section 6 Compensation
Compensation for Zoning Commission Members -----\$50.00 per meeting (monthly cap of \$200)

Reference ARTICLE XIX, Section 19 Fees
Permit Application Fee-----\$150.00