



# CHAPTER 1

## GENERAL PROVISIONS

1.01.00	TITLE	1-3
1.02.00	AUTHORITY	1-3
1.03.00	APPLICABILITY	1-3
1.03.01	Generally	1-3
1.03.02	Exemptions and Exceptions	1-3
1.04.00	PURPOSE AND INTENT	1-3
1.04.01	Intent	1-3
1.04.02	Purpose	1-3
1.05.00	RELATIONSHIP TO THE COMPREHENSIVE PLAN	1-4
1.06.00	MANAGER	1-4
1.07.00	DOCUMENTS ADOPTED BY REFERENCE	1-4
1.07.01	City of Tifton Zoning Map	1-4
1.07.02	City of Tifton – Tift County Thoroughfare Plan	1-4
1.07.03	Georgia Stormwater Management Manual	1-4
1.07.04	Building and Construction Codes	1-5
1.07.05	Water Resource Protection Districts	1-5
1.07.06	(Reserved)	1-5
1.07.07	Technical Standards Manual	1-5
1.08.00	RULES OF INTERPRETATION	1-5
1.08.01	Generally	1-5
1.08.02	Responsibility for Interpretations	1-5
1.08.03	Rules for Boundary Interpretations	1-6
1.08.04	Rules of Construction	1-6
1.08.05	Computation of Time	1-6
1.09.00	ACRONYMS AND DEFINITIONS	1-7

1.09.01	Acronyms	1-7
1.09.02	Definitions	1-8

**1.01.00 TITLE**

This code shall be known as and entitled the "City of Tifton Land Development Code" and may be referred to as the "LDC."

**1.02.00 AUTHORITY**

This LDC is enacted pursuant to the requirements and authority of Article IX, Section 2, Paragraph 4, of the Georgia Constitution and the amendments thereto.

**1.03.00 APPLICABILITY**

**1.03.01 Generally**

- A. This LDC shall apply to the City of Tifton.
- B. No buildings, structures, or land shall be used or occupied; and no building, structure, or part thereof shall be erected, constructed, reconstructed, moved, enlarged, or structurally altered unless in conformity with the regulations of this LDC.
- C. A change of use shall conform to the standards, criteria, requirements, and procedures of this LDC.

**1.03.02 Exemptions and Exceptions**

The following general conditions or circumstances are exempt from the provisions and requirements of the LDC:

- A. Buildings or structures that are legally under construction on the date of adoption of the LDC;
- B. Buildings or structures for which a building permit has been issued as of the effective date of this LDC, provided that construction commences prior to the expiration of the building permit, and continues until completed;
- C. Development pursuant to an approved development plan or subdivision plat approved prior to the effective date of this LDC; or
- D. The use of property lawfully approved prior to the effective date of this LDC.

**1.04.00 PURPOSE AND INTENT**

**1.04.01 Intent**

These regulations are enacted to promote the proper location, height, bulk, number of stories, and size of buildings and other structures, sizes of yards, courts, and the use of other open spaces, density and distribution of population, and the use of buildings, structures, and land for trade, industry, residence, recreation, agriculture, forestry, conservation, sanitation, protection against floods, and public activities.

**1.04.02 Purpose**

The purpose of these regulations is to:

- A. Lessen congestion in the streets;
- B. Secure safety from fire, panic, and other dangers;
- C. Promote health and the general welfare;
- D. Provide adequate light and air;
- E. Prevent the overcrowding of land;
- F. Avoid undue concentration of population;
- G. Prevent urban sprawl;

- H. Assure the provision of required streets, utilities, and other facilities and services;
- I. Assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian;
- J. Assure the provision of space for recreational, educational, and other public purposes;
- K. Promote desirable living conditions and the sustained stability of neighborhoods;
- L. Protect against blight and decline;
- M. Secure economy in governmental expenditures;
- N. Conserve the value of buildings;
- O. Encourage the most appropriate use of land, buildings, and structures; and
- P. Assure that land is developed in conformity with the Comprehensive Plan.

**1.05.00 RELATIONSHIP TO THE COMPREHENSIVE PLAN**

The Greater Tift County Comprehensive Plan is the official development policy and implementation guide for the City and County to coordinate and direct physical and economic development, related public investment, and, to provide reasonable regulations for the development of private property in the interest of public health, safety, and welfare. This LDC is designed to implement all provisions of the Comprehensive Plan for the development and use of land.

**1.06.00 MANAGER**

The City Manager is the chief administrative official of the City of Tifton. For the purposes of this LDC, the term “Manager” is used to refer to the City Manager. The City Manager is assigned to administer, interpret, and implement the standards, criteria, and procedures of this LDC. The City Manager may delegate such responsibilities in writing to City staff as he/she feels appropriate. Throughout this LDC, the term “Manager” is used to indicate the responsibility for specified actions, except where specified actions are reserved or specifically delegated by law to another official. In all instances, “Manager” means the City Manager, or their “designee.”

**1.07.00 DOCUMENTS ADOPTED BY REFERENCE**

**1.07.01 City of Tifton Zoning Map**

The City of Tifton Zoning Map, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this LDC.

**1.07.02 City of Tifton-Tift County Thoroughfare Plan**

The City of Tifton-Tift County Thoroughfare Plan, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this LDC.

**1.07.03 Georgia Stormwater Management Manual**

The Georgia Stormwater Management Manual (GSMM) is hereby adopted by reference and declared to be a part of this LDC. The GSMM provides the data and requirements to be implemented in Tift County and the City of Tifton to control stormwater runoff and protect water quality.

**1.07.04 Building and Construction Codes**

Each building and construction code listed in Sections 1.07.04 (A) through (I) is hereby adopted by reference as if set forth in its entirety. The following standard building codes as required by the State of Georgia include any attachments, future editions, and amendments.

- A. ICC International Building Code with Georgia Amendments and including Appendix A;
- B. National Electric Code with Georgia Amendments;
- C. ICC International Fuel Gas Code with Georgia Amendments;
- D. ICC International Mechanical Code with Georgia Amendments;
- E. ICC International Plumbing Code with Georgia Amendments;
- F. ICC International Residential Code with Georgia Amendments and including Appendix E;
- G. ICC International Energy Conservation Code with Georgia Amendments;
- H. ICC International Fire Code with Georgia Amendments; and
- I. International Property Maintenance Code

**1.07.05 Water Resource Protection Districts**

The map depicting groundwater and water resource protection districts in Tift County and the City of Tifton is hereby adopted by reference and declared to be part of this LDC.

**1.07.06 (Reserved)****1.07.07 Technical Standards Manual**

The Technical Standards Manual containing the engineering and design standards for the City of Tifton, GDOT, and other agencies is hereby adopted by reference and declared to be part of this LDC.

**1.08.00 RULES OF INTERPRETATION****1.08.01 Generally**

- A. Specific provisions of this LDC shall be followed in lieu of general provisions that may be in conflict with the specific provision.
- B. In the interpretation and application of this LDC all standards, provisions, and requirements shall be liberally construed in favor of the objectives and purposes of the City of Tifton and shall not be construed to limit nor repeal any other powers granted under State statutes.
- C. Where provisions of this LDC conflict with other regulations, the more stringent restrictions shall be applied.

**1.08.02 Responsibility for Interpretations**

- A. In the event that any question arises concerning the application of regulations, standards, definitions, development criteria, or any other provision of this LDC, the Manager shall be responsible for interpretation. In the interpretation of this LDC, the Manager shall be guided by the Greater Tift County Comprehensive Plan, as appropriate, and applicable State law.

- B. Responsibility for interpretation by the Manager as set forth in this section shall be limited to standards, regulations, and requirements of this LDC, and shall not be construed to include interpretation of any technical codes adopted by reference in this LDC. Interpretation shall not be construed to override the authority assigned to the City Council, the Zoning Board of Appeals, the Historic Preservation Commission, or to any other commission, board, or official named in other sections or chapters of this LDC.

#### **1.08.03 Rules for Boundary Interpretations**

Interpretations regarding boundaries of zoning districts shall be made in accordance with the following:

- A. Boundaries shown as following or approximately following any street shall be construed as following the centerline of the street.
- B. Boundaries shown as following or approximately following any platted lot line or other property line shall be construed as following such line.
- C. Boundaries shown as following or approximately following section lines, half-section lines, or quarter-section lines shall be construed as following such lines.
- D. Boundaries shown as following or approximately following the shoreline of a river, stream, lake or other water body shall be construed as following such shoreline.

#### **1.08.04 Rules of Construction**

- A. Words used in the present tense include the future tense.
- B. Words used in the singular include the plural, and words used in the plural include the singular.
- C. The masculine gender includes the feminine and the neuter.
- D. The word "person" includes a firm, partnership, company, corporation, or association as well as individuals.
- E. The word "shall" is always mandatory; the word "may" is permissive.
- F. "Or" may be read "and," may be read "or," if the sense requires it.
- G. The term "written" or "in writing" shall include any representation of words, letters, or figures, whether by printing or otherwise.
- H. The term "day" means a calendar day.
- I. The term "month" means a calendar month.
- J. The word "week" shall mean seven (7) days.
- K. The word "year" shall mean a calendar year.

#### **1.08.05 Computation of Time**

When a number of days is prescribed for the exercise of any privilege or the discharge of any duty, the first or last day shall not be counted; and if the last day falls on Saturday or Sunday, the person having such privilege or duty shall have through the following Monday to exercise the privilege or to discharge the duty. When the last day prescribed for such action falls on a public and legal holiday as provided for in O.C.G.A., section 1-4-1, the person having the privilege or duty shall have through the following day to exercise the privilege or to discharge the duty; however, when the following day is a

Saturday or Sunday, the person shall have through the following Monday to exercise the privilege or to discharge the duty.

**1.09.00 ACRONYMS AND DEFINITIONS**

**WORDS AND PHRASES SHALL BE CONSTRUED ACCORDING TO THE COMMON AND APPROVED USAGE OF THE LANGUAGE; BUT TECHNICAL WORDS AND PHRASES AND SUCH OTHERS AS MAY HAVE ACQUIRED A PECULIAR AND APPROPRIATE MEANING IN LAW SHALL BE CONSTRUED AND UNDERSTOOD ACCORDING TO SUCH MEANING. THE FOLLOWING TERMS ARE SPECIFICALLY DEFINED FOR PURPOSES OF THIS LDC.**

**1.09.01 Acronyms**

- ADA – Americans with Disabilities Act
- ASHTO – American Association of State Highway and Transportation Officials
- BMP – Best Management Practices
- DBH – Diameter at Breast Height
- DHR – Department of Human Resources
- DNR – Department of Natural Resources
- DRI – Development of Regional Impact
- EPD – Georgia Environmental Protection Division
- FAA – Federal Aviation Administration
- FCC – Federal Communications Commission
- FEMA – Federal Emergency Management Agency
- FHBM – Flood Hazard Boundary Map
- FIRM – Flood Insurance Rate Map
- GIS – Geographic Information System
- GDOT – Georgia Department of Transportation
- GSMM – Georgia Stormwater Management Manual
- HVAC – Heating, Ventilation, and Air Conditioning
- ICC – International Codes Council
- ITE – Institute of Transportation Engineers
- MSL – Mean Sea Level
- NOI – Notice of Intent
- NWI – National Wetland Inventory
- O.C.G.A. – Official Code of Georgia Annotated
- SDRC – Staff Development Review Committee
- SGRDC – South Georgia Regional Development Center
- TMA – Henry Tift Myers Airport
- LDC – Land Development Code
- USACE – United States Army Corps of Engineers
- ZBA – Zoning Board of Appeals

**1.09.02 Definitions**

**Abutting.** Immediately adjacent or contiguous.

**Acceleration/deceleration lanes.** Paved exits and entrances off of a major thoroughfare onto private property for the purpose of expediting the free flow of traffic.

**Accessory.** A use or structure which is incidental and subordinate to the principal use or structure, and which is located on the same lot as the principal use or structure.

**Addition to an existing building.** Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a firewall. Any walled and roofed addition which is connected by a firewall or is separated by independent perimeter load bearing walls is new construction.

**Adult entertainment establishments.** Any commercial establishment, which has as its primary purposes or business the offer for sale of any book, publication, or film which depicts nudity, or sexual conduct or engages in services such as bath houses, massage parlors, wrestling parlors or like activity, including a night club, restaurant, cabaret, lounge, or other establishment which features adult entertainment.

**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.

**Agriculture.** The production, keeping or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops, grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, goats, or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program. Retail selling of products raised on the premises shall be considered a normal accessory activity provided that space adequate for the parking of customer's vehicles shall be provided off the public right-of-way.

#### **Airport definitions**

**Control zone.** Airspace extending upward from the surface of the Earth which may include one or more airports and is normally a circular area of five statute miles in radius, with extensions where necessary to include instrument approach and departure paths.

**Decision height.** The height at which a decision must be made during an ILS instrument approach to either continue the approach or to execute a missed approach.

**Instrument runway.** A runway having an existing instrument approach procedure utilizing air navigation facilities or area type navigation equipment for which an instrument approach procedure has been approved or planned.

**Minimum descent altitude.** The lowest altitude, expressed in feet above mean sea level, to which descent is authorized on final approach or during circle-to-land maneuvering in execution of a standard instrument approach procedure, where no electronic glide slope is provided.

**Minimum enroute altitude.** The altitude in effect between radio fixes which ensures acceptable navigational signal coverage and meets obstruction clearance requirements between those fixes.

**Runway.** A defined area on an airport prepared for landing and takeoff of aircraft along its length.

**Visual runway.** A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan, a military service's approved military airport layout plan, or by any planning document submitted to the FAA by a competent authority. (Ord. of 6-2-75, § 5)

**Alley.** A public right-of-way, not intended to provide the primary means of access to abutting property, but used for service access to the rear or side properties otherwise abutting a public street.

**Animals.** Animals useful to man, including but not limited to: dairy animals; poultry; livestock, including beef cattle, sheep, swine, horses, ponies, mules, goats or any mutation or hybrid thereof, including the breeding and grazing of any or all such animals; bees; and small fur animals, except dogs and cats.

**Animal Hospital, Veterinary Clinic.** An establishment in which a licensed veterinarian provides diagnosis, treatment, or prevention of animal diseases, which may include overnight care limited to convalescence. An animal hospital does not include a kennel or boarding of well animals and is limited to domestic pets.

**Appeal.** A request for a review of the City's interpretation of any provision of the LDC.

**Architect.** A qualified person registered and currently licensed or otherwise authorized to practice architecture in the State of Georgia.

**Architectural planter.** A decorative container within which plantings may be placed.

**Basement.** The portion of a building having its floor sub-grade (below ground-level) on all sides.

**Best management practices (BMPs).** A practice or combination of practices, including structural improvements and nonstructural actions, based on sound science and professional judgment, to be the most effective and practicable means of achieving the identified goal.

**Boarding or rooming house.** A building dedicated to the lodging, with or without meals, of non-transient persons for compensation.

**Bond.** A written instrument issued or executed by a bonding, surety, or insurance company licensed to do business in the state, guaranteeing that the person bonded shall faithfully fulfill and satisfy all requirements of this LDC, made payable to the City for costs and expenses which result from nonperformance or failure of the person bonded to satisfy the requirements of this LDC.

**Breakaway wall.** A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

**Buffer (Waterway).** The area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

**Buffer area; Buffer strip.** A landscaped open area and/or screened area designed to separate incompatible uses.

**Building.** Any structure built for support, shelter, or enclosure for any occupancy or storage.

**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 no foundation wall or part of the structure of any building shall project, except as set forth in Chapter 4 of this LDC.

**Business entity.** Any corporation, partnership, limited partnership firm, enterprise, franchise, association, or trust.

**Care home.** An orphanage, rest home, nursing home, convalescent home, or similar use established to render domiciliary care, but not including facilities for the care of mental patients, alcoholics, drug addicts, and not including nursery schools.

**Congregate personal care home.** A home for adults which offer care to sixteen (16) or more persons.

**Family personal care home.** A home for adults in a family-type residence, non-institutional in character, which offers care to two (2) through six (6) persons.

**Group personal care home.** A home for adult persons, in a residence or other type building(s), which offers care to seven (7) through fifteen (15) persons.

**Personal care home.** A building or group of buildings, a facility, or place in which is provided two (2) or more beds and other facilities and services, including room, meals and personal care for non-family, ambulatory adults for compensation.

**Certificate of appropriateness.** A document approving a proposed material change in the appearance of a designated historic property or of a structure, site, or work of art located within a designated historic district.

**City.** The term "the city" shall mean the City of Tifton in the County of Tift and the State of Georgia, except as otherwise provided.

**Club, or lodge, private.** An incorporated or unincorporated association for civic, social, cultural, religious, fraternal, literary, political, recreational, or like activities, operated for the benefit of its members and not open to the general public.

**Comprehensive Plan.** The most recent adopted Comprehensive Plan of the City of Tifton.

**Condominium.** A building containing three (3) or more individually owned dwelling units and related, jointly owned common areas as defined by the laws of the State of Georgia.

**Conservation easement.** An agreement between a landowner and a governmental agency or land trust that permanently protects the land by limiting the amount and type of development that is permissible, while leaving the remainder of the fee interest in private ownership.

**Construction.** Any activity which either:

- (1) Is of a type for which an application for a building permit must be made prior to the commencement of any improvements; or
- (2) Involves soil preparation for and pavement of any vehicle use area; or

(3) Constitutes any activity for which a land disturbance permit is required pursuant to Chapter 3 of this LDC.

**County.** The County of Tift, a political subdivision of the State of Georgia.

**Crosswalk.** A right-of-way within a block dedicated to public use for pedestrian use only and so designed as to provide access to adjacent streets or lots.

**Curb Cut.** The providing of ingress and/or egress between property and an abutting public street.

**Cut.** A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below the original ground surface to the excavated surface; and also known as excavation.

**Day care/nursery.** An agency, organization, or individual providing daytime care, training, education, treatment, or supervision for children under fourteen (14) years of age, where such children are not related by blood, marriage or adoption to an owner or operator of the facility.

**Density.** The total number of dwelling units divided by the gross site area.

**Developed area.** The portion of a lot, excluding public rights-of-way, upon which buildings, structures, pavement, landscape materials, and/or their other improvements have been, or are to be, located.

**Development.** Any man-made change to improved or unimproved real estate, including, but not limited to, building or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials.

**Diameter at breast height (DBH).** A forestry term that takes the thickness measurement of a tree at four and one-half (4.5) feet above the ground.

**Director** shall mean the Director of Environmental Management or his designee.

**Drainage structure.** A device composed of a virtually non-erodible material such as concrete, steel, plastic, or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, drainage control, or flood control purposes.

**Dwelling unit.** An enclosure of one (1) or more rooms, including kitchen and bathroom facilities, designed or constructed as a unit for residential occupancy by one (1) family.

**Dwelling, manufactured home.** A new or used structure, transportable in one or more sections, which, in the traveling mode, when erected on site, is 400 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the 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 Manufactured Housing construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, seq. For the purpose of the administration of this LDC, the term manufactured home shall not be interpreted to include mobile homes. For the purposes of this definition, singlewide shall be construed as any manufactured or mobile home having a width of between eight (8) and sixteen (16) feet and is transported entirely in one section.

**Dwelling, mobile home.** A new or used structure, transportable in one or more sections, which, in the traveling mode when erected on site, is 400 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling unit with or without permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein. These were built prior to June 15, 1976 and do not meet current Department of Housing and Urban Development manufactured home codes.

**Dwelling, multi-family.** A building either designed, constructed, altered, or used for more than two adjoining dwelling units, with each dwelling unit having a fire rated party wall or party floor connecting it to at least one other dwelling unit in the building. This includes apartments, condominiums, or any other type of multi-family structure.

**Dwelling, single family attached.** One of a series of two (2) or more single family dwelling units built on separate lots attached to another dwelling unit on an adjoining lot by a fire rated common wall.

**Dwelling, single family.** A detached building used and either designed or constructed for one dwelling unit.

**Dwelling, two family, or duplex.** A building either designed, constructed, altered, or used for two adjoining dwelling units that are connected by a fire rated common wall and/or if two stories in height, by a fire rated common floor.

**Easement.** A grant by the owner of land for the use of such land by others, including public usage, for a specific purpose or purposes.

**Erosion.** The process by which land surface is worn away by the action of wind, water, ice, or gravity.

**Exterior architectural features.** The architectural style, general design and general arrangement of the exterior of a building or other structure, including, but not limited to, the kind or texture of the building material; the type and style of all windows, doors, and signs; and other appurtenant architectural fixtures, features, details or elements relative to the foregoing.

**Façade.** Any face of a building. The dominant facade of the building is where its principal entrance is located and which may not face the street upon which its legal address is located.

**Farm.** A bona fide farm is the primary or principal use of land and buildings for the purpose of conducting agricultural activities including raising, harvesting, or storing of crops; feeding, breeding, or managing livestock or poultry; producing or storing feed for use in the production of livestock; or the production of plants, trees or timber. The term farm includes the residence of the owner or operator of the farm.

**Fill.** A portion of land surface to which soil or other solid material has been added; the depth above the original ground.

**Flood and flooding.** A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow in inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

**Area of shallow flooding.** A designated AO or VO zone on a community's flood insurance rate map (FIRM) with base flood depths from one (1) to three (3) feet

where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

**Area of special flood hazard.** The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. In the absence of official designation by the federal emergency management agency, areas of special flood hazard shall be those designated by the local community.

**One-Hundred-Year Floodplain.** The area that will be inundated by a flood event having a one (1) percent chance of being equaled or exceeded in any given year. This event is also referred to as the base flood or 100-year flood.

**Base Flood elevation.** The computed elevation to which the floodwaters are anticipated to rise during a base flood or 100-year flood. Base Flood Elevations (BFEs) are shown on FEMA's Flood Insurance Rate Maps (FIRM).

**Elevated building.** A nonbasement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), and shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

**Existing construction.** Pertaining to the regulation of structures as set forth in Section 3.02.00, means any structure for which the start of construction commenced before April 3, 1978.

**Existing manufactured home park or subdivision.** Pertaining to the regulation of structures as set forth in Section 3.02.00 a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) was completed before April 3, 1978.

**Expansion to an existing manufactured home park or subdivision.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

**Flood hazard boundary map (FHBM).** An official map of a community, issued by the federal emergency management agency, where the boundaries of the areas of special flood hazard have been defined.

**Flood insurance rate map (FIRM).** An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

**Flood insurance study.** The official report provided by the federal emergency management agency. The report contains flood profiles, as well as the flood boundary floodway map and the water surface elevation of the base flood.

**Floodplain.** Any land area susceptible to flooding.

**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.

**New construction.** Pertaining to the regulation of structures as set forth in Section 3.02.00, means structures for which the start of construction commenced on or after April 3, 1978.

**Floor.** The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood construction. The term "floor" does not include the floor of a garage used solely for parking vehicles.

**Floor area, gross.** The total number of square feet of floor area in a building determined by horizontal measurements between the exterior faces of walls, excluding basement areas, attic, porches, carports, and garages.

**Governing authority.** The City Council of the City of Tifton

**Grade.** The lowest point of elevation of the finished surface of the ground immediately surrounding the building or structure.

**Finished grade.** The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

**Highest adjacent grade.** The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

**Grading.** Altering the shape of ground surfaces to a predetermined condition. This includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

**Ground cover.** Natural mulch or low growing plants other than deciduous varieties installed for the purpose of providing a continuous cover over the surface of the ground.

**Ground elevation.** The original elevation of the ground surface prior to cutting or filling.

**Hazardous waste.** Any solid waste, by reason of its toxic, caustic, corrosive, abrasive, or otherwise injurious properties, which may be detrimental to the health of any person handling or otherwise coming into contact with such material or substance. The U.S. Environmental Protection Agency has developed a list of hazardous wastes based upon corrosivity, reactivity, and toxicity.

**Historic structure.** Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the United States Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the Secretary of the Interior; or
  - b. Directly by the Secretary of the Interior in states without approved programs.

**Historic Preservation District.** An overlay district featuring design criteria to ensure the preservation and protection of historic sites and structures. Additional definitions are in the Historic Design Manual as described in Chapter 4 of this LDC.

**Home occupation.** Any business occupation or profession customarily conducted entirely within a dwelling and carried on by an occupant thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes.

**Hospital.** Any institution receiving in-patients, or a public institution receiving out-patients, and authorized under Georgia law to render medical, surgical, and/or obstetrical care. The term “hospital” shall include a sanitarium for the treatment and care of senile psychotics, drug addiction or alcohol treatment, but shall not include office facilities for the private practice of medicine or dentistry.

**Industrialized Building:** Any structure or component thereof which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof.

**Junkyard.** Use of property for outdoor storage, keeping, abandonment, sale, or resale of junk including scrap metal, rags, paper or other scrap materials, used lumber, salvaged house wrecking, and structural steel materials and equipment, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof.

**Kenel.** Any location where boarding, caring for, and keeping of more than a total of three (3) dogs or cats, or other small animals or combination thereof (except litters of animals of not more than six (6) months of age) is carried on for compensation, and also raising, breeding, caring for, or boarding of dogs, cats, or other small animals for commercial purposes.

**Kenel, non-commercial.** Any location where the boarding, caring for and keeping of more than three (3) but not more than ten (10) dogs or cats or other small animals or combination thereof (except litters of animals of not more than six (6) months of age) is carried on, not for commercial purpose, but as a hobby such as the raising of show and hunting dogs.

**Land disturbing activity.** Any activity which may result in soil erosion from water or wind and the movement of sediments into state water or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including bona fide agricultural practices.

**Landscape.** The placement of plant material(s) in an area, including trees, shrubs, vines, lawn grasses, ground cover, and other living plant material.

**Landscape architect.** A design professional registered and currently licensed or otherwise authorized to practice landscape architecture in the State of Georgia, as defined in O.C.G.A. § 43-23-1, providing the services therein defined.

**Landscape designer.** A person engaged in the design of landscaping for residential and nonresidential sites, but not a licensed profession authorized to practice landscape architecture.

**Lot.** A parcel of land described by metes and bounds or by reference to a recorded plat of survey in instrument or instruments recorded in the deed records in the office of the

Clerk of the County Superior Court, and which is held in a single ownership by one (1) person or in common ownership by more than one (1) person.

**Lot of record.** A lot which is part of a subdivision recorded in the office of the Clerk of the Superior Court of Tift County, or a parcel described by metes and bounds, the description of which has been so recorded prior to the adoption of this LDC.

**Lot width.** The distance between the side lot lines, measured along the front yard setback line as established by this LDC, or if no setback line is established, the horizontal distance between the side lot lines measured along the street right-of-way line.

**Lot, corner.** A lot having frontage on two (2) or more public streets at their intersection.

**Lot, through.** A lot other than a corner lot, having frontage on more than one (1) street; or a corner lot having frontage on three (3) or more streets.

**Lumen.** A quantitative unit measuring the amount of light emitted by a light source.

**Manufactured housing park.** An area, under single ownership and not subdivided into customary lots planned for individual ownership, containing three (3) or more manufactured homes used as living facilities having a defined space, or an area containing three (3) or more spaces designed or intended for parking of manufactured homes to be used as living facilities for rent or lease.

**Material change in appearance.** A change that will affect only the exterior architectural features of a historic property or of any structure, site, or work of art within a historic district and may include any one or more of the following:

- (1) A reconstruction or alteration of the size, shape, or facade of a historic property, including relocation of any doors or windows or removal or alteration of any architectural features, details, or elements;
- (2) Demolition of a historic structure;
- (3) Commencement of excavation;
- (4) A change in the location of advertising visible from the public way on any historic property; or
- (5) The erection, alteration, restoration, or removal of any building or other structure within a historic district, including walls, roofs, fences, steps and pavements, or other appurtenant features, except exterior paint alterations.

**Mean sea level.** The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this LDC, the term is synonymous with national geodetic vertical datum (NGVD).

**National geodetic vertical datum (NGVD).** A vertical control used as a reference for establishing varying elevations within the floodplain.

**Natural ground surface.** The ground surface in its original state before any grading, excavation or filling.

**Nephelometric turbidity units (NTU).** Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance-in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed particles are present.

**Newspaper or periodical production, sales, and distribution.** The operation of newspaper or periodical business including the production, sales, and distribution thereof, including all necessary presswork. Such term includes but is broader than newspaper or periodical publishing.

**Newspaper or periodical publishing.** This term is narrower in scope than newspaper or periodical production, sales and distribution. The term does not include presswork, sales, or distribution and is limited to the composition, layout, and non-presswork printing of a newspaper or periodical.

**Night club (lounge).** A place of entertainment open at night, usually serving food and alcoholic beverages, and providing music and space for dancing.

**Open space.** Undeveloped land suitable for passive recreation, conservation, or fallow land.

**Permit.** The authorization necessary to carry out construction or a land disturbing activity under the provisions of this LDC.

**Person.** The term "person" shall include a corporation, firm, partnership, association, organization, trust, and any other group acting as a unit, as well as an individual.

**Planning Commission.** As utilized in this LDC, the Planning Commission shall mean the City of Tifton Planning and Zoning Commission as duly appointed by the city council.

**Plat.** A map, generally of a subdivision, showing the location, boundaries, and ownership of individual properties.

- (1) **Plat, preliminary.** The first stage of plat or subdivision plan review as described in Chapter 4 of this LDC.
- (2) **Plat, final.** The final stage of plat or subdivision plan review as described in Chapter 4 of this LDC.

**Premises.** Whenever the term "premises" is used, it shall mean place or places.

**Principal building.** The building containing, or to contain, the predominant use of a lot.

**Principal use.** The primary purpose for which a lot, or the main building thereon, is designed, arranged, or intended, and for which it is or may be used, occupied, or maintained.

**Protective covenant.** A private contract existing between the land sub-divider or developer and subsequent property owners of a particular defined area limiting design and usage of similarly situated properties. These instruments are generally publicly recorded with a particular land subdivision, and maintenance and enforcement of the contract is between the private parties.

**Real property (property).** Any tract or parcel of land and, if developed, any buildings or structures located on the land.

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

- (1) Built on a single chassis;
- (2) Four hundred square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light duty truck; and

(4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Religious facility.** A building in which persons regularly assemble for religious worship intended primarily for purposes connected with such worship, or for propagating a particular form of religious belief.

**Residence.** The term "residence" shall be construed to mean the place adopted by a person as his place of habitation, and to which, whenever he is absent, he has the intention of returning. When a person eats at one place and sleeps at another, the place where such person sleeps shall be deemed his residence.

**River/stream bank.** The rising ground, bordering a river or a stream, which serves to confine the water to the natural channel during the normal course of flow.

**Roadway drainage structure.** A device, such as a bridge, culvert, or ditch, composed of a virtually nonerodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

**Rural.** All areas designated as SA Zones.

**School.** A facility where persons regularly assemble for the purpose of instruction or education including any playgrounds, stadiums, or other structures and grounds used in conjunction therewith. This shall include, but not be limited to, public and private schools used for primary, secondary, or post-secondary education.

**Sediment.** Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, ice, or gravity as a product of erosion.

**Sedimentation.** The process by which eroded material is transported and deposited by the action of water, wind, ice, or gravity.

**Setback.** The shortest distance between the defined boundary and the principal building or structure on a lot.

**Shopping center.** Two (2) or more commercial establishments planned and managed as a single unit.

**Shrub.** A woody plant normally characterized by persistent wood stems, low stature and branching near its base.

**Sidewalk.** The term "sidewalk" shall mean any portion of a street between the curb line and the adjacent property line, intended for the use of pedestrians, but shall not include any unimproved areas between the curb line and improved walkways.

**Sign.** Any surface, fabric, or device bearing lettered, pictorial, or sculptured matter designed to convey information visually and exposed to public view; or any structure (including billboard or poster panel) designed to carry the above visual information.

**A-frame sign.** Any upright, rigid supporting frame in the form of a triangle with steeply angled sides that meet at the top in the shape of the letter "A" located on the ground, not permanently attached and easily movable, and usually two-sided which conveys a message. Sandwich board signs are included in this definition.

**Aggregate sign area.** The area of all signs on a parcel, excluding the area of one face of all double-faced signs.

**Animated sign.** A sign with action, motion, or changing colors which requires electrical energy. This definition includes any signs that electronically change the sign face, whether by substitution of copy or scrolling. An electronic sign that maintains a steady sign face without change for no less than six (6) hours is not considered an animated sign. However, any deviation from the minimum six (6) hour change of unchanged copy results in the sign being considered an animated sign.

**Area of a sign/ Sign area.** The smallest square, rectangle, triangle, circle, or combination thereof, which encompasses one face of the entire sign, inclusive of any border and trim but excluding the base, apron, supports, and other structural members.

**Awning sign.** A sign located on a roof-like cover extending before a place as a shelter and which may be used in lieu of a wall sign.

**Banner.** A sign, with or without characters, letters, illustrations or ornamentation, applied to cloth, paper or fabric of any kind, with only such material as backing.

**Billboard sign.** Shall mean any sign with a sign area exceeding 300 square feet.

**Double-faced sign.** A sign which has two (2) display areas placed back to back against each other or where the interior angle formed by the display areas is sixty (60) degrees or less and where one face is designed to be seen from one direction and the other face from another direction.

**Flag.** Any fabric or bunting containing colors, patterns, or symbols used to signify a government or other entity or organization.

**Freestanding sign.** A sign securely affixed to a support structure which is permanently attached to the ground and wholly independent of any building for support, such as monument or stanchion signs.

**Historic District.** The entire area designated by ordinance as a historic district.

**Illuminated sign.** A sign that has light cast upon the sign from a source either internal to the sign or from an external light source directed primarily toward such sign.

**Monument sign.** A freestanding sign mounted directly upon the ground. Such sign may not be attached to, or be a part of or supported by, the building in or to which the sign applies.

**Non-conforming sign.** Any sign which does not conform to the provisions of this ordinance that was legal at the time of its erection.

**Parcel.** A separate tax unit of real property on county real estate records.

**Roof sign.** A sign attached to, or supported by, the roof of a building which extends above the immediately adjacent roofline of the building.

**Stanchion sign.** A freestanding sign mounted on one or more steel poles set in the ground and of sufficient strength and size to support the advertisement portion of such structure which rests upon, or is supported by, such poles.

**Wall sign.** A sign fastened, placed or painted upon, or parallel to, the exterior wall of the structure itself, whether front, rear or side of the structure.

**Window sign.** A sign installed flush with or on a window and intended to be viewed from the outside.

**Slope.** The relationship between a vertical distance and a horizontal distance perpendicular to the horizontal distance at the extremity thereof, e.g., a slope of twenty to one (20:1) expresses the relationship of a horizontal line of twenty units measure (feet, yards, etc.) to a vertical line perpendicular thereto of one unit of the same measure (feet, yards, etc.).

**Small tree/understory tree.** A self-supporting woody plant of a species which under normal conditions will develop a single or multiple trunks of a caliper diameter of at least two (2) inches at a height of six (6) inches above ground level and a maximum height at normal maturity of twenty-five (25) feet or less.

**Stabilization.** The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

**Start of construction.** The date the development permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit data. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as a garages or sheds not occupied as dwelling units or part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**State general permit (stormwater).** The National Pollution Discharge Elimination System (NPDES) general permit or permits for stormwater runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. § 1251 et seq., and subsection (f) of O.C.G.A. § 12-5-30.

**State waters.** Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the state, which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

**State.** The terms "state" and "the state" shall mean the State of Georgia.

**Street.** Any and all public or private rights-of-way located which are utilized for public vehicular or pedestrian right-of-way purposes including streets, highways, roads, avenues, parkways, boulevards, alleys, and their approaches.

**Arterial street.** A street which is designated as such on the Major Thoroughfare Plan and which is intended to provide swift and safe movement of traffic through the city and county.

**Collector street.** A street which is designated as such on the Major Thoroughfare Plan and which is intended to collect traffic from local streets and direct it safely to arterial streets.

**Cul-de-sac.** A street having only one (1) end open for access to another street, the other end being terminated by a turnaround.

**Local street.** A street used for local circulation in areas providing access to abutting property.

**Public street.** Right-of-way dedicated to the city, county, state, or federal government or owned by the city, county, state, or federal government for public street purposes.

**Street tree.** Any tree or shrub the trunk of which is located within the right-of-way of a street.

**Structural erosion and sedimentation control measures or practices.** Measures for the stabilization of erodible or sediment producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating, or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, grade stabilization structures, sediment traps, and land grading, etc. Such measures can be found in the publication Manual for Erosion and Sediment Control in Georgia.

**Structure.** Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on the ground.

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

**Substantial improvement.** Any combination of repairs, reconstruction, alteration, or improvements to a structure taking place during a five-year period, in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure prior to the improvement. The market value of the structure is the appraised value of the structure prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building

commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to ensure safe living conditions.

**Substantially improved existing manufactured home parks or subdivisions.** Any combination of repairs, reconstruction(s), rehabilitation, or improvement of the streets, utilities, and pads that equals or exceeds forty percent (40%) of the value of the streets utilities and pads before the repair, reconstruction, or improvement commenced.

**Telecommunications facilities.** The providing or offering for rent, sale, or lease, or in exchange for other value received, of the transmittal of voice, data, image, graphics and video programming information between or among points of wire, cable, fiber optics, laser, microwaves, radio, satellite or similar facilities, including towers and tall structures, with or without benefit of any closed transmission median.

**Tourist home.** A dwelling in which sleeping accommodations are provided or offered to transient visitors for compensation.

**Tree.** A self-supporting woody plant of a species which has developed (or which under normal conditions will develop) a single or multiple trunks of a caliper diameter of two (2) inches or more at a height of six (6) inches above ground level and an overall height at maturity of at least twenty (20) feet.

**Trout streams.** All streams or portions of streams within the watershed as designated by the game and fish division of the state department of natural resources under the provisions of the state water quality control act, O.C.G.A. § 12-5-20 et seq. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown, or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year.

**Urban.** All areas not designated as SA Zones.

**Utility.** Public, private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, storm water systems and railroads or other utilities identified by a local government.

**Variance.** A grant of relief from the requirements of this LDC which permits construction in a manner otherwise prohibited by this LDC where specific enforcement would result in unnecessary hardship.

**Vegetative erosion and sedimentation control measures.** Measures for the stabilization of erodible or sediment-producing areas by covering the soil with:

- (1) Permanent seeding, sprigging, or planting producing long-term vegetative cover;
- (2) Temporary seeding producing short-term vegetative cover; or
- (3) Sodding, covering areas with a turf of perennial, sod-forming grass. Such practices can be found in the publication Manual for Erosion and Sediment Control in Georgia.

**Vehicle use area.** Any ground surface area, except public rights-of-way, used by any type of vehicle whether moving or at rest, including, but not limited to, driving, parking, loading and unloading, including vehicular uses under, on, or within buildings.

**Vines.** Any of a group of woody or herbaceous plants which may climb by twining or which normally requires support to reach mature form.

**Visibility triangle.** The area of land described as either of the following:

- (1) The triangular area of property on each side of a driveway formed by the intersection of the driveway and the public right-of-way line and the third side being a line connecting the ends of the two (2) other sides; or
- (2) The triangular area of property located at a corner formed by the intersection of two (2) or more public rights-of-way with two (2) sides of the triangular area along the abutting public right-of-way lines, measured from their point of intersection, and the third side being a line connecting the ends of the two (2) other sides.

**Watercourse.** Any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

**Wetlands.** Those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The ecological parameters designating wetlands include hydric soils, hydrological vegetation, and hydrological conditions involving a temporary or permanent source of water to cause soil saturation. For the purposes of this LDC, the 1987 National Wetlands Inventory shall serve to define these potential areas.

**Yard, front.** That area of a lot lying between the abutting street right-of-way line and the principal building of the lot and extending across the front of a lot from side lot line to side lot line.

**Yard, rear.** That area of a lot extending across the rear of a lot from side lot line to side lot line and lying between the rear lot line and the principal building on the lot.

**Yard, side.** That area of a lot between the side lot line and the principal building on the lot extending from the front yard to the rear yard.



# CHAPTER 2

## ZONING DISTRICTS AND USES

2.00.00	GENERALLY	2-2
2.01.00	ESTABLISHMENT AND PURPOSE OF ZONING DISTRICTS	2-2
2.01.01	City of Tifton Zoning Map	2-2
2.01.02	Zoning Districts Applicable within the City of Tifton	2-2
2.01.03	Rural Planned Development District (PDR)	2-4
2.01.04	Urban Area Planned Development (PDO)	2-4
2.02.00	ESTABLISHMENT AND PURPOSE OF OVERLAY DISTRICTS	2-4
2.02.01	Generally	2-4
2.02.02	Historic Preservation Overlay District (HPO)	2-4
2.02.03	Henry Tift Myers Airport Overlay District (TMA)	2-5
2.02.04	Reserved	2-5
2.03.00	LAND USES PERMITTED IN EACH ZONING DISTRICT	2-5
2.03.01	Generally	2-5
2.03.02	How to Read the Table of Uses	2-5
List of Tables		
Table 2.03.03	Table of Uses	Appendix 2-1
Table 2.03.04	Table of Accessory Uses	Appendix 2-8

**2.00.00 GENERALLY**

The use of buildings, structures, and land in accordance with the Tifton-Tift County Comprehensive Plan shall comply with the use requirements for zoning districts set forth in this chapter. Buildings, structures, or land shall be occupied or used only in conformity with all of the regulations set forth in this LDC for the district in which the buildings, structures, or land are located as well as state and federal codes.

**2.01.00 ESTABLISHMENT AND PURPOSE OF ZONING DISTRICTS****2.01.01 City of Tifton Zoning Map**

- A. The boundaries of each district are shown on a map entitled “Official Zoning Map of Tifton, Georgia”.
- B. The map shall be dated and certified by the Mayor of the City of Tifton and the City Clerk.
- C. The official copy of the zoning map shall be on file in the office of the City Clerk for the City of Tifton, and shall be accurate including maps, amendments, and the date of approval of such amendments.
- D. The map may be amended according to the procedures set forth in Chapter 10.

**2.01.02 Zoning Districts Applicable within the City of Tifton**

The following zoning districts are hereby established and shall apply in the City of Tifton.

**R-20 single-family residential.** The purpose of this district is to provide single-family residential areas with minimum lot sizes of 20,000 square feet, said areas being protected from the depreciating effects of small lot development and excessive density and from the encroachment of uses which are incompatible to a desirable residential environment.

**R-14 single-family residential.** The purpose of this district is to provide single-family residential areas with minimum lot sizes of 14,000 square feet, said areas being protected from the depreciating effects of small lot development and excessive density and from the encroachment of those uses which are incompatible to a desirable residential environment.

**R-12 single-family residential.** The purpose of this district is to provide single-family residential areas with minimum lot sizes of 12,000 square feet, said areas being protected from the depreciating effects of small lot development and excessive density and from the encroachment of those uses which are incompatible to a desirable residential environment.

**R-10 single-family residential.** The purpose of this district is to provide single-family residential areas with minimum lot sizes of 10,000 square feet, said areas being protected from the depreciating effects of small lot development and excessive density and from the encroachment of those uses which are incompatible to a desirable residential environment.

**R-8 residential.** The purpose of this district is to provide residential areas with a minimum lot size of 8,000 square feet, said areas being protected from uses which are incompatible to a desirable residential environment.

**M-R multiple residential.** The purpose of this district is to provide orderly development of higher density residential areas for one (1), two (2), and multifamily dwellings, with minimum lot sizes of 6,000 square feet, said areas being protected from the encroachment of those uses which are incompatible to a desirable residential environment.

**R-P Residential-professional.** The purpose of this district shall be to create an area in which residential, limited business, professional, educational, and institutional uses can be compatibly mixed while maintaining a healthful living environment for the residents of the district and at the same time preventing the development of blight and slum conditions. The minimum lot size in this district shall be 6,000 square feet.

**MHP manufactured housing park.** The purpose of this district is to provide for the development of property that is suitably located and planned for manufactured housing park use. Property developed in this district is to remain in single ownership for rental or leasing purposes only. Manufactured housing parks shall be developed only in strict accordance with the manufacturing housing park provisions of this ordinance.

**N-C neighborhood commercial.** The purpose of this district shall be to provide and protect convenient areas for neighborhood shopping facilities consisting of a wide variety of sales and service.

**G-B general business district.** The purpose of this district shall be to provide for and encourage the proper grouping and development of uses which include a wide variety of sales and services that will best accommodate the needs of the city and the traveling public in order to reduce highway traffic congestion, traffic hazards, and blight along the public streets of the city.

**C-D downtown commercial.** The purpose of this district shall be to provide a higher density commercial development which will include a wide variety of sales which should locate in the central business district.

**WLI wholesale-light industrial district.** The purpose of this district shall be to provide and protect areas for those wholesale and light industrial uses which do not create excessive noise, odor, smoke, dust, and which do not possess other objectionable characteristics which might be detrimental to surrounding neighborhoods, or to the other uses permitted in the district.

**H-I heavy industrial district.** The purpose of this district shall be to provide and protect areas for those industrial uses which cannot comply with the regulations of the WLI district.

**S-A suburban agriculture.** The purpose of this district is to permit low-intensity agricultural uses in those areas where the city has yet to extend urban services and encourage development for needed urban area expansion. The preferred land uses in the district are agricultural, either active in the form of crops or passive in the form of forest management or pasture lands. The S-A district should be utilized as a land use designation where a more intensive urban use of the land is unlikely to occur in the near future. The requirements of the district are designed to encourage the continuing low-intensity agriculture use of the property and protect active urban uses found in adjacent districts of the city.

### **2.01.03 Rural Planned Development District (PDR)**

The purpose of the PDR District is to provide for planned, mixed use development within rural areas. This district is established to encourage creative and resourceful projects that include compatible, interrelated uses and related public facilities unified by a development plan that demonstrates compatibility between the rural planned development and adjacent rural, agricultural, and low density development. The PDR District is a zoning district and requires approval of a site development plan. Refer to Section 4.06.00 for design requirements applicable to the PDR zoning district.

### **2.01.04 Urban Area Planned Development District (PDO)**

The purpose of the PDO District is to provide for create planned development, which may include mixed use development, and is located within the urban service area of Tifton. The district is intended to ensure that uses are compatible, interrelated, and are supported by adequate public facilities. A unified site development plan is required for the PDO zoning district. A PDO District proposed in rural areas within the urban service area should also ensure sustainability due to locations that are away from supporting facilities in the urban areas. Refer to Section 4.07.00 for design requirements applicable to the PDO zoning district.

## **2.02.00 ESTABLISHMENT AND PURPOSE OF OVERLAY DISTRICTS**

### **2.02.01 Generally**

The purpose of overlay districts is to provide a means of modifying the site design requirements that are otherwise applicable to the underlying zoning district(s). Such design requirements are set forth in Chapter 4. When the site design standards for a base zoning district, overlay district, or supplemental standards are in conflict, the stricter standard applies.

### **2.02.02 Historic Preservation Overlay District (HPO)**

The Historic Preservation District is shown on the Official Zoning Map and the legal description of the boundary is on file with the City Clerk of the City of Tifton. The purpose of the overlay district is to describe the area where additional design criteria are imposed in order to ensure the preservation and protection of historic sites and structures in Tifton. The area within the district contains structures, sites, works of art, or a combination thereof which have special character or special historical or

aesthetic interest or value, or which represent one or more periods or styles of architecture typical of one or more eras in the history of the City, County, the State or the region.

**2.02.03 Henry Tift Myers Airport Overlay District (TMA)**

The Henry Tift Myers Airport Overlay District is shown on the Official Zoning Map. The purpose of the district is to establish and ensure development standards and height restrictions which will afford reasonable protection of Henry Tift Myers Airport for the use of commercial, general, and recreational aviation. In order to protect the public health, safety, and welfare, there are hereby created and established certain overlay zones within the TMA Overlay District which include all the land lying beneath the approach and transitional ways related to aviation at the Henry Tift Myers Airport. Each zone has a set of standards for development. Refer to Section 4.02.02 for specific site design standards.

**2.02.04 Reserved**

**2.03.00 LAND USES PERMITTED IN EACH ZONING DISTRICT**

**2.03.01 Generally**

The table in Section 2.03.03 identifies those uses that are permissible within each zoning district. Buildings, structures, or land shall be occupied or used only in conformity with all of the regulations set forth herein for the district in which they are located.

**2.03.02 How to Read the Table of Uses**

- A. Within the table the letter “P” indicates that the land use is permissible, subject to compliance with the standards of the zoning district.
- B. The letter “S” indicates that the land use is permissible, subject to compliance with the standards of the zoning district, and the supplemental standards specified for the use. Supplemental standards are primarily contained in Section 4.03.00. Some standards are also contained in Chapter 5. The section where standards are provided is cited in the table.
- C. A blank cell indicates the land use is prohibited.
- D. Any land use that is not identified in the table is prohibited unless it is found to be substantially similar by the Manager.
  - 1. A requested use shall be considered substantially similar when the characteristics of the requested use are equivalent in type, intensity, degree, or impact when compared to a use named in the table. Such characteristics include, but are not limited to:
    - a. Typical hours of operation;
    - b. Use of outdoor storage;
    - c. Trip generation rates;
    - d. Generation of noise, light pollution, odor, smoke, electromagnetic interference, or vibration; and
    - e. Customary functions of the use.

2. The administrative interpretation shall be subject to appeal, as set forth in  
Section 10.05.0



2.03.03- Table of Uses											
ZONING DISTRICTS:  P – Permissible S – Permissible Subject to Supplemental Standards Blank – Prohibited	SA	R20	R14 R12 R10	R8	MR	RP	NC	GB	CD	WLI	HI
<b>LAND USES:</b>											
<b>Residential and Similar Uses</b>											
<b>1.Dwellings</b>											
1-1 Single-Family	P	P	P	P	P	P	S 5.02.02(F)		S 5.02.02(F)	S 5.02.02(F)	S 5.02.02(F)
1-2 Two-Family	P			P	P	P					
1-3 Multi-Family					S 4.01.04	S 4.01.04	S 4.01.04		S 4.01.04		
1-4 Manufactured Homes	S 4.03.07			S 4.03.07							
1-5 Manufactured Housing Parks	S			S							
<b>2. Institutional</b>											
2-1 Family Personal Care Homes (2-6 residents)	S 4.03.13	S 4.03.13	S 4.03.13	S 4.03.13	S 4.03.13	S 4.03.13	S 4.03.13				
2-2 Group Personal Care Homes (7-15 residents)	S 4.03.13	S 4.03.13	S 4.03.13	S 4.03.13	S 4.03.13		S 4.03.13				
2-3 Congregate Care Homes	S 4.03.13	S 4.03.13	S 4.03.13	S 4.03.13	S 4.03.13						
2-4 Nursing Home				S 4.03.11	S 4.03.11		S 4.03.11				

<b>3.Group Quarters</b>											
Boarding or Rooming House	S 4.03.22			S 4.03.22	S 4.03.22		S 4.03.22	S 4.03.22	S 4.03.22		
<b>4, Agricultural Uses</b>											
<b>4-1</b> Animal Kennels or Boarding	S 4.03.01							S 4.03.01		S 4.03.01	S 4.03.01
<b>4-2</b> Apiculture Facilities	P										
<b>4-3</b> Intensive Agricultural Feedlot Operations (IAFO)	S 4.03.02										
<b>4-4</b> Crop Dusting Service	P									P	
<b>4-5</b> Fish Hatcheries	P										
<b>4-6</b> Forestry and Silviculture	P										
<b>4-7</b> Livestock and Fowl Sales	P										P
<b>4-8</b> Agricultural Operations	P										
<b>4-9</b> Preserves or Clubs for Hunting or Shooting	P										
<b>4-10</b> Shooting Club or Range	S 4.03.23										
<b>4-11</b> Stables	P										
<hr/>											
<b>5. Non-Residential Uses</b>											
<b>5-1</b> Adult Establishments and Uses	S 4.03.21									S 4.03.21	S 4.03.21
<b>5-2</b> Agricultural Supplies, Including Feed, Grain, or Fertilizer – Wholesale and Storage Establishments								P		P	P
<b>5-3</b> Private, for Profit Ambulance Service/ Rescue Squad Facility										P	P

<b>5-4 Amusement Park and Similar Uses</b>	S 4.03.24						4.03.24	S 4.03.24			
<b>5-5 Animal Hospital</b>							S 4.03.03	S 4.03.03		S 4.03.03	S 4.03.03
<b>5-6 Gasoline Service Station</b>							S 4.03.10	S 4.03.10	S 4.03.10	S 4.03.10	S 4.03.10
<b>5-7 Bait and Tackle Store</b>	P						P	P		P	P
<b>5-8 Banks and Financial Institutions</b>							P	P	P	P	P
<b>5-9 Broadcast Studio-Radio or TV</b>							S 4.03.17	S 4.03.17	S 4.03.17		
<b>5-10 Catering Service</b>						P	P	P	P	P	P
<b>5-11 Cemeteries</b>	S 4.09.25							S 4.09.25			
<b>5-12 Clothing and Dry Goods Stores</b>							P	P	P	P	
<b>5-13 Clubs and Lodges, Private</b>	S 4.03.20	S 4.03.20			S 4.03.20		S 4.03.20	S 4.03.20	S 4.03.20		
<b>5-14 College or University - Public</b>	P	P	P	P	P		P	P			
<b>5-15 Convenience Store</b>							S 4.03.10	S 4.03.10			
<b>5-16 Cultural Facilities</b>						P	P	P	P		
<b>5-17 Day Cares, Kindergartens, and Nurseries</b>	S 4.03.09										
<b>5-18 Department Stores</b>							P	P	P		
<b>5-19 Dry Cleaning Plant</b>										S 4.03.12	S 4.03.12
<b>5-20 Essential Public Services, such as EMS, Fire, Police, Transmission Lines, Water and Sewer Lines, and Lift Stations</b>	P	P	P	P	P	P	P	P	P	P	P
<b>5-21 Flower Shop or Florist</b>						P	P	P	P	P	
<b>5-22 Food and Grocery Stores</b>							P	P	P		

<b>5-23</b> Freezer Locker/ Ice Storage							P	P		P	P
<b>5-24</b> Freight Express Office							P	P	P	P	P
<b>5-25</b> Freight - Railroad										P	P
<b>5-26</b> Funeral Home						S 4.03.19	S 4.03.19	S 4.03.19			
<b>5-27</b> Furniture Upholstery Shop							P	P	P	P	P
<b>5-28</b> Glass Sales and Storage								P		P	P
<b>5-29</b> Golf Course	S 4.03.04		S 4.03.04	S 4.03.04							
<b>5-30</b> Greenhouses and Plant Nurseries	P							P	P	P	P
<b>5-31</b> Gunsmith	P	P	P	P	P	P	P	P	P	P	P
<b>5-32</b> Hardware Store							P	P	P	P	
<b>5-33</b> Hazardous or Combustible Materials, such as asphalt, coal or petroleum - storage and distribution											P
<b>5-34</b> Heavy Equipment Sales								P		P	P
<b>5-35</b> Heavy manufacturing, including uses that produce noise, odor, dust, or fumes											S 4.03.14
<b>5-36</b> Home Furnishing Store							P	P	P	P	
<b>5-37</b> Hospital							S 4.03.11	S 4.03.11			
<b>5-38</b> Junk Yard or Salvage Yard											S 4.03.05
<b>5-39</b> Laboratory - Experimental	P							P		P	P
<b>5-40</b> Laboratory – Medical						P	P	P	P		

5-41 Landfill, Sanitary or Inert, or Incinerator												P
5-42 Laundromat, Laundry Pick-up Station, Dry-cleaning Pick-up Station							P	P				
5-43 Light Manufacturing, Assembly, Processing, or Packaging								P		P		P
5-44 Locksmith						P	P	P	P			
5-45 Lodging – Hotel or Motel							P	P	P			
5-46 Lumber Yard or Saw Mill												P
5-47 Medical Clinics or Offices						P	P	P	P			
5-48 Messenger Service (Office)						P	P	P	P	P		
5-49 Mini-storage Facility (Self-storage Facility)								S 4.03.16		S 4.03.16	S 4.03.16	
5-50 Mobile and Manufactured Home Sales Lots								P		P		
5-51 Nightclub or Lounge								P	P			
5-52 Office Equipment Sales and Services							P	P	P	P		
5-53 Outdoor Sales, Farmers Markets, Produce Stands	P						P	P	P	P	P	P
5-54 Parking Lot or Garage - Commercial							P	P	P	P	P	P
5-55 Pawn Shop							P	P	P			
5-56 Personal Services – Barber and Beauty Shops, Nail Salons, Day Spas and Similar Services						P	P	P	P			

<b>5-57</b> Pest Control Service								P	P	P	P
<b>5-58</b> Pharmacy or Drug Stores							P	P	P		
<b>5-59</b> Printing, Binding, and Similar Service Store						P	P	P	P	P	P
<b>5-60</b> Printing, Production, Sales and Distribution – Newspapers/Periodicals								P		P	P
<b>5-61</b> Publishing Facility (Press)										P	P
<b>5-62</b> Railroad Repair Yard											P
<b>5-63</b> Recreation Centers - Public	S 4.03.20	S 4.03.20	S 4.03.20								
<b>5-64</b> Recreation - Commercial							PS 4.03.20	S 4.03.20	PS 4.03.20		
<b>5-65</b> Recreation – Commercial Intensive (such as racetracks)	S 4.03.24									S 4.03.24	
<b>5-66</b> Religious Facilities and related uses	S 4.03.06	S 4.03.06	S 4.03.06	S 4.03.06							
<b>5-67</b> Repair Shop – Light (watches, shoes, and similar)							P	P	P	P	P
<b>5-68</b> Repair Shop – Heavy, Electrical, or Appliances								P		P	P
<b>5-69</b> Restaurants – Drive-in							P	P			
<b>5-70</b> Restaurants without Drive-in						P	P	P	P	P	P
<b>5-71</b> Retail Stores – Specialty (gift, jewelry, antiques)						P	P	P	P		
<b>5-72</b> Schools, Public	P	P	P	P	P	P	P	P	P	P	
<b>5-73</b> Schools, Private, Business or Trade	P						P	P	P	P	

<b>5-74</b> Storage Yard for Contractor Supplies and Materials								P		P	P
<b>5-75</b> Studios – Art, Dance, Music, Photography						P	P	P	P		
<b>5-76</b> Taxidermist							P	P	P	P	
<b>5-77</b> Taxi Office							P	P	P	P	
<b>5-78</b> Telecommunication Tower	S 5.04.00						S 5.04.00	S 5.04.00		S 5.04.00	S 5.04.00
<b>5-79</b> Terminal or Station – Bus, Railroad, or Truck								P		P	P
<b>5-80</b> Travel Trailer or RV Park	S 4.03.08(b)					\$ 4.03.07		S 4.03.08(b)			
<b>5-81</b> Utility Substation	P						P	P		P	P
<b>5-82</b> Vehicle Parts and Tire Sales								P		P	P
<b>5-83</b> Vehicle Sales, Repair, Paint, Rebuilding, Includes Utility Trailers							S 4.03.18	S 4.03.18		S 4.03.18	S 4.03.18
<b>5-83A Tractor and farm equipment sales and service</b>	S										
<b>5-84</b> Vending Machines – Modular Building Ice Machines								P		P	P
<b>5-85</b> Veterinary Clinic	S \$.03.03						S \$.03.03	S \$.03.03		S \$.03.03	S \$.03.03
<b>5-86</b> Warehouse or Wholesale Distribution Center without Retail Sales										P	P
<b>5-87</b> Wholesale Sales Center								P		P	P

2.03.04- Table of Accessory Uses

<b>Zoning Districts:</b> A – Allowable accessory use (See Section 5.02.00) <sup>1</sup>	SA	R20, R14, R12, R10, R8	MR	RP	NC	GB	CD	WLI	HI
5-89 Accessory Dwelling – Freestanding (Detached)	A	A		A	A	A	A	A	A
5-90 Accessory Dwelling – within Principal Structure	A	A		A					
5-91 Animals, Non-commercial	A	A	A	A	A	A	A		
5-92 Dumpsters	A		A	A	A	A	A	A	A
5-93 Reserved									
5-94 Home Occupations	A	A	A	A					
5-95 Outside Storage of Machinery and Equipment	A							A	A
5-96 Outdoor Storage of Agricultural Machinery and Equipment THAT IS NOT FOR SALE	A								
5-97 Storage, Equipment or Other Sheds, Greenhouses	A	A	A	A	A	A	A	A	A

<sup>1</sup>PDR and PDO classifications must conform to the approved site development plan



# CHAPTER 3

## PROTECTION OF NATURAL RESOURCES AND FEATURES

3.00.00	GENERALLY	3-3
3.01.00	SOIL EROSION AND SEDIMENTATION CONTROL	3-3
3.01.01	General Provisions	3-3
3.01.02	Exempt Land Disturbing Activities	3-3
3.01.03	Minimum Requirements for Best Management Practices	3-5
3.01.04	Application and Permit Process	3-8
3.01.05	Inspection and Enforcement	3-11
3.01.06	Penalties	3-12
3.01.07	Education and Certification	3-13
3.01.08	Administrative Appeal and Judicial Review	3-14
3.01.09	Liability	3-14
3.02.00	FLOOD DAMAGE PROTECTION	3-14
3.02.01	Statutory Authorization	3-14
3.02.02	Findings of Fact	3-14
3.02.03	Statement of Purpose	3-15
3.02.04	Objectives	3-15
3.02.05	Applicability	3-15
3.02.06	Basis for Establishing Areas of Special Flood Hazards	3-15
3.02.07	Abrogation and Greater Restrictions	3-15
3.02.08	Interpretation	3-16
3.02.09	Warning and Disclaimer of Liability	3-16
3.02.10	Penalties for Violation	3-16
3.02.11	Administrator	3-16
3.02.12	Permit Procedures	3-16
3.02.13	Construction Stage	3-16
3.02.14	Duties and Responsibilities of the Manager	3-17
3.02.15	General Standards	3-18

3.02.16	Specific Standards for Flood Hazard Reduction	3-18
3.02.17	Streams without Established Base Flood Elevations or Floodways	3-20
3.02.18	Subdivision Proposals	3-21
3.02.19	Areas of Shallow Flooding (AO Zones)	3-21
3.03.00	WATER RESOURCE DISTRICTS	3-22
3.03.01	Purpose	3-22
3.03.02	Establishment of Water Resource Districts	3-22
3.03.03	Groundwater Recharge Area District	3-22
3.04.00	WETLANDS RESOURCE OVERLAY DISTRICT	3-24
3.04.01	Intent	3-24
3.04.02	Findings of Fact	3-24
3.04.03	Purpose	3-24
3.04.04	District Delineation	3-24
3.04.05	Wetland Development Permit Requirements	3-25
3.04.06	Permitted Uses	3-25
3.04.07	Prohibited Uses	3-25

### 3.00.00 GENERALLY

The provisions set forth in Chapter 3 are intended to protect the natural features and natural resources within the City of Tifton and Tift County, and to implement policies in the Greater Tift County Comprehensive Plan. The natural features and natural resources included in Chapter 3 are soil erosion and sedimentation control, flood damage prevention, water resource districts, and wetlands.

### 3.01.00 SOIL EROSION AND SEDIMENTATION CONTROL

#### 3.01.01 General Provisions

- A. Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities. Therefore, plans for those land-disturbing activities that are not exempted by this section shall contain provisions for application of soil erosion and sedimentation control measures and practices. The provisions shall be incorporated into the erosion and sedimentation control plans. Soil erosion and sedimentation control measures and practices shall conform to the minimum requirements of Section 3.01.03.
- B. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion and sedimentation pollution during all stages of any land-disturbing activity.

#### 3.01.02 Exempt Land Disturbing Activities

This Section shall apply to any land-disturbing activity undertaken by any person on any land except for the following:

- A. Surface mining, as the same is defined in O.C.G.A. § 12-4-72, "Mineral Resources and Caves Act".
- B. Granite quarrying and land clearing for such quarrying.
- C. Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion.
- D. The construction of single-family residences, when such construction disturbs less than one (1) acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one (1) acre and in conformance with Section 3.01.03.
- E. Agricultural operations as defined in *O.C.G.A.* 1-3-3 "definitions" including:
  - 1. Raising, harvesting, or storing of products of the field or orchard;
  - 2. Feeding, breeding, or managing livestock or poultry;
  - 3. Producing or storing feed for use in the production of livestock, including but not limited to cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including but not limited to chickens, hens, fowl and turkeys; producing plants or trees, or animals;
  - 4. Production of aqua culture, horticultural, dairy, livestock, poultry, eggs, and apiarian products;
  - 5. Farm buildings and farm ponds.
- F. Forestry land management practices, including harvesting

1. Provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in Section 3.01.03.
  2. No other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three (3) years after completion of such forestry practices.
- G. Any project carried out under the technical supervision of the Natural Resources Conservation Service of the United States Department of Agriculture.
- H. Any project involving less than one (1) acre of disturbed area provided, however, that this exemption shall not apply to the following:
1. Any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one (1) acre or within 200 feet of the bank of any state waters. For purposes of this paragraph, "state waters" excludes channels and drainage ways which have water in them only during and immediately after rainfall events, and intermittent streams which do not have water in them year-round;
  2. If the project is within 200 feet of any such excluded channel or drainage way, must prevent sediment from moving beyond the boundaries of the property on which such project is located;
  3. Nothing contained herein shall prevent the local issuing authority from regulating any such project that is not specifically exempted by this section.
- I. Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by:
1. The Georgia Department of Transportation (GDOT);
  2. The Georgia Highway Authority;
  3. The Georgia State Road and Tollway Authority (SRTA); or
  4. Any county or municipality provided, however, that construction or maintenance projects of the GDOT or SRTA which disturb one (1) or more contiguous acres of land shall be subject to provisions of O.C.G.A. § 12-7-7.1; except where GDOT, the Georgia Highway Authority, or SRTA is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to the local issuing authority. The local issuing authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. § 12-7-6 as if a permit had been issued and violations shall be subject to the same penalties as violations by permit holders.
- J. Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system

- or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the local issuing authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. § 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;
- K. Any public water system reservoir; and
  - L. All other land disturbing activities must comply with the requirements for erosion and sediment control.

### **3.01.03 Minimum Requirements For Best Management Practices**

- A. Best management practices shall be required for all land-disturbing activities.
  1. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the Manager or to any other allegation of noncompliance with subsection two (2) below or any substantially similar terms contained in a permit for the discharge of stormwater issued pursuant to subsection (f) of O.C.G.A. § 12-5-30, the "Georgia Water Quality Control Act". As used in this subsection the terms "proper design" and "properly designed" mean designed in accordance with the hydraulic design specifications contained in the Manual for Erosion and Sediment Control in Georgia specified in O.C.G.A. § 12-7-6 subsection (b).
  2. A discharge of stormwater runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation of any land-disturbing permit issued by a local issuing authority or of any state general permit issued by the division pursuant to subsection (f) of O.C.G.A. § 12-5-30, the "Georgia Water Quality Control Act", for each day on which such discharge results in the turbidity of receiving waters being increased by more than twenty-five (25) nephelometric turbidity units for waters supporting warm water fisheries or by more than ten (10) nephelometric turbidity units for waters classified as trout waters. The turbidity of the receiving waters shall be measured in accordance with guidelines to be issued by the Director. This paragraph shall not apply to any land disturbance associated with the construction of single-family homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five (5) acres.
  3. Failure to properly design, install, or maintain best management practices shall constitute a violation of any land-disturbing permit issued by a local issuing authority or of any state general permit issued by the division pursuant to subsection (f) of O.C.G.A. § 12-5-30, the "Georgia Water Quality Control Act", for each day on which such failure occurs.
  4. The Manager may require, in accordance with adopted regulations, reasonable and prudent monitoring of the turbidity level of receiving waters

into which discharges from land disturbing activities occur.

- B. The rules and regulations, ordinances, or resolutions adopted pursuant to this LDC for the purpose of governing land-disturbing activities shall:
1. Require, as a minimum, protections at least as stringent as the state general permit; and
  2. Best Management Practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, that are consistent with, and no less stringent than, those practices contained in the Manual for Erosion and Sediment Control in Georgia published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:
    - a. Stripping of vegetation, regrading and other development activities shall be conducted in a manner so as to minimize erosion;
    - b. Cut-fill operations must be kept to a minimum;
    - c. Development plans must conform to topography and soil type so as to create the lowest practical erosion potential;
    - d. Whenever feasible, natural vegetation shall be retained, protected and supplemented;
    - e. The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
    - f. Disturbed soil shall be stabilized as quickly as practicable;
    - g. Temporary vegetation or mulching shall be employed to protect exposed critical areas during development;
    - h. Permanent vegetation and structural erosion control practices shall be installed as soon as practicable;
    - i. To the extent necessary, sediment in run-off water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. § 12-7-1 et seq.;
    - j. Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping of fills;
    - k. Cuts and fills may not endanger adjoining property;
    - l. Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
    - m. Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible provided, in any case, that such crossings are kept to a minimum;
    - n. Land-disturbing activity plans for erosion and sedimentation control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on-site or preclude sedimentation of adjacent waters beyond the levels specified in Section 3.01.03(B)(2);
- C. Buffer requirements:

1. Except as provided in Section 3.01.03(C)(3), there is established a twenty-five (25) feet buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the director pursuant to O.C.G.A. § 12-2-8, or where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented; provided, however, the buffers of at least twenty-five (25) feet established pursuant to Part 6, Article 5, Chapter 5, Title 12, the "Georgia Water Quality Control Act", shall remain in force unless a variance is granted by the Manager as provided in this LDC.
2. The following requirements shall apply to any such buffer:
  - a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed;
  - b. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed;
  - c. Provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
  - d. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within twenty-five (25) degrees perpendicular to the stream; cause a width of disturbance of not more than fifty (50) feet within the buffer, and adequate erosion control measures are incorporated into the project plans and specifications and are implemented:
    1. Stream crossings for water lines; or
    2. Stream crossings for sewer lines.
3. There is established a fifty (50) feet buffer as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, along the banks of any state waters classified as "trout streams" pursuant to Article 2, Chapter 5, Title 12, the "Georgia Water Quality Control Act".

The Georgia Environmental Protection Division may grant a variance from such buffer to allow land-disturbing activity, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented. The following requirements shall apply to such buffer:

1. No land-disturbing activities shall be conducted within a buffer and a

buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed.

2. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed;
  3. Provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
  4. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within twenty-five (25) degrees perpendicular to the stream; cause a width of disturbance of not more than fifty (50) feet within the buffer, and adequate erosion control measures are incorporated into the project plans and specifications and are implemented:
    - i. Stream crossings for water lines; or
    - ii. Stream crossings for sewer lines.
- D. Nothing contained in this section shall prevent any local issuing authority from adopting rules and regulations, ordinances, or resolutions that contain stream buffer requirements that exceed the minimum requirements in Section 3.01.03.
- E. The fact that land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this section or the terms of the permit.

### **3.01.04 Application and Permit Process**

#### **A. General**

1. The property owner, developer, and designated planners and engineers shall review the general development plans and detailed plans of the local issuing authority that affect the tract to be developed and the area surrounding it.
2. The property owner, developer, and designated planners and engineers shall review the LDC and other ordinances that regulate the development of land within the jurisdictional boundaries of the local issuing authority.
3. All requirements for the review and approval of site development plan, preliminary subdivision plat, or other plans are provided in Chapter 10.
4. The operator and the owner are the only parties who may obtain a land disturbing permit.

#### **B. Application requirements**

1. No person shall conduct any land-disturbing activity within the jurisdictional boundaries of the governing authority without first obtaining a permit to

perform such activity.

2. The application for a permit shall be submitted to the Manager and, in addition to the requirements of Section 10.02.02, must include:
  - a. Three (3) copies of the applicant's soil erosion and sedimentation control plans with supporting data
  - b. Certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan or that such a visit was not required in accordance with rules and regulations established by the governing authority.
3. Fee payment required:
  - a. A fee, in the amount of \$40.00 payable to the issuing authority and \$40.00 payable to the Georgia Department of Natural Resources – Environmental Protection Division (EPD) shall be charged for each one (1) acre or fraction thereof in the project area.
  - b. In addition to the local governing authority permitting fees, fees will also be assessed pursuant to paragraph (5) subsection (a) of O.C.G.A. § 12-5-23, provided that such fees shall not exceed \$80.00 per one (1) acre of land-disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each (1) acre of land-disturbing activity included in the planned development or each phase of development.
  - c. All applicable fees shall be paid prior to issuance of the land disturbance permit. In a jurisdiction that is certified pursuant to subsection (a) of O.C.G.A. § 12-7-8, one-half (1/2) of such fees levied shall be submitted to EPD; except that any and all fees due from an entity which is required to give notice pursuant to paragraph nine (9) or ten (10) of O.C.G.A. § 12-7-17 shall be submitted in full to EPD, regardless of the existence of a local issuing authority in the jurisdiction.

C. Period of development permit application review

Permits shall be issued or denied as soon as practicable, but in any event not later than forty-five (45) calendar days after receipt by the issuing authority of a completed application, providing variances and bonding are obtained, where necessary.

D. Permit required for each phase

If the tract is to be developed in phases, then a separate permit shall be required for each phase.

E. District review of soil and erosion control plan

1. Immediately upon receipt of an application and plan for a permit, the local issuing authority shall refer the application and plan to the district for its review and approval or disapproval concerning the adequacy of the erosion and sedimentation control plan.
2. A district shall approve or disapprove a plan within thirty-five (35) days of receipt.
3. Failure of a district to act within thirty-five (35) days shall be considered an approval of the pending plan.

4. The results of the district review shall be forwarded to the local issuing authority.
- F. District may delegate review to local issuing authority
- Such review will not be required if the local issuing authority and the district have entered into an agreement which allows the local issuing authority to conduct such review and approval of the plan without referring the application and plan to the district.
- G. Development permit contingent on approval of erosion and sedimentation control plan
1. No permit shall be issued by the issuing authority unless the erosion and sedimentation control plan has been approved by the district and the issuing authority has affirmatively determined that the plan is in compliance with this LDC;
  2. Any variances required by Section 3.01.03(C)(2) and (3) are obtained;
  3. Bonding requirements, if necessary, are met; and
  4. All ordinances and rules and regulations in effect within the jurisdictional boundaries of the issuing authority are met;
  5. If the permit is denied, the reason for denial shall be furnished to the applicant.
- H. Permit may be denied for previous violations
- If a permit applicant has had two (2) or more violations of previous permits, this LDC, or the Erosion and Sedimentation Act, as amended, within three (3) years prior to the date of filing of the application under consideration, the local issuing authority may deny the permit application.
- I. Bond may be required
1. The local issuing authority may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per one (1) acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit.
  2. If the applicant does not comply with the soil erosion and sediment control provisions of the LDC or with the conditions of the permit after issuance, the local issuing authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.
  3. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the local issuing authority with respect to alleged permit violations.
- J. Permit may be revoked upon violation
1. The permit may be suspended, revoked, or modified by the issuing authority as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in title is not in compliance with the approved erosion

and sedimentation control plan or that the holder or his successor in title is in violation of this LDC.

2. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.

K. Plan requirements

1. Plans must be prepared to meet the minimum requirements as contained in the soil erosion and sediment control provisions of the LDC.
2. Conformance with the minimum requirements may be attained through the use of design criteria in the current issue of the *Manual for Erosion and Sediment Control in Georgia*, published by the state Soil and Water Conservation Commission as a guide; or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices.
3. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed waterways, sediment control and stormwater management facilities, local ordinances, and state laws.
4. The information and data required for site plan shall be as provided in Section 10.02.02 of this LDC.
5. Maintenance of all soil erosion and sedimentation control practices, whether temporary or permanent, shall be at all times the responsibility of the property owner.

**3.01.05 Inspection and Enforcement**

- A. The Manager will periodically inspect the sites of land disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures required in the plan are effective in controlling erosion and sedimentation.
- B. The local issuing authority shall regulate both primary and secondary permittees as such terms are defined in the state general permit.
  1. Primary permittees shall be responsible for installation and maintenance of best management practices where the primary permittee is conducting land-disturbing activities.
  2. Secondary permittees shall be responsible for installation and maintenance of best management practices where the secondary permittee is conducting land-disturbing activities.
- C. If, through inspection, it is deemed that a person engaged in land-disturbing activities as defined herein has failed to comply with the approved plan, with permit conditions, or with the provisions of this section, a written notice to comply shall be served upon that person.
  1. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed.
  2. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this section.

- D. The Manager shall have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in the soil erosion and sediment control provisions of the LDC, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing activities.
- E. No person shall refuse entry or access to any authorized representative or agent of the local issuing authority, the commission, the district, or division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.
- F. EPD Enforcement Action
  - 1. Upon written request made by the issuing authority, the EPD may determine that the public interest requires initiation of an enforcement action by the EPD.
  - 2. Such request shall be accompanied by documentation that demonstrates to the EPD's satisfaction that local remedy has been exhausted and that compliance with local ordinances or resolutions has not been achieved.
  - 3. Where such a determination is made and the issuing authority has failed to secure compliance, the EPD may implement the board's rules and seek compliance under provisions of O.C.G.A. §§ 12-7-12 through 12-7-15. For purposes of this subsection, enforcement actions taken by the division pursuant to O.C.G.A. §§ 12-7-12 through 12-7-15 shall not require prior revocation of certification of the issuing authority.

### 3.01.06 Penalties

- A. Failure to obtain a permit for land-disturbing activity.

If any person commences any land-disturbing activity requiring a land-disturbing permit as prescribed in this LDC without first obtaining said permit, the person shall be subject to revocation of his business license, work permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the local issuing authority.
- B. Stop-work orders
  - 1. For the first and second violations of the provisions of the soil erosion and sediment control provisions of the LDC, the EPD or the local issuing authority shall issue a written warning to the violator.
    - a. The violator shall have five (5) days to correct the violation;
    - b. If the violation is not corrected within five (5) days, the EPD or the local issuing authority shall issue a stop-work order requiring that land-disturbing activities be stopped until necessary corrective action or mitigation has occurred;
    - c. Provided, however, that, if the violation presents an imminent threat to public health or waters of the state or if the land-disturbing activities are conducted without obtaining the necessary permit, the EPD or the local issuing authority shall issue an immediate stop-work order in lieu of a warning;
  - 2. For a third and each subsequent violation, the EPD or the local issuing

authority shall issue an immediate stop-work order.

3. All stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred.
4. When a violation in the form of taking action without a permit, failure to maintain a stream buffer, or significant amounts of sediment, as determined by the local issuing authority or by the EPD, have been or are being discharged into state waters and where best management practices have not been properly designed, installed, and maintained, a stop work order shall be issued by the local issuing authority or by the EPD or his or her designee.
  - a. All such stop work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred;
  - b. Such stop work orders shall apply to all land-disturbing activity on the site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls.

#### C. Bond forfeiture

1. If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved plan, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time within which such measures must be completed.
2. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this section and, in addition to other penalties, shall be deemed to have forfeited his performance bond, if required to post one.
3. The issuing authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.

#### D. Monetary penalties

1. Any person who violates any provisions of this section, or any permit condition or limitation established pursuant to this section, or who negligently or intentionally fails or refuses to comply with any final or emergency order of the EPD issued as provided in the soil erosion and sediment control provisions of the LDC shall be liable for a civil penalty not to exceed \$2,500.00 per day.
2. For the purpose of enforcing the provisions of this section, notwithstanding any provisions in any governing authority provision to the contrary, municipal courts shall be authorized to impose penalty not to exceed \$2,500.00 for each violation.
3. Each day during which violation or failure or refusal to comply continues shall be a separate violation.

### 3.01.07 Education and Certification

After December 31, 2006, all persons involved in land development design, review, permitting, construction, monitoring, or inspection or any land-disturbing activity shall

meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. § 12-7-20.

### **3.01.08 Administrative Appeal and Judicial Review**

#### **A. Administrative remedies**

The suspension, revocation, modification or grant with condition of a permit by the local issuing authority upon finding that the holder is not in compliance with the approved erosion and sediment control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of any ordinance; shall entitle the person submitting the plan or holding the permit to a hearing before the Tifton Board of Zoning Appeals within fifteen (15) working days after receipt by the Tifton Board of Zoning Appeals of written notice of appeal.

#### **B. Judicial review**

Any person, aggrieved by a decision or order of the local issuing authority, after exhausting his administrative remedies, shall have the right to appeal de novo to the Superior Court of Tift County.

### **3.01.09 Liability**

A. Neither the approval of a plan under the provisions of this section, nor the compliance with provisions of this section shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the local issuing authority or district for damage to any person or property. The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this section or the terms of the permit.

B. No provision of this section shall permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved thereunder or pollute any waters of the state as defined thereby.

## **3.02.00 FLOOD DAMAGE PREVENTION**

### **3.02.01 Statutory Authorization**

State law has delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

### **3.02.02 Findings of Fact**

A. The flood hazard areas are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of tax base, all of which adversely affect the public health, safety, and general welfare.

B. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to

other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

### **3.02.03 Statement of Purpose**

It is the purpose of this section to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
- D. Control filling, grading, dredging, and other development which may increase erosion or flood damage; and
- E. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

### **3.02.04 Objectives**

The objectives of this section are to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- F. Help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas.

### **3.02.05 Applicability**

This section shall apply to all areas of special flood hazard within the jurisdiction of the City of Tifton and Tift County, Georgia.

### **3.02.06 Basis for Establishing Areas of Special Flood Hazard**

- A. The areas of special flood hazard identified by the federal emergency management agency in its most current flood insurance study (FIS), with accompanying maps and other supporting data and any revision thereto, are adopted by reference and declared a part of this LDC.
- B. Areas of special flood hazard may also include those areas known to have flooded historically or defined through standard engineering analysis by governmental agencies or private parties but not yet incorporated in a flood insurance study.

### **3.02.07 Abrogation and Greater Restrictions**

This section is not intended to repeal, abrogate, or impair any existing easements,

covenants, or deed restrictions. However, where this section and another ordinances conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

### **3.02.08 Interpretation**

In the interpretation and application of this section that all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing authority; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

### **3.02.09 Warning and Disclaimer of Liability**

- A. The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations.
- B. Larger floods can and will occur. Flood heights may be increased by manmade or natural causes.
- C. This section does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages.
- D. This section shall not create liability on the part of the governing authority or by any officer or employee thereof for any flood damages that result from reliance on this section or any administrative decision lawfully made under this section.

### **3.02.10 Penalties for Violation**

- A. Violation of the provisions of this LDC or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor.
- B. Any person who violates this LDC or fails to comply with any of its requirements shall, upon conviction, be fined not more than \$500.00 or imprisoned for not more than sixty (60) days, or both, and in addition, shall pay all costs and expenses involved in the case.
- C. Each day such violation continues shall be considered a separate offense.
- D. Nothing contained in this LDC shall prevent the governing authority from taking such other lawful action as is necessary to prevent or remedy any violation.

### **3.02.11 Administrator**

The Manager is hereby appointed to administer and implement the provisions of this section.

### **3.02.12 Permit Procedures**

Application for a development permit shall be made as established in Chapter 10 of this LDC.

### **3.02.13 Construction Stage**

- A. For all new construction and substantial improvements, on structures located in the Special Flood Hazard Area (AFHA) the permit holder shall provide to the Manager an as-built certification of the regulatory floor elevation or flood-proofing certification after the lowest floor is completed.
- B. Any lowest floor certification made relative to mean sea level shall be prepared

- by or under the direct supervision of a registered land surveyor or professional engineer and certified by a registered land surveyor or professional engineer.
- C. When flood-proofing is utilized for nonresidential structures, such certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by a professional engineer or architect.
  - D. Any work undertaken prior to submission of these certifications shall be at the permit holder's risk.
  - E. The Manager shall review the certification data submitted.
  - F. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being allowed to proceed.
  - G. Failure to submit certification or failure to make such required corrections shall be cause to issue a stop work order for the project.

#### **3.02.14 Duties and Responsibilities of the Manager**

The duties of the Manager shall include, but not be limited to:

- A. Review all development permits to ensure that the permit requirements of the section have been satisfied.
- B. Advise permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with development permit.
- C. When base flood elevation data or floodway data have not been provided in accordance with Section 3.02.06, the administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other sources.
- D. Notify adjacent communities and the state flood coordinating office prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- E. Ensure that maintenance is provided within the altered or relocated portion of such watercourse so that the flood-carrying capacity is not diminished.
- F. Verify and record the actual elevation, in relation to mean sea level of the lowest floor including basement of all new or substantially improved structures, in accordance with Section 3.02.15.
- G. Verify and record the actual elevation in relation to mean sea level to which the new or substantially improved structures have been flood-proofed, in accordance with Section 3.02.15.
- H. When flood-proofing is utilized for a particular structure, the Manager shall obtain certification from a registered professional engineer or architect, in accordance with Section 3.02.18(B).
- I. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Manager shall make the necessary interpretation. The person contesting the location of the boundary shall be given reasonable opportunity to appeal the interpretation as provided in this LDC.
- J. All records pertaining to the provisions of this section shall be maintained in the

Manager's office and shall be open for public inspection.

### **3.02.15 General Standards**

In all areas of special flood hazard the following provisions are required:

- A. New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- B. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement.
  1. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
  2. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
- C. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- D. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- E. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- F. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.
- G. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- H. Any alteration, repair, construction, or improvements to a structure which is in compliance with the provisions of this section, shall meet the requirements of new construction as contained in this section.

### **3.02.16 Specific Standards for Flood Hazard Reduction**

In all areas of special flood hazard where base flood elevation data have been provided, as set forth in Sections 3.02.06 or 3.02.16(C), the provisions of this section are required.

- A. New residential construction and substantial improvements
  1. Where base flood elevation data are available, new construction or substantial improvement of any structure or manufactured home shall have the lowest floor, including basement, elevated no lower than two (2) feet above the base flood elevation.
  2. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwater shall be provided in accordance with standards of Section 3.02.18(D) regarding elevated buildings.
- B. Nonresidential construction
  1. New construction or substantial improvement of any commercial, industrial, or nonresidential structure shall have the lowest floor, including basement, elevated no lower than two (2) feet above the level of the base flood elevation.
  2. Structures located in all A-Zones may be flood proofed in lieu of being

elevated provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy.

3. A registered professional engineer or architect shall certify that these standards are satisfied.
- C. Standards for manufactured homes and recreational vehicles
- Where base flood elevation data are available:
1. All manufactured homes placed or substantially improved on:
    - a. Individual lots or parcels;
    - b. In new or substantially improved manufactured home parks or subdivision;
    - c. In expansions to existing manufactured home parks or subdivision; or
    - d. On a site in an existing manufactured home park or subdivision where a manufactured home has incurred substantial damage as the result of a flood, must have the lowest floor including basement, elevated no lower than two (2) feet above the base flood elevation.
  2. Manufactured homes placed or substantially improved in an existing manufactured home park or subdivision may be elevated so that either:
    - a. The lowest floor of the manufactured home is elevated no lower than two (2) feet above the level of the base flood elevation; or
    - b. The manufactured home chassis is elevated and supported by reinforced piers or other foundation elements of at least an equivalent height of no less than two (2) feet in height above grade.
  3. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
  4. All recreational vehicles placed on sites must either:
    - a. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
    - b. The recreational vehicle must meet all the requirements for new construction, including the anchoring and elevation requirements of Section 3.02.17(B).

D. Elevated buildings

New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

1. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
  - a. Provide a minimum of two openings having a total net area of not less

than one square inch for every square foot of enclosed area subject to flooding;

- b. The bottom of all openings shall be no higher than one foot above grade; and
  - c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
2. Electrical, plumbing, and other utility connections are prohibited below the base flood elevation;
  3. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and
  4. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

E. Floodway

1. Located within areas of special flood hazard established in Section 3.02.06 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:
  - a. Prohibit encroachments, including fill, new construction, substantial improvements and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge;
  - b. If these provisions are satisfied and certified, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section;
  - c. Prohibit the placement of manufactured homes and mobile homes, except in an existing manufactured home or mobile home park or subdivision.
2. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring standards of Section 3.02.17(B), and the elevation standards of Section 3.02.18(A) are met.

**3.02.17 Streams without Established Base Flood Elevations or Floodways**

Located within the areas of special flood hazard established in Section 3.02.06, where small streams exist but where no base flood data have been provided or where no floodways have been provided, the following provisions apply:

- A. No encroachments, including fill material or structures shall be located within a distance of the stream bank equal to two (2) times the width of the stream at the top of bank or twenty (20) feet of bank, whichever is greater, unless certification by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. New construction or substantial improvements of structures shall be elevated or

flood-proofed to elevations established in accordance with the provisions of this LDC.

- C. In special flood hazard areas without base flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area, including basement, elevated no less than three (3) feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Section 3.02.19(D) regarding elevated buildings.

### 3.02.18 Subdivision Proposals

- A. All subdivision proposals shall be consistent with the need to minimize flood damage.
- B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- D. Base flood elevation data shall be provided for subdivision proposals and other proposed development, including manufactured home parks and subdivisions that are greater than the lesser of fifty (50) lots or five (5) acres.

### 3.02.19 Areas of Shallow Flooding (AO Zones)

Located within the areas of special flood hazard established in Section 3.02.06 are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

- A. All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to the depth number specified on the flood insurance rate map, in feet, above the highest adjacent grade.
- B. If no depth number is specified, the lowest floor, including basement, shall be elevated, at least two (2) feet above the highest adjacent grade.
- C. All new construction and substantial improvements of nonresidential structures shall:
  - 1. Have the lowest floor, including basement, elevated to the depth number specified on the flood insurance rate map, in feet, above the highest adjacent grade.
  - 2. If no depth number is specified, the lowest floor, including basement shall be elevated at least two (2) feet above the highest adjacent grade.
  - 3. Together with attendant utility and sanitary facilities be completely flood-proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and

hydrodynamic loads and effects of buoyancy.

- D. Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

### **3.03.00 WATER RESOURCE DISTRICTS**

#### **3.03.01 Purpose**

The intent of this section is to establish minimum development standards and criteria that will afford reasonable protection of environmentally sensitive natural resources found throughout the City of Tifton. Based on the findings of the 2010 Greater Tift County Comprehensive Plan, it has been determined the wise management of these resources is essential to maintaining the health, safety, general welfare and economic well being of the public.

#### **3.03.02 Establishment of Water Resource Districts**

- A. Tift County's Water Resource Districts shall include the following:

1. Groundwater Recharge Area Districts;
2. River Corridor Protection Districts; and
3. Wetlands Districts.

- B. Boundaries

The boundaries of these Water Resource Districts are shown on a set of maps designated as "Water Resource Districts" and are included as part of the Official Zoning Map, which is on file with the Manager's office.

#### **3.03.03 Groundwater Recharge Area District**

- A. Findings of fact

Recharge areas are vulnerable to urban development activities as well as agricultural activities. Pesticide, herbicides sprayed on crops, animal waste and septic tank effluents contribute to deterioration in the groundwater quality and can threaten the health of residents relying on well water. Development usually means an increase in the amount of land covered with impervious surfaces. Paving land in recharge areas can alter or impair their recharge characteristics thereby decreasing groundwater supplies.

- B. Purpose

The purpose of this district is to establish criteria to protect significant groundwater recharge areas from pollution by spills, discharges, leaks, impoundments, application of chemicals, injections and other development pressures.

- C. District delineation

The groundwater recharge area protection map is delineated according to the Georgia Department of Natural Resources' "Most Significant Groundwater Recharge Areas of Georgia, Hydrologic Atlas 18 (1989 Edition)" and the Georgia Department of Natural Resources "Groundwater Pollution Susceptibility Map of Georgia, Hydrologic Atlas 20, 1992 Edition". Standards for this district shall comply with the DNR Rule 391-3-16-02, Criteria for the Protection of Groundwater Recharge Areas.

- D. Permitted uses

All uses allowed in the underlying zoning districts are permitted in the Groundwater Recharge Area Protection District. The following are additional requirements for specific uses:

1. All above-ground chemical or petroleum storage tanks, having a minimum volume of 660 gallons, shall meet the requirements of U.S. EPA rules for oil pollution prevention, 40 CFR 1121. Such tanks used for agricultural purposes are exempt, provided they comply with all Federal requirements.
2. New agricultural waste impoundment sites shall be lined if they are within:
  - a. A high pollution susceptibility area;
  - b. A medium pollution susceptibility area and exceed fifteen (15) acre-feet in size; and
  - c. A low pollution susceptibility area and exceed fifty (50) acre-feet in size;
  - d. As a minimum, the liner shall be constructed of compacted clay having a thickness of one (1) foot and a vertical hydraulic conductivity of less than  $5 \times 10^{-7}$  cm/sec or other criteria established by the U.S. Soil Conservation Service.
3. New homes served by septic tank/drain field systems shall be on lots having the following minimum size limitations as identified on Table MT-1 of the Department of Human Resources' Manual for On-Site Sewage Management Systems ("DHR Table MT-1"):
  - a. 150% of the subdivision minimum lot size of DHR Table MT-1 if they are within a high pollution susceptibility area;
  - b. 125% of the subdivision minimum lot size of DHR Table MT-1 if they are within a medium pollution susceptibility area; and
  - c. 110% of the subdivision minimum lot size of DHR Table MT-1 if they are within a low pollution susceptibility area;
4. New manufactured home parks served by septic tank/drain field systems shall have lots or spaces having the following size limitation as identified on Table MT-2 of the Department of Human Resources' (DHR) manual for On-Site Sewage Management Systems ("DHR Table MT-2"):
  - a. 150% of the subdivision minimum lot or space size of DHR Table MT-2 if they are within a high pollution susceptibility area;
  - b. 125% of the subdivision minimum lot or space size of DHR Table MT-2 if they are within a medium pollution susceptibility area; and
  - c. 110% of the subdivision minimum lot size of DHR Table MT-2 if they are within a low pollution susceptibility area.
  - d. Local governments at their option may exempt any lot of record on the date of their adoption of these lot size standards from the minimum lot size requirements.
5. No construction may proceed on a building or manufactured home to be served by a septic tank unless the Tift County Health Department first approves the proposed septic tank installation as meeting the standards of the DHR Manual and minimum lot size requirements.
6. New facilities which handle hazardous materials, of the types (listed in

Section 312 of the Resource Conservation and Recovery Act of 1976, excluding underground storage tanks) and in amounts of 10,000 pounds or more on any one day shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements and any local fire prevention code requirements.

7. Permanent storm water infiltration basins shall not be constructed in areas having high pollution susceptibility.
8. Any new wastewater treatment basin shall have an impermeable liner.
9. All agricultural operations subject to 391-3-6-21, Georgia DNR Rules for Environmental Planning Criteria.

### **3.04.00 WETLANDS RESOURCE OVERLAY DISTRICT**

#### **3.04.01 Intent**

The intent of this section is to establish minimum development standards and criteria that will afford reasonable protection of environmentally sensitive wetland areas found within the City of Tifton. Based on the findings and recommendations of the 2010 Greater Tift County Comprehensive Plan, and the established Part V Environmental Planning Criteria, it has been determined that the wise management of these wetlands resources is essential to maintaining the health, safety, general welfare, and economic well-being of the current and future inhabitants of the City of Tifton and Greater Tift County.

#### **3.04.02 Findings of Fact**

- A. The wetlands within the City of Tifton are indispensable and fragile nature resources with significant development constraints due to flooding, erosion, and soil limitations.
- B. In their natural state, wetlands serve man and nature.
- C. They provide habitat areas for fish, wildlife and vegetation, water quality maintenance and pollution control, flood control, natural resource education, scientific study, and recreational opportunities.

#### **3.04.03 Purpose**

The purpose of this overlay district is to promote the wise use of wetlands and protect them from alterations which will significantly affect or reduce the primary functions for water quality, floodplain and erosion control, groundwater recharge, aesthetic natural areas, and wildlife habitat areas.

#### **3.04.04 District Delineation**

- A. These regulations shall apply to all potential wetlands located within the City of Tifton.
- B. The Wetland District Overlay Map, adopted as part of this LDC, shows the potential location of wetlands, according to the 1987 National Wetlands Inventory, and should be consulted by persons considering activities in or near wetlands before engaging in a regulated activity.
- C. The standards for this district shall comply with Department of Natural Resources Rule 391-3-16-03, Criteria for Wetlands Protection.

**3.04.05 Wetland Development Permit Requirements**

- A. No activity or use except those identified in Section 3.04.06 shall be allowed within the wetland overlay district without a permit issued by the U.S. Army Corp of Engineers.
- B. If the area proposed for development is located within fifty (50) feet of any potential wetland district boundary, the applicant must document receipt of a nationwide, regional, general or individual permit or a letter of clearance that jurisdictional wetlands are not located on the subject property from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act before a development permit will be issued by the governing authority.
- C. Any local government action under this LDC does not relieve the landowner from federal or state permitting requirements.

**3.04.06 Permitted Uses**

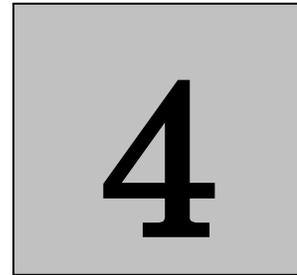
The following uses are permitted by right within the wetlands district to the extent they are not prohibited by any other ordinance or law and provided they do not require structures, grading, fill, draining, or dredging:

- A. Forestry practices applied in accordance with best management practices approved by the Georgia Forestry Commission.
  - 1. Section 404 does not require permits for normal, ongoing silvicultural activities.
  - 2. However, section 404 does list some required road construction best management practices that must be followed in order to qualify for such an exemption.
- B. Conservation or preservation of soil, water, vegetation, fish or other wildlife, provided the conservation or preservation does not affect waters of the State of Georgia or of the United States in such a way that would require an individual Section 404 permits.
- C. Outdoor passive recreational activities, including fishing, bird watching, hiking, boating, horseback riding, and canoeing.
- D. Natural water quality treatment or purification.
- E. Normal agriculture activities including the planting and harvesting of crops and pasturing of livestock. Such activities shall be subject to best management practices approved by the Georgia Department of Agriculture.

**3.04.07 Prohibited Uses**

The following uses are prohibited in a wetland district:

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



# CHAPTER 4

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## SITE DESIGN STANDARDS

<b>4.00.00</b>	<b>GENERALLY</b>	<b>4-4</b>
4.00.01	Purpose	4-4
4.00.02	Applicability	4-4
<b>4.01.00</b>	<b>SITE DESIGN STANDARDS FOR BASE ZONING DISTRICTS</b>	<b>4-4</b>
4.01.01	Design Standards for Lots (area and width)	4-4
4.01.02	Dimensional Standards for Building Height and Location	4-6
4.01.03	Design Standards for Commercial and Professional Condominium Developments	4-9
4.01.04	Design Standards for Multi-family Residential Developments	4-9
<b>4.02.00</b>	<b>SITE DESIGN STANDARDS FOR SPECIAL AND OVERLAY DISTRICTS</b>	<b>4-10</b>
4.02.01	Site Design Standards for the Historic Preservation Overlay District	4-10
4.02.02	Site Design Standards for the Airport Overlay District (TMA)	4-11
4.02.03	Reserved	4-12
<b>4.03.00</b>	<b>SUPPLEMENTAL STANDARDS FOR SPECIFIC USES</b>	<b>4-12</b>
4.03.01	Kennels, and Animal Boarding Facilities	4-12
4.03.02	Intensive Agricultural Feedlot Operations (IAFO)	4-13
4.03.03	Animal Hospitals or Veterinary Clinics	4-14
4.03.04	Golf Courses	4-14
4.03.05	Junk Yards and Salvage Yards	4-14
4.03.06	Religious Facilities and Associated Uses	4-15
4.03.07	Manufactured Homes	4-17
4.03.08(a)	Manufactured Housing Parks	4-20
4.03.08(b)	Recreational Vehicle Parks	4-21
4.03.09	Day Cares, Kindergartens, and Nurseries	4-22
4.03.10	Gasoline Service Stations and/or Convenience Stores	4-23

4.03.11	Hospitals and Nursing Homes	4-23
4.03.12	Dry Cleaning Plants	4-24
4.03.13	Personal Care Homes	4-24
4.03.14	Electrical Substation	4-25
4.03.15	Heavy Manufacturing Facilities	4-25
4.03.16	Mini-storage and Self-storage Facilities	4-25
4.03.17	Radio and Television Broadcast Stations	4-27
4.03.18	Vehicle Sales, Rentals, Repair, Paint, or Rebuilding	4-28
4.03.19	Funeral Homes	4-28
4.03.20	Clubs, Lodges, Community Centers, and Recreation Centers	4-29
4.03.21	Adult Uses and Adult Entertainment Establishments	4-29
4.03.22	Boarding Houses or Rooming Houses	4-30
4.03.23	Shooting Club or Range	4-30
4.03.24	Intensive Commercial Recreation	4-31
4.03.25	Cemeteries (Human and Pet)	4-31
4.03.26	Internet Cafes or Similar Uses	4-32
4.03.27	Portable On Demand (POD) Storage Units	4-32
4.03.28	Food Service Establishments	4-33
4.03.29	Hotel/Motel	4-33
4.03.30	Car/Truck Wash	4-33
4.03.31	Tattoo Parlors/Body Piercing Establishments	4-33
4.04.00	CONVENTIONAL SUBDIVISION DESIGN STANDARDS	4-35
4.04.01	Purpose	4-35
4.04.02	Applicability	4-35
4.04.03	Specific Exemption for Family Residences in SA	4-35
4.04.04	General Design Standards	4-36
4.04.05	Specific Design Standards for Lots, Blocks, Access, and Easements	4-36
4.04.06	Required Improvements and Design Standards	4-37
4.05.00	CONSERVATION SUBDIVISION DESIGN STANDARDS	4-38
4.05.01	Generally	4-38
4.05.02	Applicability and Purpose	4-38
4.05.03	Design Standards for Conservation Subdivisions	4-39
4.06.00	STANDARDS FOR PLANNED DEVELOPMENT RURAL DISTRICTS (PDR)	4-41
4.06.01	Generally	4-41
4.06.02	Minimum Standards	4-42
4.06.03	Site Plan Requirements	4-43
4.07.00	STANDARDS FOR PLANNED DEVELOPMENT URBAN DISTRICTS (PDO)	4-44
4.07.01	Generally	4-44
4.07.02	Minimum Standards	4-45
4.07.03	Site Plan Requirements	4-46
4.08.00	LANDSCAPING, BUFFERS, AND TREE PROTECTION	4-47

4.08.01	Purpose	4-47
4.08.02	Applicability and Provision of Landscape Plans	4-47
4.08.03	Maintenance Requirements	4-48
4.08.04	General Landscape Standards	4-48
4.08.05	Landscape Requirements for Parking Lots	4-50
4.08.06	Buffer Requirements	4-51
4.08.07	Tree Protection	4-52

## LIST OF TABLES

Table 4.01.01(E).	Standards for Lot Area and Width.	4-5
Table 4.01.02(F).	Standards for Building Locations and Heights.	4-7
Table 4.02.02(E).	Height Limits in Airport Zones	4-12
Table 4.03.01(B).	Standards for Kennels.	4-13
Table 4.03.02(A).	Standard for Commercial Farms	4-13
Table 4.03.02(B).	Standards for Noncommercial Farms	4-13
Table 4.03.03	Standards for Animal Hospitals and Veterinary Clinics	4-14
Table 4.03.04(D).	Standards for Golf Courses.	4-14
Table 4.03.05(B).	Standards for Junk Yards and Salvage Yards	4-15
Table 4.03.11(B).	Standards for Hospitals and Nursing Homes.	4-24
Table 4.03.13(B).	Standards for Personal Care Homes.	4-25
Table 4.03.16(F).	Site Design Standards for Self-storage Facilities.	4-26
Table 4.03.16(G).	Building Design Standards for Self-storage Facilities.	4-26
Table 4.03.16(H).	Standards for Outdoor Storage at Self-storage Facilities.	4-27
Table 4.03.17.	Standards for Radio and Television Broadcast Stations.	4-27
Table 4.03.18(B).	Standards for Vehicle Sales Establishments.	4-28
Table 4.03.24(C).	Standards for Intensive Commercial Recreation.	4-31
Table 4.08.06(B)	Buffer Area Standards.	4-51
Appendix 4.	Acceptable and Prohibited Landscape Plant Materials	4-53
4.A.	Canopy (Large or Shade) Trees	4-53
4.B.	Small Trees (Understory)	4-54
4.C.	Shrubs, Large and Small	4-55
4.D.	Ground Covers	4-56
4.E.	Prohibited Plants	4-56

**4.00.00 GENERALLY****4.00.01 Purpose**

The purpose of this chapter is to provide design standards applicable to all development activity in all zoning districts. This chapter also provides design standards applicable in specific situations, such as development within overlay districts or development of specific uses, that require supplemental standards to address potential impacts.

**4.00.02 Applicability**

No buildings, structures, or land shall be used or occupied; and, no building, structure, or part thereof shall be erected, constructed, reconstructed, moved, enlarged, or structurally altered unless in conformity with the regulations of this LDC as well as applicable State and federal regulations. These provisions apply within the City of Tifton.

**4.01.00 SITE DESIGN STANDARDS FOR BASE ZONING DISTRICTS****4.01.01 Design Standards for Lots (area and width)**

- A. Only one (1) principal residential building and its allowable accessory buildings shall hereafter be erected on any one (1) lot in any residential zoning district.
- B. Except as specifically provided in this LDC, no lot existing at the time of adoption of this LDC shall be reduced, divided, or changed so as to produce a lot or tract of land which does not comply with the minimum dimensional or area requirements of this section.
- C. Land that is required, dedicated, and accepted for public use is exempt from the requirement of Section 4.01.01(B).
- D. No building shall be erected on a lot that does not abut an open public street or a private street, meeting current development standards for streets in the City of Tifton.
- E. Lot width shall be measured at the required minimum front setback line, as set forth in Table 4.01.01(E). Where no minimum setback is established, the lot width shall be measured along the street right-of-way line (property line).

Table 4.01.01(E). Standards for Lot Area and Width.

ZONING DISTRICT	MINIMUM LOT AREA <sup>1</sup>		MINIMUM LOT WIDTH (FEET)	MAX. IMPERVIOUS LOT COVERAG E %	MINIMUM ROAD FRONTAG E (FEET)
		ADDITIONAL AREA FOR MULTIFAMILY			
1.	3 acres	NA	210	20	<u>60</u>
2.	3.	NA	100	30	<u>30</u>
R-14	14,000 sf	NA	80	30	<u>30</u>
R12	12,000 s.f.	NA	80	30	<u>30</u>
4.	5.	6.	7.	8.	
R8	8,000 s.f.	12,000 s.f. for duplex	80	40	<u>60</u>
MR	6,000 s.f.	3,000s.f.plus 500s.f. of green space/recreation area for each unit	60	40	<u>60</u>
RP	6,000 s.f.	3,000 s.f. each unit	60	40	<u>60</u>

ZONING DISTRICT	MINIMUM LOT AREA <sup>1</sup>		MINIMUM LOT WIDTH (FEET)	MAX. IMPERVIOUS LOT COVERAGE %	MINIMUM ROAD FRONTAGE (FEET)
		ADDITIONAL AREA FOR MULTIFAMILY			
N C	None	NA	60	50	<u>60</u>
GB	None	NA	60	50	<u>60</u>
CD	None	NA	No minimum <sup>2</sup>		<u>No minimum</u>
WLI	None	NA	No minimum <sup>2</sup>	50	<u>60</u>
HI	None	NA	No minimum <sup>2</sup>	50	<u>60</u>
PDR & PDO	Per approved site development plan. e.				

<sup>1</sup>See Supplemental Standards in Section 4.03.00 for additional lot area requirements for specific uses.

<sup>2</sup>For purposes of providing access from a public right-of-way, the lot width shall be as required for a driveway as set forth in Chapter 6 plus ten (10) feet on each side of the driveway.

**4.01.02 Dimensional Standards for Building Height and Location**

**A. Measurement of setbacks**

1. Front setbacks shall be measured from the property line of the abutting street to the outermost wall of the building or structure.
2. Side and rear setbacks shall be measured from the property line to the outermost wall of the building or structure.

**B. Encroachments into required setbacks**

1. Architectural features, such as cornices, eaves, gutters, steps, and fire escapes, may project not more than three (3) feet beyond a required setback line, except where such projections would obstruct driveways which are used or may be used for access of service and/or emergency vehicles.
2. In the case of automobile service stations, motels, and similar uses which serve the motoring public, canopies shall be allowed over a driveway or

walkway within the front yard not to extend from the principal building to a point any closer than fifteen (15) feet from the street right-of-way line.

C. Lots with multiple frontage

1. On a corner lot where the main entrance into a residence is facing a side yard, it shall be permissible for purposes of this LDC to interpret the residence to be fronting on the street other than that street which said entrance faces, and side and rear yard requirements may be provided accordingly. Such determination shall be made by the Manager.
2. For a corner lot, side yard setback requirements from the right-of-way of abutting streets shall be equal to seventy-five (75) percent of that required for the front yard setback.
3. For a corner lot, the street with the higher classification shall be considered the front for purposes of this section, regardless of which street the entrance (front door) faces. Setbacks for side and rear yards shall be established according to the standards in the table below for the yards as indicated on the plan or plat.
4. If a building is constructed on a through lot having frontage on two (2) roads not at an intersection, a setback from each road shall be provided equal to the front yard requirement for the district in which the lot is located.

D. Maintenance of setbacks

1. No open space or yard established through standards for setbacks shall be encroached upon or reduced in any manner except in conformity to the yard, setback, off-street parking, and accessory buildings standards of this LDC. Shrubbery, driveways, retaining walls, fences, curbs, and planted buffer strips shall not be construed to be an encroachment of yards.
2. No part of any required yard, other open space, or off-street parking or loading space shall be considered to be part of a required yard, other open space, or off-street parking or loading space for any other building or structure or use.

E. Building heights

1. Building height is 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.
2. The height limits of these regulations shall not apply to a church spire, belfry, cupola, dome, ornamental tower not intended for human occupancy, monument, water tower, observation tower, transmission tower, chimney, smoke stack, conveyor, flag pole, radio or television tower, mast or aerial, parapet wall not extending more than four (4) feet above the roof line of the building, and necessary mechanical appurtenances.

F. Building setback and height standards are provided in Table 4.01.02(F).

**Table 4.01.02(F). Standards for Building Locations and Heights.<sup>1</sup>**

ZONING DISTRICT	FRONT	SIDE	REAR <sup>3</sup>	BUILDING HEIGHT
SA	40	20	40	40

R20	30	10	40	40
R-14, R-12, R-10	30	10	30	35
R-8	25	10	30	35
MR Less than 3 stories	25	8	30	0
MR 3 stories or more	25	20	30	0
RP	25	10	30	0
NC <sup>2</sup>	40	0	12	40
NC <sup>2</sup> Adjacent to residential zoning	40	10	12	40
GB <sup>2</sup>	35	0	12	0
GB <sup>2</sup> Adjacent to residential zoning	35	10	12	0
CD <sup>2</sup>	0	0	0	0
CD <sup>2</sup> Adjacent to residential zoning	0	10	0	0
WLI <sup>2</sup>	40	20	20	0
WLI <sup>2</sup> Adjacent to residential zoning	40	20	20	0
HI <sup>2</sup>	40	20	40	0
HI <sup>2</sup> Adjacent to residential zoning	40	20	40	0
PDR & PDO <sup>4</sup>				

<sup>1</sup> See Supplemental Standards in Section 4.03.00 for additional setback requirements for specific uses.

<sup>2</sup> When the proposed building is adjacent to a building of thirty-five (35) feet or more in height, the rear setback is increased one (1) foot for each two (2) feet above thirty-five (35) feet in height.

<sup>3</sup> See Building Code for fire rated wall requirements based on setbacks.

<sup>4</sup> Required Setbacks must conform to approved site development plan

#### **4.01.03 Design Standards for Commercial and Professional Condominium Developments**

- A. These regulations shall apply to all lands and structures intended to be utilized for either commercial or professional uses where the property owner proposes to apply the condominium development and sales concept.
- B. Uses allowed within each specific commercial or professional development project shall be those uses specifically permissible in the zoning district as set forth in Section 2.03.03 of this LDC.
- C. All building facades, landscaped grounds, and parking areas shall be commonly owned and maintained by a properly constituted owners' association while individual ownership of specific units shall be permissible.
- D. Each individual unit proposed for such a development shall be separated by a fire resistant wall or floor as required by applicable construction and safety codes, and each unit shall be served by separate utilities.
- E. Parking for such developments, including layout and site design as well as parking space requirements, shall comply with the requirements of Section 6.01.03 of this LDC.
- F. The site design shall demonstrate compliance with lot area, lot dimension, setback, and height standards set forth in this LDC.
- G. Applications for a building permit for all proposed commercial and professional development projects shall comply with the submittal and procedural requirements set forth in Chapter 10. In addition, if the project proposes the subdivision of the tract into various individual lots and common area, a copy of the proposed subdivision plat must be submitted for review with the site development plan.

#### **4.01.04 Design Standards for Multi-family Residential Developments**

- A. The regulations as set forth in this section shall apply to all lands and structures intended primarily to provide for owner occupied residential units, including condominiums, single family attached dwelling units (with or without condominium ownership), patio homes, multi-family development, zero lot line, and other similar housing types. Multiple buildings may be allowed on a single lot in these development types. Such projects may be referred to as residential group development projects.
- B. A condominium is defined as a type of residential development which includes individually owned dwelling units in a multi-family structure, combined with joint ownership of common areas of the buildings and grounds.
- C. Single family attached dwellings are a type of residential development which includes a dwelling unit on a subdivided lot individually owned, though attached by a common party wall to another dwelling unit on an adjacent lot. This housing type may also include provisions for joint ownership of common areas of certain buildings and grounds.
- D. Two (2) parking spaces shall be provided for each dwelling unit, other than projects located in the CD zoning district. One guest parking space shall be provided for every five (5) dwelling units.
- E. Each dwelling unit proposed for such a development shall be separated by a fire

- resistant wall or floor as required by applicable construction and safety codes, and each dwelling unit shall be served by separate utilities.
- F. When the residential development consists of townhouses, there shall be no more than ten (10) townhouse units in one building.
  - G. In addition to any required yards created by building setbacks, an open space shall be established which includes a minimum of 500 square feet per dwelling unit. The open space shall be left in a natural state, or developed as park or open air recreation facilities to be part of the common area of the residential development.
  - H. If the project proposes the subdivision of the tract into various individual lots and common area, a copy of the subdivision plat shall be submitted with the site development plan application.
  - I. Interior lots within a residential group development may be smaller than the minimum lot area and lot width requirements for the applicable zoning district, so long as the required building setbacks are provided. However, perimeter lots, meaning lots adjacent to public streets, shall meet the lot area and setback requirements for the zoning district.
  - J. Buildings within the residential group development shall meet the building height standards for the zoning district.

#### 4.02.00 SITE DESIGN STANDARDS FOR SPECIAL AND OVERLAY DISTRICTS

##### 4.02.01 Site Design Standards for the Historic Preservation Overlay District

- A. The review of proposed development within the Historic Preservation Overlay District shall consider the provisions contained in the HPC Manual and the following in determining whether to issue a certificate of appropriateness:
  - 1. Size, number, arrangement, rhythm, and position or location of doors, windows, porches, stairs, fixtures, and architectural features, both decorative and functional.
  - 2. Materials and colors.
  - 3. Form, mass, and scale.
  - 4. Setting, including streetscape and landscape.
  - 5. Relationship of proposed features, buildings, additions, and other elements of the development or redevelopment to original details, features, materials predominant in the Historic District.
- B. Proposed redevelopment shall be designed to retain, preserve, and restore original features and elements.
- C. New construction shall be compatible with the historic character and building types in the Historic District.
- D. Determinations regarding the appropriateness of the proposed redevelopment and/or new construction shall be based on the standards contained in the following documents.
  - 1. *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* from the U.S. Secretary of Interior; and

2. City of Tifton *Historic Design Manual*, dated November 2003.

#### 4.02.02 Site Design Standards for the Airport Overlay District (TMA)

- A. Airport zoning regulations are important for both the protection of airspace and land use compatibility in relation to the airport. The regulations set forth in this section are intended to prevent encroachment into the runway protection zones and airspace zones of the Henry Tift Myers Airport. Further, these regulations are intended to ensure that structures, such as but not limited to telecommunication towers/cellular antennas, buildings, water tanks, smokestacks, power lines, and cranes, are not erected to encroach into protected space.
- B. The specific purposes of the regulations set forth in this section are:
  1. To protect the health, safety, and welfare of persons within the vicinity of the Henry Tift Myers Airport;
  2. To provide for the safe and efficient operation of the Henry Tift Myers Airport; and
  3. To ensure the safety of flyers using the Henry Tift Myers Airport from hazards to air navigation.
- C. Within the TMA Airport Overlay District, the following zones are established, and are depicted on the City of Tifton and Tift County Zoning Maps.
  1. Ground zone, which is the area of the airport consisting of the runway and apron features including an area immediately off the runway where air traffic, in normal conditions, is on the ground preparing to taxi, takeoff, land, or be maintained. Aircraft in the ground zone area are typically not engaged in aerial flight.
  2. Visual approach zone, which is the zone extending outward from the end of the runway for a distance of 5,000 feet with a terminal width of 2,400 feet used for visual approaches.
  3. Utility approach zone, which is the zone extending outward from the end of the visual approach zone for a distance of 10,000 feet with a terminal width of 3,800 feet used for instrument approaches.
  4. Transitional zone, which is the zone extending from the terminal point of one utility approach zone and running parallel to the ground zone that serves as a gradual transition for height restrictions before entering more restrictive zones and airspace.
  5. Transitional buffer zone, which extends from the terminal point of one utility approach zone to another terminal point for either visual or a utility approach zone; the transitional buffer is designed to ensure that airspace around multiple runways not directly in the path of air traffic is developed in such a manner as air traffic is not imperiled due to height or proximity to existing approaches.
- D. The following runways are delineated for the TMA Airport Overlay District:
  1. 15/33 Primary Runway;
  2. 6/27 Secondary Runway; and
  3. 3/21 Auxiliary Runway.

- E. No use may be made of land or water within any zone established by this section in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft that make it difficult for the pilots to distinguish between airport lights and other light which result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird striking hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.
- F. No structure or building shall be erected, created, installed, or maintained within the transitional and approach zones to exceed the height limit established below.

**Table 4.02.02(E). Height Limits in Airport Zones.**

Zone	Rise per distance	Distance
Ground Zone	0	0
Visual Approach Zone	1"	20"
Utility Approach Zone	1"	34"
Transitional Zone	1"	7"
Transitional Buffer	1"	5"

#### 4.02.03 Reserved

### 4.03.00 SUPPLEMENTAL STANDARDS FOR SPECIFIC USES

#### 4.03.01 Kennels and Animal Boarding Facilities

- A. Keeping animals shall be considered a commercial kennel when the following conditions exist:
1. When there are more than six (6) dogs, cats, or other small animals or more than four (4) of any one breed.
  2. There are seven (7) or more dogs, cats, or other small animals, not including fish, reptiles, and birds. Such animals are boarded, cared for, bred, raised, or kept for compensation. One must have a license from the State of Georgia Department of Agricultural Animal Protection Section.
  3. There are more than seven (7) dogs, cats or other small animals boarded, cared for, or kept without compensation or for a hobby such as show dogs or hunting dogs. One must have a kennel License from the State of Georgia Department of Agricultural Animal Protection Section.
  4. Litters of animals not more than six (6) months of age are exempt from the provisions of 4.03.01(A). One may have one (1) litter per year if for compensation you must have a license issued by the State of Georgia Department of Agricultural Animal Protection Section.
- B. Kennels shall meet the design standards set forth in Table 4.03.01(B).

#### **Table 4.03.01(B) Standards for Kennels**

DEVELOPMENT FEATURE	STANDARD
Minimum land area	One (1) acre.
Minimum setback from any property line	100 feet.
Odor and pests	Management plan required for odor and pest control .

#### 4.03.02 Intensive Agricultural Feedlot Operations (IAFO)

- A. Commercial farms, including commercial chicken houses, shall meet the design standards in Table 4.03.02(A).
1. A farm shall be considered commercial when the density of animals is more than one (1) animal per 10,000 square feet of fenced area or more than fifty (50) fowl per lot.
  2. Animals shall be kept within a fenced area.

**Table 4.03.02(A). Standards for Commercial Farms.**

DEVELOPMENT FEATURE	STANDARD
Minimum land area	25 acres
Minimum setback from any property line for buildings housing animals	500 feet
Minimum setback from a residential dwelling on an adjacent parcel	1,500 feet
Maximum number of chicken houses	6.25 acres per chicken house
Maximum dimensions of chicken houses	50 feet x 600 feet

- B. A noncommercial farm shall provide at least 10,000 square feet of fenced yard for each animal. A farm is considered noncommercial when the number of fowl is fifty (50) or fewer per lot. Noncommercial farms shall meet the design standards in Table 4.03.02(B).

**Table 4.03.02(B). Standards for Noncommercial Farms.**

DEVELOPMENT FEATURE	STANDARD
Minimum land area	3 acres
Minimum setback from any property line for buildings housing animals	100 feet
Minimum land area for livestock	One animal per 10,000 square feet of fenced yard

- A. Concentrated Animal Feeding Operations shall meet and demonstrate compliance with Section 391-3-6-.21 of the Georgia DNR Environmental Planning Rules and meet Best Management Practices as outlined by NRCS.
- B. Retail selling of products raised on the premises shall be considered a permissible activity. Off-street parking shall be provided for customers vehicles.

#### 4.03.03 Animal Hospitals or Veterinary Clinics

All animal hospitals and veterinary clinics shall meet the following standards:

**Table 4.03.03. Standards for Animal Hospitals or Veterinary Clinics.**

DEVELOPMENT FEATURE	STANDARD
Minimum setback from the property line of any residential zoning district	150 feet.
Odor and Noise	Management plan required for odor and noise control .

#### 4.03.04 Golf Courses

- A. A golf course may be public or private and may include the following buildings and accessory uses:
1. A clubhouse with or without a pro shop, retail sales of golf supplies and accessories, and a restaurant or snack shop;
  2. An equipment building for maintenance, minor repairs, and storage. Storage may include fertilizers, herbicides, or pesticides; and
  3. Driving range.
- C. The types of golf courses may be par 3, executive, or regulation.
- D. Lighted golf courses are permissible only when located in the GB, WLI, and HI zoning districts.
- E. The following are site design standards for golf courses:

**Table 4.03.04(D). Standards for Golf Courses.**

DEVELOPMENT FEATURE	STANDARD
Minimum setback for greens and fairways	100 feet
Minimum setback for buildings	As required by the zoning district
Safety netting for driving ranges	Required on the perimeter of the playing area abutting public streets. Minimum of thirty-two (32) feet in height.
Outdoor lighting, when permissible, for driving range, tees, greens, and fairways	Directed and shielded to avoid illumination of properties used or zoned for residential purposes. Outdoor lighting shall be turned off not later than 9:00 p.m.
Loudspeakers or paging systems	Prohibited.
Outside storage and loading areas	Fully screened from view from adjacent properties and from the public right-of-way.
Golf cart crossings	Shall be plainly marked and located for safety of both the cart users and persons using sidewalks or streets that are crossed.

#### 4.03.05 Junk Yards and Salvage Yards

- A. A junk yard or salvage yard means the use of property for outdoor storage, keeping, abandonment, sale, or resale of junk including scrap metal, rags, paper or other scrap materials, used lumber, salvaged house wrecking, and structural steel materials and equipment, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof.
- B. The site design standards for salvage yards and junk yards are set forth in the following table:

Table 4.03.05(B). Standards for Junk Yards and Salvage Yards.

DEVELOPMENT FEATURE	STANDARD
Minimum area	Five (5) acres.
Minimum setback	500 feet from any property line.
Screening required	Solid wall or solid fence in addition to screening requirements applicable to the zoning district.
Storage of salvaged or junk materials	Materials shall not exceed the height of the fence or wall. This shall not be construed to prohibit equipment and vehicles used in the salvage operation.
Exterior lighting	Directed and shielded to avoid illumination of adjacent properties.

#### 4.03.06 Religious Facilities and Associated Uses

- A. A religious facility is a building or group of buildings where persons assemble for purposes of worship. The principal use of a religious facility is considered worship, which is a form of religious practice, together with its creed and ritual.
- B. Uses and activities other than worship and offices to support the primary facility shall be considered accessory uses and shall be clearly ancillary to the primary use. Such uses and activities shall be limited to:
1. Religious instruction (such as "Sunday School," Bible school, or similar religious instruction or study typically associated with the religion);
  2. Child or adult day care, subject to the standards set forth in 4.03.09 and 4.03.06(D);
  3. Private academic school, subject to the standards set forth in 4.03.06(E);
  4. A fellowship hall, with or without a kitchen, subject to the standards of Section 4.03.06(F), (which may be known as a community center, activity hall, or life center);
  5. Recreation facilities;
  6. Individual meeting spaces; and
  7. A parsonage, subject to the standards of Section 4.03.06.
- C. All accessory uses are subject to the following requirements:
1. The accessory use shall be owned and operated only by the owner of the primary use;
  2. The facility housing the accessory use shall meet all local, state, or federal standards;
  3. The owner of the primary use shall obtain any licenses required to conduct the accessory use. Any approval of the accessory use shall be contingent upon receipt of all licenses;
  4. Loudspeaker or paging systems shall be located to ensure that they cannot be heard at the property line of adjacent properties;
  5. All outdoor activities shall occur no earlier than 7:00 a.m. and no later than 10:00 p.m.;

6. All exterior lighting shall be directed or shielded to avoid illumination of adjacent properties as measured at the property line;
  7. Outdoor play or activity areas shall be no closer than fifty (50) feet from any residential property line.
- D. Child day care, adult day care, preschool, or child nursery uses are allowable accessory uses subject to applicable state codes and the following standards:
1. The total floor area allocated to the child day care, adult day care, preschool, or nursery uses shall not exceed ten (10) percent of the total floor area on the site. The calculation of total floor area allocated to the uses shall be cumulative and shall include all child day care, adult day care, preschool, nursery facilities, and related mechanical and support facilities.
  2. An off-street drop-off area for persons served by the facility shall be provided. The entrance and vehicle drop off points shall not be located on a street providing primary access to residences, unless such street is classified as a collector or arterial.
- E. Private academic schools are allowable accessory uses subject to applicable state code and the following standards:
1. The total floor area allocated to the school shall not exceed twenty (20) percent of the total floor area on the site. The calculation of total floor area allocated to the school shall include all components of the school: classrooms, school library, school offices, teacher work areas, and the like, including related mechanical and support facilities. This standard shall apply whether the floor area allocated to the school is also used for other purposes when not needed for the school.
  2. The entrance and vehicle drop off points for students shall not be located on a street providing primary access to residences, unless such street is classified as a collector or arterial.
- F. A fellowship hall or multi-purpose building is an allowable accessory use, provided that the total floor area allocated to the fellowship hall, including related mechanical and support facilities, shall not exceed thirty-five (35) percent of the total floor area on the site.
- G. One (1) residential dwelling unit is allowable to serve as a parsonage, subject to the following standards:
1. A minimum lot area, within the parcel developed for religious uses and facilities, to be devoted to the dwelling unit ("parsonage lot") shall be 8,000 square feet. A larger lot area may be required when the dwelling unit is served by a septic tank. The parsonage lot shall be used exclusively for the dwelling unit, and shall not include any primary or other accessory use allowable on the site.
  2. Two (2) off-street parking spaces shall be provided to serve the parsonage and shall be located within the parsonage lot.
  3. The parsonage lot may contain children's outdoor play equipment, in a size and quantity typical of residential uses.

4. The parsonage lot may contain a residential swimming pool, fully enclosed by a fence, and attached to the dwelling.
- H. A specific parking plan shall be provided. This plan shall identify the principal use and each accessory use proposed on the site. The parking plan shall indicate the hours of operation and peak times of use (parking demand) for the primary use and each accessory use on the site. The parking standards for the principal use and each accessory use shall be identified based upon LDC requirements. The parking plan may propose reduced or shared parking. The parking plan shall indicate areas designated for overflow parking during times of extraordinary use (such as festival or holiday periods).
- I. For religious facilities that exceed 10,000 square feet in total floor area, excluding the parsonage, if any, the minimum setback from any property line that is otherwise required shall increase five (5) feet for each 2,000 square feet of floor area, or portion thereof, over 10,000 square feet in floor area.

#### 4.03.07 Manufactured Homes

##### A. Definitions.

The following words, terms, or phrases shall have the meanings ascribed to them in this Section.

**Applicant** means any person seeking to install a pre-owned manufactured home in the City of Tifton.

**Building Inspector** means the person appointed, employed, or otherwise designated as the director of planning, permits and inspections, or the city building official, or his or her designee..

**Certificate of Occupancy** means a document issued by the building inspector certifying that a pre-owned manufactured home is in compliance with applicable requirements set forth by this Ordinance, and indicating it to be in a condition suitable for residential occupancy.

**Install** means to construct a foundation system to place or erect a manufactured home on such foundation system. Such term includes, without limitation, supporting, blocking, leveling, securing, or anchoring such manufactured homes and connecting multiple or expandable sections of such manufactured home.

**Jurisdiction** means the incorporated areas of the City of Tifton, Georgia.

**Manufactured home** means a structure, transportable in one or more sections, which, in the travelling 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-conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements with respect to which the manufacturer

voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Sections 5401, *et seq.*

**Pre-owned manufactured home** means any manufactured home that has been previously used as a residential dwelling and has been titled.

B. Conditions.

All pre-owned manufactured homes located in the jurisdiction shall bear a label certifying that it was constructed in compliance with the National Manufactured Housing Construction and Safety Standards (MHCSS) Act of 1974, 42 U.S.C. Sections 5401, *et seq.* (the HUD Code), and shall be installed in accordance with O.C.G.A. § 8-2-160, *et seq.*

C. Permitting, Inspection, Certificate of Occupancy and Fees.

A permit shall be required to locate a pre-owned manufactured home in the jurisdiction.

1. Permit. To obtain a permit, Applicants shall provide to the Director:
  - a. An affidavit signed by the applicant that the pre-owned manufactured home meets health and safety standards required by the MHCSS Act and this ordinance.
  - b. Photographs of the interior and exterior of the pre-owned manufactured home providing evidence that the home meets the minimum health and safety standards of Section 4 of this ordinance.
  - c. The permit and inspection fee required by sub-section (4) of this Section.
2. Inspection. Upon receipt of a permit, Applicants may relocate the manufactured home on a residential site for the purposes of inspection. Applicant shall arrange for an inspection to be held once the installation of the manufactured home is complete.
3. Certificate of Occupancy. A certificate of occupancy shall only be issued to the Applicant after such time that the building inspector certifies that the requirements of this ordinance have been met.
4. Fee. A permit and inspection fee as determined by City Council shall be charged to the applicant to cover the cost to the City to process the permit application and inspect the pre-owned manufactured home. Such fee shall cover the initial inspection and one follow up inspection. The applicant shall be charged a fee as determined by City Council for each additional follow up inspection that is necessary.
5. Alternative Inspection. At the request of the Applicant, the building inspector may, at his or her discretion, inspect a pre-owned manufactured home prior to its being relocated if the home is then locate at another site within the City within 90 days from the date of the inspection.

## D. Minimum Health and Safety Standards.

All pre-owned manufactured homes shall comply with the following before being issued a certificate of occupancy by the building inspector.

1. HUD Code. Every pre-owned manufactured home located in the jurisdiction shall be in compliance with the Federal Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. 5401-5445 (the HUD Code), and shall not be altered in such a way that the home no longer meets the HUD Code.
2. Interior Condition. Every floor, interior wall, and ceiling of a pre-owned manufactured home shall be in sound condition. Doors and windows shall be operable, watertight and in good working condition. The floor system shall be in sound condition and free of warping, holes, water damage, or deterioration.
3. Exterior Condition. The exterior of all pre-owned manufactured homes shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or to occupied spaces. The exterior siding shall be free of rot and rust. Roofs shall be structurally sound and have no obvious defects that might admit rain or cause moisture to collect on the interior portion of the home.
4. Sanitary Facilities. Every plumbing fixture, water, and waste pipe of a pre-owned manufactured home shall be in a sanitary working condition when properly connected, and shall be free from leaks and obstructions. Each home shall contain a kitchen sink. Each bathroom shall contain a lavatory and water closet. At least one (1) bathroom shall contain a tub and/or shower facilities. Each of these fixtures shall be checked upon being connected to ensure they are in good working condition.
5. Heating Systems. Heating shall be safe and in working condition. Unvented heaters shall be prohibited.
6. Electrical Systems. (switches, receptacles, fixtures, etc.) shall be properly installed and wired and shall be in working condition. Distribution panels shall be in compliance with the approved listing, complete with required breakers, with all unused openings covered with solid covers approved and listed for that purpose. The home shall be subject to an electrical continuity test to assure that all metallic parts are properly bonded.
7. Hot Water Supply. Each pre-owned manufactured home shall contain a water heater in safe and working order.
8. Egress Windows. Each bedroom of a manufactured home shall have at least one operable window of sufficient size to allow egress if necessary.
9. Ventilation. The kitchen in the home shall have at least one operating window or other ventilation device.

10. Smoke Detectors. Each pre-owned manufactured home shall contain one (1) operable battery-powered smoke detector in each bedroom and in the kitchen, which must be installed in accordance with the manufacturer's recommendations.

E. Enforcement.

1. Permanent connection to utilities shall not be approved until the building inspector has issued a certificate of occupancy.
2. Owners of pre-owned manufactured homes that are not in compliance upon a third inspection shall have their permit revoked and shall be required to remove the home from the jurisdiction.

F. Penalties

Failure to remove a pre-owned manufactured home from the jurisdiction upon failure to receive a certificate of occupancy shall be punishable by a fine as adopted by City Council. Each day any violation under this ordinance continues shall be considered a separate offense.

#### **4.03.08(a) Manufactured Housing Parks**

A. General Standards

Where a development is proposed as a manufactured housing park (called park), the following standards shall apply:

1. The minimum parcel size for a park shall be three (3) acres.
2. The units within the park shall be manufactured homes.
3. The minimum area for each manufactured home (called lot) shall be 6000 square feet with a minimum lot width of fifty (50) feet where lots are served by both public water and public sewer systems.
4. Each lot shall be clearly defined by markers placed at all corners.
5. At least 200 square feet per lot, and not part of the required lot, shall be provided in one (1) or more locations for community playground and recreation purposes.
6. Each manufactured home must be installed and anchored as per State of Georgia minimum requirements, properly underpinned or skirted within forty-five (45) days of installation with material comparable to the proposed manufactured home. Each manufactured home shall have a minimum three (3) foot by three (3) foot landing, stairs, and handrails at each ingress and egress.
7. Each site shall have a connection to public water and sewer system.
8. No park shall be occupied by a greater number of manufactured homes than that authorized in the approved site development plan. No park shall be enlarged or extended unless a separate site development plan has been submitted and approved. Procedures for submission and review of site development plans are set forth in Chapter 10.

9. Each lot shall have a properly drained and paved parking space for at least two (2) motor vehicles, designed and built in compliance with Section 6.01.03 as it pertains to parking spaces.

#### B. Buffers.

A perimeter buffer shall be provided for the park development as follows:

1. The buffer width shall be a minimum of ten (10) feet.
2. Landscaping within the buffer shall comply with the standards in Section 4.08.06(b)(1) through (6).
3. Buffers shall comply with requirements for maintenance as set forth in Section 4.08.03.

#### C. Accessory Uses

1. Accessory uses and structure may include management headquarters, recreational facilities, buildings for toilets and showers, coin-operated laundry facilities, solid waste facilities, and other uses and structures customarily incidental to park use.
2. Accessory buildings on individual lots shall be set back ten (10) feet from lot boundaries, with a limit of one (1) accessory building per lot.
3. Accessory uses and parking to serve the accessory uses shall not exceed ten (10) percent of the total area of the park. Accessory buildings and use areas shall have an interior setback of ten (10) feet from the boundary of the area established for accessory uses and buildings.

#### D. Streets and Sidewalks

1. Access to the park shall be by paved public street. Such access shall be on or within 1,000 feet of and accessible to a principal or minor arterial or collector street. Any park with more than twenty (20) units shall have a minimum of two (2) access points.
2. A twenty (20) foot interior roadway or drive shall be paved, curbed, properly drained, and shall serve all lots.
3. Sidewalks shall be required throughout the park constructed according to the City of Tifton Design Standards.
4. Security lights shall be required throughout the park to insure a safe environment and help protect the welfare of occupants of the park.

### **4.03.08(b) Recreational Vehicle Parks**

Where a development is proposed as a recreational vehicle park (called park), the following standards shall apply:

#### A. General Standards

1. The minimum parcel size for a park shall be one (1) acre.
2. The units within the park shall be recreational vehicles, including travel trailers, motor homes, fifth wheel trailers, pop-up trailers, park model trailers, and other similar vehicles.
3. Each site shall have a connection to public water, waste water, and electrical systems.

4. The minimum area for each recreational vehicle site (called space) shall be 2400 square feet with a minimum lot width of forty (40) feet.
5. Each lot shall be clearly defined.
6. No park shall be occupied by a greater number of recreational vehicles than that authorized in the approved site development plan. No park shall be enlarged or extended unless a separate site development plan has been submitted and approved. Procedures for submission and review of site development plans are set forth in Chapter 10.
7. Application for site development plan shall include demonstration of compliance with State regulations.
8. Each lot shall have a properly drained and paved parking space for at least one (1) motor vehicle, designed and built in compliance with Section 6.01.03 as it pertains to parking spaces.

#### B. Buffers

A perimeter buffer shall be provided for the park development as follows:

1. The buffer width shall be a minimum of ten (10) feet.
2. Landscaping within the buffer shall comply with the standards in Section 4.08.06(b)(1) through (6).
3. Buffers shall comply with requirements for maintenance as set forth in Section 4.08.03.

#### C. Accessory Uses

1. Accessory uses and structure may include management headquarters, recreational facilities, buildings for toilets and showers, coin-operated laundry facilities, solid waste facilities, and other uses and structures customarily incidental to park use.
2. Accessory uses and parking to serve the accessory uses shall not exceed ten (10) percent of the total area of the park. Accessory buildings and use areas shall have an interior setback of ten (10) feet from the boundary of the area established for accessory uses and buildings.

#### D. Streets and Sidewalks

1. Access to the park shall be by paved public street. Such access shall be on or within 1,000 feet of and accessible to a principal or minor arterial or collector street. Any park with more than twenty (20) spaces shall have a minimum of two (2) access points.
2. A minimum twenty (20) foot interior roadway or drive shall be provided with paved or stabilized dust free surfaces. All roads must be properly drained and shall serve all lots.
3. Security lights shall be required throughout the park to insure a safe environment and help protect the welfare of occupants of the park.

### 4.03.09 Day Cares, Kindergartens, and Nurseries

- A. A day care, kindergarten, or nursery is a facility providing care for six (6) or more children who are not related by blood or marriage and are not the legal wards or foster children of the owners or operators of the facility. The facility is

- intended to provide care, training, education, or supervision of children less than fourteen (14) years of age.
- B. The facility shall provide off-street loading and unloading spaces, separated from the parking area.
  - C. There shall be at least 100 square feet of outdoor play area for each child.
  - D. The entire play area shall be enclosed by a steel mesh security fence or substantial building material at least four (4) feet in height. Such fence shall be constructed in such a manner as to provide maximum safety to the children.
  - E. All facilities regulated in this section shall comply with State regulations and acquire applicable State licenses for operation.

#### **4.03.10 Gasoline Service Stations and/or Convenience Stores**

- A. The term “gasoline service station” includes convenience stores with gas pumps, and establishments that provide the following accessory uses in addition to gas pumps: fast food restaurants, drive-through restaurants, groceries, and sundries, supplies for the traveling public, food, and beverages. Freestanding convenience stores without gas pumps are also regulated by this section.
- B. Vehicle repair services are prohibited. Maintenance services, such as oil changes, are permissible. Body repair and paint is specifically prohibited.
- C. Underground storage tanks, if any, shall be designed, located, and monitored in full compliance with State requirements. Evidence of such compliance shall be provided with the site development plan application.
- D. Oil drainage pits and hydraulic lifts, if any, shall be located as follows:
  - 1. Such uses shall be within an enclosed structure.
  - 2. Such uses shall be set back a minimum of fifty (50) feet from any property line.
- E. Drive-through lanes for restaurants associated with the gasoline service station or convenience store shall be located a minimum of 100 feet from any property zoned for residential uses. Distance shall be measured from the outermost edge of the drive-through lane to the property line of the nearest property zoned for residential use.
- F. Dumpsters shall not be located within fifty (50) feet of property zoned for residential use and shall comply with the standards set forth in Section 5.02.05.
- G. All exterior lighting shall be directed and shielded to avoid direct illumination of adjacent properties.
- H. Vehicle parts, supplies, damaged parts, or other materials and supplies shall be stored within an opaque screened enclosure or building.

#### **4.03.11 Hospitals and Nursing Homes**

- A. A hospital is any institution receiving in-patients, or a private or public institution receiving out-patients, and authorized under Georgia law to render medical, surgical, and/or obstetrical care, such as examination, diagnosis, treatment, and nursing care. The term “hospital” shall include a sanitarium for the treatment and care of senile psychotics, drug addiction, or alcohol treatment but shall not include office facilities for the private practice of medicine or

dentistry.

- B. The following are site design standards for free standing hospitals and nursing homes:

**Table 4.03.11(B). Standards for Free Standing Hospitals and Nursing Homes.**

DEVELOPMENT FEATURE	STANDARD
Minimum land area	Three (3) acres.
Minimum side and rear yard setback	Fifty (50) feet .
Minimum front yard setback	Twenty-five (25) feet in addition to the setback required for the zoning district.
Location	Fronting an arterial.
Emergency vehicle entrances	Shall not face residentially zoned properties.
Exterior lighting	Directed and shielded to avoid illumination of adjacent properties.
Dumpsters	Fully screened Setback a minimum of fifty (50) feet from any property line.

- C. Private or Public Hospitals located within or as part of a group of buildings shall follow the setback and minimum land area and setbacks as approved in the site development plan. The above guidelines for emergency vehicle entrances, exterior lighting and dumpsters shall apply.

#### 4.03.12 Dry Cleaning Plants

- A. The plant shall not serve more than one (1) pick-up and delivery station in addition to the onsite pick-up and delivery service.
- B. The building shall not exceed 4,000 square feet of floor area, including the pick-up and delivery facility.
- C. An application for approval of a site development plan for a dry cleaning plant shall include documentation of compliance with EPD rules and regulations.

#### 4.03.13 Personal Care Homes

- A. A personal care home is a building or group of buildings in which two (2) or more beds are provided for compensation and facilities and services are provided to non-family ambulatory adults. Facilities and services may include room, meals, and personal care.
1. A family personal care home is a family-type residence where facilities and services are provided to two (2) to six (6) adults.
  2. A group personal care home is a building where facilities and services are provided to seven (7) to fifteen (15) adults.
  3. A congregate personal care home is a building where facilities and services are provided to sixteen (16) or more adults.
- B. An application to establish a personal care home shall include documentation demonstrating compliance with State rules and regulations.
- C. The following site design standards apply to personal care homes:

**Table 4.03.13(B). Standards for Personal Care Homes.**

DEVELOPMENT FEATURE	STANDARD
Minimum lot area in the SA zoning district	Three (3) acres.
Minimum lot area in R20, R14, R12, R10 R8, MR, and RP zoning districts	One (1) acre.
Parking location	Side and rear yards.

**4.03.14 Electrical Substation**

- A. All buildings, masts, and other facilities shall be located a minimum of 200 feet from adjacent property lines when the adjacent district is zoned or used for residential development.
- B. A perimeter buffer shall be provided as follows:
1. The buffer width shall be a minimum of twenty (20) feet.
  2. Landscaping within the buffer shall comply with the standards in Section 4.08.06(b)(1) through (6).
  3. Buffers shall comply with requirements for maintenance as set forth in Section 4.08.03.

**4.03.15 Heavy Manufacturing Facilities**

- A. Heavy manufacturing uses are those that produce noise, odor, dust, fumes, fire hazards, or other similar nuisances.
- B. Heavy manufacturing uses shall be set back not less than 500 feet from all property lines, except when the adjacent property is zoned HI.

**4.03.16 Mini-storage and Self-storage Facilities**

- A. The following activities or uses are prohibited on the grounds or within the buildings of self-service storage facilities:
1. Wholesale sales;
  2. Retail sales, including garage sales, or other commercial activities;
  3. Manufacturing, fabrication, processing, or other industrial activity;
  4. Service or repair of vehicles, engines, electronic equipment or similar activities;
  5. Rehearsal or practice of musical instruments; and
  6. Residential use.
- B. Notwithstanding the limitations described in Section 4.03.16(A) above, the following activities may be conducted:
1. Rental of storage bays;
  2. Truck rental business, limited to a maximum of twenty-five (25) percent of the gross site area;
  3. Sales of boxes or goods related directly to the operation of a self-service storage facility; and
  4. Sales by the owner or manager of the facility of abandoned items for reclamation of rental costs.

- C. Except as specifically provided in this section, all property stored on the site shall be entirely within enclosed buildings.
- D. Storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals is prohibited.
- E. As an accessory use, one (1) dwelling unit may be established for security personnel, management personnel, or the facility owner. The dwelling unit may be site built or manufactured housing.
- F. The following site design requirements shall be met:

**Table 4.03.16(F). Site Design Standards for Self-storage Facilities.**

DEVELOPMENT FEATURE	STANDARD
Minimum site area	Two (2) acres.
Maximum site area	Five (5) acres.
Access requirements	Major or minor arterial.
Dumpsters and trash containers	Fully screened from view from adjacent properties and public right-of-way and in compliance with Section 5.02.05.
Outdoor lighting	Shielded and directed to avoid direct illumination of adjacent properties, as measured at the property line .
Loudspeakers and paging equipment	Prohibited.

- G. The following design standards are required for the self-service storage buildings:

**Table 4.03.16(G). Building Design Standards for Self-storage Facilities.**

DEVELOPMENT FEATURE	STANDARD
Building separation (two (2) or more buildings on the site)	Twelve (12) feet, but at a minimum need to meet applicable building code and fire code access standards.
Overhead access doors	Shall not run parallel to residentially zoned property or public right-of-way.
Storage bays Minimum size Maximum size	Four (4) feet by four (4) feet (sixteen (16) s.f.). 20 feet by 80 feet (1,600 s.f.).
Exterior facade	Front façade shall be consistent with color, materials, and design of buildings in the surrounding area. Side and rear facades may have metal exterior walls.
Roof design	Type of roof, roof line, and roofing materials shall be fully consistent with buildings in the surrounding area.

- H. Outdoor (open) storage is permissible, subject to the following standards:

**Table 4.03.16(H). Standards for Outdoor Storage at Self-service Storage**

**Facilities.**

<b>DEVELOPMENT FEATURE</b>	<b>STANDARD</b>
Types of goods to be stored	Limited to recreational vehicles and boats on trailers Dry stacking of boats Abandoned, wrecked, or junked vehicles are prohibited
Maximum area devoted to outdoor storage	25 percent of building area of the site
Screening	Fully screened from view from adjacent residentially zoned districts, from adjacent office areas, and from public right-of-way Screening may be a solid fence, solid wall, other similar structure, or landscaping
Fencing required	Minimum of 6 feet in height Maximum of 8 feet in height Decorative wall or fence required, with brick, stone, masonry, wood, chain link, or similar material
Security	Gate, equipped with alarm and keyless opening required

**I. Traffic circulation requirements:**

1. Traffic lane widths shall be established to provide for the adequate circulation, safety, and accessibility of trucks, cars, and individuals who utilize dead storage in such facilities;
2. The minimum traffic lane width shall be twenty-four (24) feet;
3. The maximum traffic lane width shall be forty (40) feet;
4. Traffic flow patterns, directional signage, and painted land markings with arrows shall also be clearly marked; and
5. In order to ensure appropriate access and circulation by emergency vehicles and equipment, the turning radii of the aisle ways shall be approved by the governing authority and the local fire inspector at the time of site development plan review.

**4.03.17 Radio and Television Broadcast Stations**

All towers, masts, aerials and antennas (including guy wires therefore) and other apparatus that constitute accessory equipment necessary for the broadcasting of television signals and/or radio signals shall meet the following standards

**Table 4.03.17. Standards for Radio and Television Broadcast Stations.**

<b>DEVELOPMENT FEATURE</b>	<b>STANDARD</b>
Setback	200 feet from any residential zoning district.
Approvals from other agencies	FAA approval required for location, construction, lighting, radio frequencies, and height. FCC approval for location.
Requirements within the CD zoning district:	Towers, masts, aerial, and antennas including guy wires shall be on the roof. Approval by the HPC is required.

**4.03.18 Vehicle Sales, Rentals, Repair, Paint, or Rebuilding**

- A. Vehicle sales establishments may sell, rent, or lease vehicles, including recreational vehicles, motor vehicles, watercraft, and utility trailers.
- B. The following are the site design standards for vehicle sales establishments.

**Table 4.03.18(B). Standards for Vehicle Sales Establishments.**

DEVELOPMENT FEATURE	STANDARD
Minimum setback from residential zoning districts	100 feet.
Display and sales areas	Shall be provided with a paved, or stabilized, dust free surface Shall not include any parking spaces required to meet the standards of Section 6.01.03.
Mechanical repairs, body work, and paint repairs	Permitted as an accessory use to facilities providing vehicle sales. Repairs shall only be conducted within an enclosed building which meets all applicable federal and state requirements, including health, safety, and fire prevention regulations.
Safety barrier	All property lines adjacent to vehicle displays shall have installed a permanent guardrail, fence, parking block, wheel stops, or landscaping to prevent vehicles from accidentally rolling from the display area.
Exterior lighting	Shall be directed or shielded to avoid illumination of adjacent properties.
Paging systems	Audio amplification systems, including, but not limited to, telephone loudspeakers or paging systems, shall be located to ensure that they cannot be heard on adjacent properties.
Outdoor storage areas	Outdoor storage areas are limited to twenty-five (25) percent of the total site area. All outside storage and loading areas shall be fully screened from view from adjacent properties and the public right-of-way.

- C. Only motor vehicles, recreational vehicles, and watercraft that are operable may be sold or leased.
- D. The owner of vehicle sales establishment shall prepare a plan and inventory for the safe storage of flammable or hazardous materials to be stored or used on the property. The plan shall provide for the prevention, containment, recovery, and mitigation of spilled fuel or other hazardous material. The inventory shall be submitted to the local fire marshal prior to the site development plan approval, listing the type, quantity, and location of these materials. The inventory shall be kept current.
- E. Vehicles, signs, banners, tents, or other items shall not be stored, parked, displayed, or otherwise placed on public rights-of-way at any time.

#### 4.03.19 Funeral Homes

- A. Funeral homes shall comply with all State and Federal Rules and Regulations.

- B. Off-street waiting space shall be provided for funeral processions so that no vehicle stands or waits in a public right-of-way. A minimum off-street stacking distance of sixty (60) feet shall be provided.

#### **4.03.20 Clubs, Lodges, Community Centers, and Recreation Centers**

- A. The club, lodge, community center, or recreation center (called “center”) shall be located on a collector or arterial street.
- B. When adjacent to residential uses, the building in which the center is located shall be substantially similar in design, appearance, and character to buildings located within a 200 foot radius. Distance shall be measured from all property lines of the lot on which the center is located.
- C. The minimum lot area for a center is 21,780 square feet.
- D. Parking for the center shall be located as follows:
  - 1. All required parking spaces shall be located to the side or rear of the principal structure.
  - 2. On-street parking shall not count toward meeting the parking requirements of the center.
- E. Outdoor recreation facilities may be provided, subject to the following standards:
  - 1. The buffer adjacent to the outdoor recreation area shall be two (2) times the buffer otherwise required pursuant to Section 4.08.06.
  - 2. Exterior lighting shall be directed and shielded to avoid illumination of adjacent properties.
  - 3. There shall be no loudspeakers or paging systems.

#### **4.03.21 Adult Uses and Adult Entertainment Establishments**

- A. An adult use or adult entertainment establishment is any commercial use or establishment that includes an adult bookstore, adult movie house, or explicit media outlet as regulated by O.C.G.A. § 36-60-3, and shall include adult entertainment establishments, adult hotel/motels, adult mini-motion picture theaters, adult motion picture arcades, adult motion picture theatre and adult video store as those terms are defined in the City of Tifton’s Adult Entertainment Ordinance.
- B. An adult use or adult entertainment establishment shall be located on an arterial road and shall be permitted in HI, WLI and SA zoning districts.
- C. The lot or parcel on which an adult use or adult entertainment establishment is located shall be a minimum of 1,000 feet from the following:
  - 1. A lot or parcel used or zoned for residential use.
  - 2. A lot or parcel used or zoned for religious facilities.
  - 3. A lot or parcel used or zoned for public or private schools, day care facilities, kindergartens, or child nurseries.
  - 4. A lot or parcel used or zoned for public recreation facilities, public parks, or public playgrounds.
  - 5. A lot or parcel used for adult uses or adult entertainment.
- D. Measurement of distance for compliance with Section 4.03.21 shall be from property lines of the lot on which the adult use or adult entertainment is

- proposed to the property line of the lot or parcel with the uses listed in Section 4.03.21(C) and 4.03.12(J). Distance shall be a straight line from lot line to lot line and shall not follow roads or paths of travel unless such road or path of travel also describes the shortest distance from lot line to lot line.
- E. The minimum lot area for an adult use or adult entertainment establishment is one (1) acre and must comply with Zoning Standards.
  - F. The minimum lot width for an adult use or adult entertainment establishment is 210 feet.
  - G. Buildings on the lot shall be set back forty (40) feet from all property lines.
  - H. Windows shall be maintained in a clear unobstructed manner so as to provide an open and unobstructed view of the entire reception area, lobby, and any ticket or other sales areas.
  - I. Parking shall be provided as follows:
    - 1. One (1) space for each 100 square feet of gross floor area, or
    - 2. One (1) space for each three (3) occupants as determined by the occupancy rating of the fire marshal, whichever is greater.
  - J. No adult entertainment facility shall be located within 500 feet of any parcel of land upon which any establishment licensed by the City to sell alcoholic beverages, malt beverages or wine for consumption on the premises is located.

#### **4.03.22 Boarding Houses or Rooming Houses**

- A. A boarding house or rooming house shall not exceed ten (10) guest rooms or bedrooms.
- B. Communal areas may be provided for dining, social activities, entertainment, or recreation. Cooking facilities are prohibited in individual guest rooms.
- C. Off-street parking shall be provided. There shall be one (1) space per guest room, plus two (2) additional spaces.

#### **4.03.23 Shooting Club or Range**

- A. Outdoor Gun/Archery Ranges that are utilized by Law Enforcement and Safety Personnel are essential services areas for the community.
- B. The discharge of weapons shall be conducted only within the range and or bays specifically designated for such use on an approved site plan.
- C. Firing positions shall be separated a minimum of 200 feet from the boundary of the subject property with any adjacent parcel in separate ownership and in addition, firing positions shall be separated a minimum of 500 feet from any permitted residence existing at the time of site plan approval for the proposed shooting range.
- D. An impenetrable backstop, a minimum of twenty (20) feet in height, shall be constructed down range of any authorized range or bay and side berms a minimum of twenty (20) feet in height shall be provided along the sidelines.
- E. The perimeter of the shooting range, including the weapon discharge area and surrounding berms, shall be enclosed by a fence or wall, a minimum of six (6) feet in height to prevent unauthorized access. Warning signs of at least one (1) square foot each shall be attached to the perimeter fence at the rate of once at

- every corner and at least one (1) for every 100 lineal feet plus one (1) at each entry gate.
- F. The applicant's range complex design shall be consistent with the NRA Range Source Book latest edition for the construction of outdoor shooting ranges. To assure the protection of groundwater from lead and other contaminants associated with the discharge of firearms the range shall comply with USEPA's Best Management Practices (<http://www.epa.gov/region2/waste/leadshot/>).
- G. The applicant shall demonstrate compliance with all applicable state and local regulations and how safety and noise factors have been addressed through the site plan and other special features of the proposed development.
- H. A shooting range sites are a community asset that once sited and in operation, needs to be protected. To that end is a requirement that properties to be sold within two (2) miles of the range, once the site has been approved, that the seller must disclose of the existence of said shooting range to the prospective buyer.

#### 4.03.24 Intensive Commercial Recreation

- A. Intensive commercial recreation includes such uses as tracks for go-carts and similar vehicles, sports fields, miniature golf, climbing walls, pony rides, playgrounds, and other similar outdoor, commercial recreation.
- B. Intensive commercial recreation may include accessory uses, such as snack shops, food stands, gift shops, ice cream stands, and similar uses.
- C. Intensive commercial recreation uses shall comply with the following standards:

**Table 4.03.24(C). Standards for Intensive Commercial Recreation.**

DEVELOPMENT FEATURE	STANDARD
Minimum land area	Two (2) acres.
Minimum setback for buildings	
Abutting residential zoning districts	200 feet.
All other zoning districts	100 feet.
Minimum buffer	Two (2) times the buffer specified in Section 4.08.06
Lighting	Directed and shielded to avoid illumination of any adjacent property.
Loudspeakers or paging systems	Prohibited.
Outside storage and loading areas	Screened from view from adjacent properties and the public right-of-way.

#### 4.03.25 Cemeteries (Human and Pet)

- A. Cemeteries must front on an arterial or connector street to be permitted.
- B. A cemetery may include one or more of the following: a burial park for earth interments, a mausoleum for vault or crypt interments and a columbarium.
- C. A cemetery may include a chapel when operated in conjunction with and within the boundaries of the cemetery.
- D. Registered cemeteries per State Law must have a minimum size of ten (10) acres; other cemeteries must have a minimum land area of two (2) acres.

- E. The minimum setbacks for any structures to the front property line must be forty (40) feet, to the side and rear property lines must be twenty (20) feet and adjacent to any residentially zoned property must be fifty (50) feet.
- F. Must have a twenty-five (25) foot planted buffer strip around their entire perimeter except for ingress and egress points.

#### 4.03.26 Internet Café or Similar Uses

- A. No Internet Café or Simliar Uses shall be permitted within 300 feet, as measured in a straight line from the nearest point on the property which will be the location of the business in which the internet cafe license will be utilized to the nearest point on the property upon which is located a church, school, college, or alcohol or drug treatment center operated by any governmental agency, with the terms "school" and "college" as used in this subsection meaning those institutions which are both (i) operated either by a governmental or church entity and (ii) are engaged in courses of instruction which are commonly taught in public primary or secondary schools or colleges in the state;
- B. No Internet Café or Simliar Uses shall be permitted which would cause or create any violation of the LDC of the city or of the building code or fire code of the city.

#### 4.03.27 Portable On Demand (POD) Storage Units

- A. Before placing a PODS unit on his or her property, a person must submit an application and receive a permit from the City. An insurance certificate providing liability insurance in the amount of \$100,000 provided by the company supplying the POD must accompany the application.
- B. There is a fee as determined by City Council for a ninety (90) day permit. Applications can be required from the Director.
- C. Permits will be granted for a period of ninety (90) days. At the expiration of the ninety (90) day period, applicants may seek to extend their permits one time for an additional thirty (30) days by seeking an extension for cause from the Director. Extension of a permit will cost a fee as determined by City Council for the additional thirty (30) days granted.
- D. PODS units are prohibited from being placed in the road right-of-way streets or the front yard of a property.
- E. All locations must be paved off-street surfaces. Portable Storage Units shall only be placed the property owner's driveway or a parking area or, if access exists at the side or rear of the site, the side or rear yard. The required parking space(s) shall at all times be maintained if temporary storage units are placed in parking areas.
- F. The portable storage unit is no larger than eight feet in height by ten (10) feet in width by twenty (20) feet in length.
- G. The Applicant, as well as the Supplier, shall be responsible for ensuring that the Portable Storage Unit is maintained in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing or other holes or breaks, at all times.
- H. No Portable Storage Unit shall be used to store solid waste, construction debris,

demolition debris, recyclable materials, or any other illegal or hazardous material.

- I. No Portable Storage Unit shall be occupied as a dwelling or office/business location.

#### 4.03.28 Food Service Establishments

Food Service Establishments shall meet all the Technical Design Standards contained in Appendix A to this Code as may be necessary to meet all permitting standards and requirements for the site plan and construction.

#### 4.03.29 Hotel/Motel

Hotel/Motel Establishments shall meet all the Technical Design Standards contained in Appendix A to this Code as may be necessary to meet all permitting standards and requirements for the site plan and construction.

#### 4.03.30 Car/Truck Wash

Car Wash/Truck Wash Establishments shall meet all the Technical Design Standards contained in Appendix A to this Code as may be necessary to meet all permitting standards and requirements for the site plan and construction.

#### 4.03.31 Tattoo Parlors/ Body Piercing Establishments

A. Definitions.

**Body Art.** The practice of physical body adornment by permitted establishments and operators utilizing, but not limited to, the following techniques: body piercing, tattooing, and cosmetic tattooing. This definition does not include implants under the skin, tattoo removal, or any other practices that are considered medical procedures by a state medical board.

**Body Art Establishment.** Any place or premise, whether public or private, temporary or permanent in nature or location, where the practices of body art, whether or not for profit are performed.

**Body Piercing.** Any method of piercing the skin or mucosa, except the entire ear, in order to place any object including, but not limited to, rings, studs, bars, or other forms of jewelry through the skin or mucosa.

**Body Piercing Establishment.** Any place or premise, whether public or private, temporary or permanent in nature or location, where the practices of body piercing, whether or not for profit, are performed.

**Operator.** Any person who controls, operates, manages, conducts, or practices body art activities at a body art establishment and who is responsible for compliance with these regulations, regardless whether actually performing body art procedures or not. The term includes technicians who work under the operator and perform body art

procedures.

**Permit.** The authorization granted by the County to the governing body to operate a body art establishment.

**Tattooing.** Any method of placing ink or other pigment into or under the skin or mucosa by the aid of needles or any other instruments used to puncture the skin, resulting in permanent coloration of the skin or mucosa. This includes all forms of cosmetic tattooing. It shall be unlawful for any person to tattoo the body of any person within any area within one (1) inch of the nearest part of the eye socket of such person.

**B. Permitting and Inspections**

Every Tattoo Parlor, Body Piercing Establishment and Operators shall be permitted and inspected pursuant to O.C.G.A § 31-40 et.seq., the Rules and Regulations of the Department, of Community Health, the Tift County Board of Health and the ordinances of the City of Tifton

C. Tattoo Parlors or Body Piercing Establishments shall be located on an arterial road and shall be permitted in NC, GB and WLI zoning districts.

D. The lot or parcel on which Tattoo Parlors or Body Piercing Establishments is located shall be a minimum of 1,000 feet from the following:

1. A lot or parcel used or zoned for residential use.
2. A lot or parcel used or zoned for religious facilities.
3. A lot or parcel used or zoned for public or private schools, day care facilities, kindergartens, or child nurseries.
4. A lot or parcel used or zoned for public recreation facilities, public parks, or public playgrounds.
5. A lot or parcel used for Tattoo Parlors or Body Piercing Establishments.

E. Tattoo Parlors or Body Piercing Establishments shall not be located within 300 feet of any parcel of land upon which any establishment licensed by the City to sell alcoholic beverages, malt beverages or wine for consumption on the premises is located.

F. Measurement of distance for compliance with Section 4.03.31(D) shall be from property lines of the lot on which the tattoo parlor or body piercing establishment is proposed to the property line of the lot or parcel with the uses listed in Section 4.03.31(D). Distance shall be a straight line from lot line to lot line and shall not follow roads or paths of travel unless such road or path of travel also describes the shortest distance from lot line to lot line.

G. Windows shall be maintained in a clear unobstructed manner so as to provide an open and unobstructed view of the entire reception area, lobby, and any ticket or other sales areas.

H. Parking shall be provided as follows:

1. One (1) space for each 100 square feet of gross floor area, or
2. One (1) space for each three (3) occupants as determined by the occupancy rating of the fire marshal, whichever is greater.

- I. No Tattoo Parlor, Body Piercing Establishment shall be permitted which would cause or create any violation of the LDC of the city or of the building code or fire code of the city.

#### 4.04.00 CONVENTIONAL SUBDIVISION DESIGN STANDARDS

##### 4.04.01 Purpose

The purpose of this section is to provide design standards for conventional subdivisions. Dividing land for the purpose of recording lots requires that Tifton review plans and designs for such divisions to ensure that the lots are buildable according to the standards of the zoning district and that improvements, when required, are provided and constructed according to City standards. Further, the purposes of the subdivision design standards are to:

- A. Encourage economically sound and stable land development in Tifton.
- B. Assure the provision of required streets, utilities, and other facilities and services to land developments.
- C. Assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land developments.
- D. Assure the provision of needed public open spaces and building sites in land developments through the dedication or reservation of land for recreational, educational, and other public purposes.
- E. Assure that land is developed in conformity with the Greater Tifton Tift County Comprehensive Plan.

##### 4.04.02 Applicability

- A. No final plat of a subdivision shall be accepted for review which does not conform with the standards for the zoning district in which the subdivision is located.
- B. The requirements of Section 4.04.00 apply to all divisions of a tract or parcel of land into five (5) or more lots, tracts, or parcels, except as provided in section 4.04.02(C).
- C. Exemptions:

The requirements of Section 4.04.00 do not apply in the following situations:

1. When combining or recombining previously platted lots where the total number of lots, tracts, parcels, sites, or plots of land is not increased and the resultant lots, tracts, parcels, sites, or plots of land are to equal to the standards of these regulations. However, such lots shall be surveyed and recorded as set forth in Chapter 10.02.05.
2. When a parcel of land is acquired or sold by the federal, State, City, or County government.

##### 4.04.03 Specific Exemption for Family Residences in SA

The establishment of dwelling units for family members on a parcel zoned SA shall be permissible provided that all of the following standards are met:

- A. The minimum parcel or lot area shall be three (3) acres. The parcel shall meet the width standards set forth in Section 4.01.01(E).
- B. A principal dwelling unit must be established prior to approval of any additional

dwelling units.

- C. Up to two (2) additional dwelling units are permissible for family members who are related by blood ties to the owner of the property, such ties extending to the second descending or ascending generation.
- D. Each dwelling unit shall meet the requirements of the Tift County Health Department regarding lot area for a septic system.
- E. Each dwelling units shall have a domestic water supply that meets the requirements of the Tift County Health Department.
- F. Each dwelling unit shall require a building site of one (1) acre and shall meet the setback standards of Section 4.01.02(F) based on the assumed lot lines.
- G. The principal dwelling unit and additional dwelling units shall have direct access to a public right-of-way.
- H. Each dwelling unit shall have an individual power supply, in compliance with utility installation standards.

#### **4.04.04 General Design Standards**

The process for designing a subdivision, designing and constructing improvements, and recording lots for future sale, is a three (3) step process. The first step is the development of a preliminary plat, which requires approximate scale and dimensions. The second step is the development of an improvement plan. The final step is the preparation of a final plat. The design standards for the subdivision are set forth in this section.

- A. The applicant shall first determine if any environmental and natural resource lands are located on the parcel to be divided. Such lands should be identified and protected as required according to the provisions in Chapter 3 of this LDC.
- B. All subdivisions shall conform to the standards of the zoning district in which the land is located.
- C. When subdivisions are proposed on land intended for commercial or professional condominium development, the preliminary plat shall demonstrate that the lots also comply with requirements in Section 4.01.03.
- D. When subdivisions are proposed on land intended for multi-family development or a combination of single-family and multi-family development, the preliminary plat shall demonstrate that the lots also comply with the standards in Section 4.01.04.
- E. When subdivisions are proposed where lots may be developed for uses subject to supplemental standards, the preliminary plat shall also demonstrate compliance with the standards for applicable uses as set forth in Section 4.03.00.

#### **4.04.05 Specific Design Standards for Lots, Blocks, Access, and Easements**

##### **A. Lots**

1. All proposed lots shall comply with lot area, lot width, setbacks for buildings and structures on those lots, as set forth in Sections 4.01.01 and 4.01.02.
2. The lot area may include wetlands provided that the uplands portion of the lot is sufficient in area and dimensions to provide a building site in full compliance with all standards set forth in Sections 4.01.01 and 4.01.02. A lot shall not be created where access is only available by crossing a wetland. A

lot shall not be created if the building site cannot be established in full compliance with the standards of this LDC.

3. Corner property lines at street intersections shall comply with Technical Standards Design Detail SD-3.
4. Through lots are prohibited.
5. Lot elevation. The lot area contained within and contiguous to the building walls and for minimum distance of ten (10) feet measured from all sides of said building shall have a minimum elevation of two (2) feet above the 100-year flood stage of streams or canals in the particular area being developed and in full compliance with the requirements for construction in the flood plain as set forth in Section 3.02.00 for structures located in special flood hazard areas (SFHA).

**B. Blocks**

1. Blocks for nonresidential use shall be of such length and width as may be suitable for their prospective use and shall include adequate land area for off street parking and traffic maneuvering.
2. The length of residential blocks shall be at least 400 feet. The length of blocks shall not exceed 1,200 feet in all zoning districts other than SA. Within the SA zoning district the maximum block length is 1,800 feet.
3. Blocks of more than 1,200 feet may be permitted if natural or manmade barriers such as streams and railroads require blocks of greater size.
4. The depth of residential blocks shall be sufficient to allow two (2) tiers of lots, unless one tier abuts a natural barrier, a manmade barrier, or a property line of the parent tract.
5. The design standards for blocks shall not prevent the creation of blocks of greater width and length, when public use areas such as parks and playgrounds are included in the project design. In such instances, maintenance agreements are required according to the standards set forth in Chapter 10.

**C. Access.** All lots shall abut a street that complies with standards for public streets in Tifton. Such standards are set forth in Chapter 6.

**D. Rights-of-way for pedestrian crosswalks** shall be provided when the necessary for direct pedestrian access to schools, shopping centers, and parks. A crosswalk right-of-way shall be at least twenty (20) feet wide.

**E. Utilities** shall be located according to the standards for utility placement set forth in Chapter 6 and the Technical Standards Manual contained in Appendix A.

**F. Buffer requirements.** The subdivision plat shall demonstrate compliance with buffer standards set forth in Section 4.08.06.

#### **4.04.06 Required Improvements and Design Standards**

**A.** Design standards for infrastructure, public facilities, and public services are set forth in Chapter 6 and the Technical Standards Manual.

**B.** The following improvements are required:

1. Potable water for each lot.
2. Fire hydrants, if public water service is available.
3. Provision for sewage collection, treatment, and disposal for each lot.
4. Access to the public thoroughfare system and a system of streets to provide access to each lot.
5. Drainage system, or retention/detention system
6. Sidewalks, as required in Chapter 6.
7. Street signs.
8. Access to telecommunications for each lot.

#### **4.05.00 CONSERVATION SUBDIVISION DESIGN STANDARDS**

##### **4.05.01 Generally**

- A. The intent of the conservation subdivision is to provide for flexibility of design in order to promote environmentally sensitive and efficient uses of the land.
- B. The total number of residential dwelling units shall not exceed the number of such units permissible by the zoning district in which the proposed subdivision is located.
- C. All requirements set forth in Section 4.04.00 regarding conventional subdivisions for provision of public improvements and infrastructure shall apply to conservation subdivisions except where specifically modified in this section.
- D. Where there is conflict between the standards and requirements set forth in this section for the conservation subdivision and the standards and requirements in Section 4.04.00 regarding a conventional subdivision, the standards of this section shall apply. The standards set forth in this section are intended to replace the standards in Section 4.04.00 regarding the design of subdivisions.
- E. No building permits and no public improvements or services shall be authorized or installed for any conservation subdivision until approval has been granted for the subdivision plat. Procedures for application, review, and approval of preliminary and final plats, and acceptance of public improvements, are set forth in Chapter 10.
- F. In addition to other application requirements, an application for CS approval shall include a:
  1. Site analysis map depicting significant site features, consistent with the requirements of Chapter 3 for the protection of natural resources and environmentally sensitive lands;
  2. Plan for management of open space and common facilities; and
  3. Legal instrument for permanent protection of designated open space.

##### **4.05.02 Applicability and Purpose**

- A. The conservation subdivision design shall be permissible only in the SA zoning district.
- B. The purposes of the conservation subdivisions are to:

1. Promote the preservation of open space in environmentally sensitive areas, provide for open space connectivity, and provide for wildlife habitat and corridors within the region;
2. Preserve in perpetuity unique or sensitive natural resources such as groundwater recharge areas, floodplains, wetlands, streams, woodlands, and wildlife habitat;
3. Preserve important historic and archaeological sites;
4. Permit clustering of houses and structures on less environmentally sensitive soils, which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development; and
5. Reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.

#### **4.05.03 Design Standards for Conservation Subdivisions**

##### **A. Minimum requirements for water and sewer**

A conservation subdivision shall have access to, or propose to install, a central sanitary sewer system. As an alternative, a shared drain field may be proposed whereby two (2) or more lots have septic tanks which flow to a drain field in a designated common area or open space. Shared drain fields shall only be allowable when approved by the Tift County Board of Health. A homeowner's or property owner's association shall be required for management and maintenance of the common drain field.

##### **B. The tract of land to be subdivided may be held in single or multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single development plan. A legal instrument shall be required to designate the authority and responsibility for open space and other common areas.**

##### **C. A conservation subdivision shall meet the following design requirements:**

1. Minimum land area of ten (10) acres.
2. Designation of open space pursuant to Section 4.05.03(D).
3. Maximum number of dwelling units based on a density of one (1) dwelling unit per three (3) acres.
4. Clustering of residential development on remaining land after designation of protected open space.
  - a. The minimum building lot is one (1) acre.
  - b. The minimum lot width is 120 feet.
  - c. Setback standards for the SA zoning district shall be applied to lots in the conservation subdivision. See Section 4.01.02(F).
5. Location of dwellings and driveways to ensure minimal visual impact and to avoid interruption of views of open fields, pastures, or other agricultural areas.
6. Limiting impervious surface area to a maximum of three (3) percent within designated open space areas and to a maximum of sixty (60) percent of designated residential development areas (including lots, driveways, and roads).

## D. Open space standards

1. All open space shall be permanently protected through a legal instrument of permanent protection.
2. The minimum open space requirement shall be fifty (50) percent of the gross tract area or the sum of primary conservation areas (see Section 4.05.03(E)), whichever is greater.
3. At least fifty (50) percent of the required open space shall be in one (1) contiguous tract.
4. The open space shall adjoin any neighboring areas of protected open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.
5. Open space shall be directly accessible to the majority of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space through the use of walking trails or unpaved paths.

## E. Designation of open space

1. Primary conservation areas are required to be included within the open space. The following comprise primary conservation areas:
  - a. The 100-year floodplain (see Section 3.02.00);
  - b. Groundwater protection areas (see Section 3.03.00);
  - c. River corridor protection areas (see Section 3.03.00);
  - d. Wetlands that meet the definition used by the U.S. Army Corps of Engineers pursuant to the Clean Water Act (see Section 3.04.00);
  - e. Populations of endangered or threatened species, or habitat for such species; and
  - f. Archaeological sites, cemeteries, and burial grounds.
2. Secondary conservation areas shall be included within the open space, to the maximum extent feasible, in order to protect the following features:
  - a. Important historic sites;
  - b. Existing healthy, native forests of at least one (1) acre contiguous area;
  - c. Other significant natural features and scenic vistas such as ridge lines, peaks, and rock outcroppings, particularly those that can be seen from public roads;
  - d. Prime agricultural lands of at least five (5) acres contiguous area; and
  - e. Existing trails that connect the tract to neighboring areas.

## F. Permitted uses of open space may include the following:

1. Conservation of natural, archeological, or historical resources;
2. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
3. Unpaved walking or bicycle trails or paths;
4. Passive recreation areas, such as open fields;
5. Active recreation areas, such as playgrounds or playing fields which meet the following standards:

- a. Such areas do not exceed ten (10) percent of the total required open space; and
  - b. Such areas are located outside any primary conservation areas.
6. Agriculture, horticulture, silviculture, or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within primary conservation areas;
7. Easements for drainage, access, and underground utility lines; and
- G. Prohibited uses of open space:
1. Golf courses;
  2. Stormwater facilities; and
  3. Roads, parking lots, and impervious surfaces except as provided for in Section 4.05.03(C)(6).

#### **4.06.00 STANDARDS FOR PLANNED DEVELOPMENT RURAL DISTRICTS**

##### **4.06.01 Generally**

- A. The City of Tifton hereby establishes two (2) types of planned development districts, the Planned Development Rural District (PDR) and the Planned Development Urban District (PDO). Considerations for all planned developments shall include connectivity, overall integration with the Thoroughfare Plan, utility provision, and environmental protection. Section 4.06.00 sets forth the standards for the PDR district.
- B. The PDR district is a zoning district, and is permissible only when approved as a rezoning accompanied by a site development plan that ensures the conservation of the natural environment, more efficient use of land, efficiency in the extension of streets and utilities, and compliance with the standards in Section 4.06.00. Procedures are set forth in Chapter 10.
- C. The PDR district is intended to provide flexibility with regard to the internal site planning considerations of a planned development as compared to other zoning districts. A fundamental purpose of the PDR district is to allow the governing body and the developer to agree on the site design standards applicable to the development.
- D. The purposes of the PDR district are to:
1. Accomplish a more desirable development pattern than would be possible through strict adherence to zoning district standards and subdivision regulations;
  2. Allow and encourage creative and flexible projects that include residential, commercial, office, and related public facilities unified by a site development plan;
  3. Require a mixture of uses which are compatible both internally and externally through standards for signs, building locations, buffering or other techniques which may be appropriate to a particular development proposal;
  4. Encourage flexible and creative concepts of site development planning which meet changing needs, technologies, economic, and consumer preferences;
  5. Encourage combining and coordinating of architectural styles, building forms,

and building relationships within a rural planned development;

6. Preserve natural amenities of the land by encouraging scenic and functional open areas; and
7. Ensure consistency of the PDR with the Greater Tift County Comprehensive Plan.

E. Applicability

The PDR district is permissible within the AU Character Area as depicted on the Greater Tift County Comprehensive Plan and any area that is outside the Twenty (20) Year Utility Master Plan.

#### 4.06.02 Minimum Standards

- A. The minimum land area for a PDR district is forty (40) acres.
- B. A PDR site development plan shall demonstrate compliance with all standards for resource protection set forth in Chapter 3.
- C. Land uses within the PDR district shall include the following:
  1. At least twenty (20) percent of the land area within the PDR shall be open space. The open space shall be internally connected with other uses and accessible to residents of the PDR development.
  2. The PDR district shall include neighborhood scale (See Section 4.06.02(D)(10)) personal and shopping services to serve the residents within the development. Not more than ten (10) percent of the land area shall be used for such services.
  3. The PDR district shall include civic, community, or recreational areas, such as a public safety auxiliary office, postal station, community center, school site, sites for religious facilities, play grounds, and play fields. Not more than ten (10) percent of the land area shall be used for such areas.
  4. Residential uses may include single-family, duplex, or industrialized buildings.
  5. Home occupations, if proposed, shall comply with the standards set forth in Section 5.01.00.
  6. Normal and customary accessory uses are permissible.
- D. Site design standards
  1. The minimum lot area for any use is 21,780 square feet, or larger if required by the Tift County Health Department.
  2. Specific setbacks for front, side, and rear yards shall be clearly depicted on the proposed site development plan. Once approved, the setbacks shall be imposed on all development within the PDR district.
  3. Specific height standards for proposed buildings within the PDR district shall be clearly depicted on the proposed site development plan. Once approved, the setbacks shall be imposed on all development within the PDR district.
  4. Buffers
    - a. A perimeter buffer for the entire PDR district shall be provided.
    - b. A buffer shall be provided between commercial, office, and personal service uses and adjacent residential uses.

- c. The minimum buffer is ten (10) feet in width.
  - d. The plants within a buffer shall comply with the standards set forth in Section 4.08.04. Buffers shall include at least four (4) canopy (shade) trees and twenty-five (25) shrubs per 100 linear feet of total perimeter property line. Existing trees and shrubs that meet the standards set forth in Section 4.08.04 may be counted toward this standard.
5. Landscaping within an PDR district shall comply with the standards set forth in Section 4.08.04.
  6. The internal circulation system shall be connected to the existing street system and shall provide local and collector streets, as appropriate, in compliance with the standards set forth in Chapter 6. The internal circulation system shall include facilities for pedestrians and bicycles, such as sidewalks, pedestrian paths, bicycle lanes, or bicycle paths.
  7. When the PDR contains more than twenty (20) residential units a second entrance shall be provided.
  8. All utilities within a PDR district shall be underground.
  9. Signs within a PDR development shall have a unified design and shall comply with the standards set forth in Chapter 7 of this Code.
  10. Neighborhood scale commercial, office, and personal service uses shall comply with the following standards:
    - a. Buildings shall not exceed 3,000 square feet per building.
    - b. A unified architectural design shall be established.
    - c. Buildings shall not exceed twenty-five (25) feet in height.
    - d. Equipment and service areas shall be screened from view of adjacent residential properties and public rights-of-way.
- E. Compatibility
- The PDR district shall demonstrate compatibility of uses within the district and compatibility of the development with adjacent uses. Compatibility shall be determined by:
1. Development pattern, considering the street system, lot sizes and dimensions, and the overall layout of the development.
  2. Scale, dimensions, and location of buildings.
  3. Site features, such as parking lots, exterior lighting, and accessory uses such as dumpsters, swimming pools, recreational areas, and community buildings or facilities.

#### **4.06.03 Site Plan Requirements**

- A. All land included in the rezoning to a PDR district shall be under single ownership, or if under multiple ownership, a joint application for site development plan and rezoning shall be submitted.
- B. Once approved, the site development plan shall be recorded and shall be binding on all owners.
- C. The applicant(s) or owner(s) shall maintain and provide for unified control of the PDR development project until the project is complete.

- D. Responsibility for unified control, if not retained by the owner(s), shall be assigned to an individual or an entity such as a homeowners' association, provided that proposed homeowners' association documents are submitted demonstrating that appropriate controls are in place following transfer of management responsibility. Association documents shall be acceptable to the government body, and shall be recorded upon approval.
- E. Proposed legal instruments shall be provided to demonstrate improvement, operation, and maintenance of any common property within a PDR development, including streets, drives, service areas, parking areas, recreational and community facilities, and open space. Approval of a site development plan and rezoning for the PDR district shall include the condition that such legal instruments are properly recorded.

#### **4.07.00 STANDARDS FOR PLANNED DEVELOPMENT URBAN DISTRICTS (PDO)**

##### **4.07.01 Generally**

- A. The City of Tifton hereby establish two types of planned development districts, the Planned Development Rural District (PDR) and the Planned Development Urban District (PDO). Considerations for all planned developments shall include connectivity, overall integration with the Thoroughfare Plan, utility provision, and environmental protection. Section 4.07.00 sets forth the standards for the PDO district.
- B. The PDO district is a zoning district, and is permissible only when approved as a rezoning accompanied by a site development plan that ensures the conservation of the natural environment, more efficient use of land, efficiency in the extension of streets and utilities, and compliance with the standards in Section 4.07.00. Procedures are set forth in Chapter 10.
- C. The PDO district is intended to provide flexibility with regard to the internal site planning considerations of a planned development as compared to other zoning districts. A fundamental purpose of the PDO district is to allow the governing body and the developer to agree on the site design standards applicable to the development.
- D. The purposes of the PDO district are to:
  - 1. Accomplish a more desirable development pattern than would be possible through strict adherence to zoning district standards and subdivision regulations;
  - 2. Allow and encourage creative and flexible projects that may include residential, commercial, office, and related public facilities unified by a development plan;
  - 3. Allow a mixture of uses which are compatible both internally and externally through standards for signs, building locations, buffering or other techniques which may be appropriate to a particular development proposal;
  - 4. Encourage flexible and creative concepts of site development planning which meet changing needs, technologies, economic, and consumer preferences;
  - 5. Encourage combining and coordinating of architectural styles, building forms, and building relationships consistent with the urban location of the PDO;

6. Preserve natural amenities of the land by encouraging scenic and functional open areas; and
7. Ensure consistency of the PDO with the Greater Tifton-Tift County Comprehensive Plan.

E. Applicability

The PDO district is permissible only within the urban service area boundary.

#### 4.07.02 Minimum Standards

- A. The minimum land area for a PDO district is one (1) acre.
- B. A PDO site development plan shall demonstrate compliance with all standards for resource protection set forth in Chapter 3.
- C. Land uses within the PDO district shall include the following:
  1. At least ten (10) percent of the land area within the PDO shall be open space. The open space shall be internally connected with other uses and accessible to residents of the PDO development.
  2. The PDO district may include a single use, such as residential, commercial, office, civic, community, or recreational uses, or any combination of uses.
  4. Residential uses may include single-family, duplex, or multi-family housing.
  5. Home occupations, if proposed, shall comply with the standards set forth in Section 5.01.00.
  6. Normal and customary accessory uses are permissible.
- D. Site design standards
  1. The minimum lot area may be 8,000 square feet where central water and sewer are available. Larger lots may be required by the regulations of the Tift County Health Department.
  2. Specific setbacks for front, side, and rear yards shall be clearly depicted on the proposed site development plan. Once approved, the setbacks shall be imposed on all development within the PDO district.
  3. Specific height standards for proposed buildings within the PDO district shall be clearly depicted on the proposed site development plan. Once approved, the setbacks shall be imposed on all development within the PDO district.
  4. Buffers
    - a. A perimeter buffer for the entire PDO district shall be provided.
    - b. When the PDO contains one use, no internal buffers are required. When mixed uses are proposed, a buffer shall be provided between commercial, office, and personal service uses and adjacent residential uses. When a vertical mix of uses is proposed, no internal buffer is required, however, uses must be compatible and conditions on operations may be imposed.
    - c. The minimum buffer is ten (10) feet in width.
    - d. The plants within a buffer shall comply with the standards set forth in Section 4.08.04. Buffers shall include at least four (4) canopy (shade) trees and twenty-five (25) shrubs per 100 linear feet of total perimeter property line. Existing trees and shrubs that meet the standards set forth in Section 4.08.04 may be counted toward this standard.

5. Landscaping within an PDO district shall comply with the standards set forth in Section 4.08.04.
  6. The internal circulation system shall be connected to the existing street system and shall provide local and collector streets, as appropriate, in compliance with the standards set forth in Chapter 6. The internal circulation system shall include facilities for pedestrians and bicycles, such as sidewalks, pedestrian paths, bicycle lanes, or bicycle paths. Traffic circulation shall not route commercial traffic through residential areas within or adjacent to the PDO.
  7. When the PDO contains commercial or other nonresidential uses, a traffic study shall be required to identify the transportation impacts and the need for transportation improvements.
  8. When the PDO contains more than twenty (20) residential units a second entrance shall be provided.
  9. When the PDO contains 100 residential units or more, a traffic study shall be required to identify the transportation impacts and the need for transportation improvements.
  10. Signs within a PDO development shall have a unified design and shall comply with the standards set forth in Section 5.04.00.
- E. Compatibility
- The PDO district shall demonstrate compatibility of uses within the district and compatibility of the development with adjacent uses. Compatibility shall be determined by:
1. Development pattern, considering the street system, lot sizes and dimensions, and the overall layout of the development.
  2. Scale, dimensions, and location of buildings.
  3. Site features, such as parking lots, exterior lighting, and accessory uses such as dumpsters, swimming pools, recreational areas, and community buildings or facilities.

#### **4.07.03 Site Plan Requirements**

- A. All land included in the rezoning to an PDO district shall be under single ownership, or if under multiple ownership, a joint application for site development plan and rezoning shall be submitted.
- B. Once approved, the site development plan shall be recorded and shall be binding on all owners.
- C. The applicant(s) or owner(s) shall maintain and provide for unified control of the PDO development project until the project is complete.
- D. Responsibility for unified control, if not retained by the owner(s), shall be assigned to an individual or an entity such as a homeowners' or property owners' association, provided that the proposed association documents are submitted demonstrating that appropriate controls are in place following transfer of management responsibility. Association documents shall be acceptable to the government body, and shall be recorded upon approval.
- E. Proposed legal instruments shall be provided to demonstrate improvement, operation, and maintenance of any common property within an PDO

development, including streets, drives, service areas, parking areas, recreational and community facilities, and open space. Approval of a site development plan and rezoning for the PDO district shall include the condition that such legal instruments are properly recorded.

#### **4.08.00 LANDSCAPING, BUFFERS, AND TREE PROTECTION**

##### **4.08.01 Purpose**

- A. The purpose of this section is to provide requirements for landscaping, buffering of developments, and tree protection within the City of Tifton.
- B. It is the intent of the governing body to reduce the adverse visual, environmental, and aesthetic effects of development in order to:
  1. Minimize the rate of stormwater runoff.
  2. Maximize the capability of groundwater recharge.
  3. Provide shade for the ground surfaces.
  4. Buffering adjacent incompatible land uses.
  5. Improve the appearance of parking areas and vehicular surface areas.
  6. To provide best management practices for erosion, sedimentation and pollution control measures as set forth in the Georgia Soil and Water Conservation Commission.

##### **4.08.02 Applicability and Provision of Landscape Plans**

- A. The requirements of this section shall apply to all properties to be used, developed, or redeveloped within the City of Tifton except as may specifically be exempted in Section 4.08.02(C) below.
- B. In order to demonstrate compliance with the requirements of this section, a landscaping plan shall be submitted with applications for development approval for all development subject to these standards. The requirements and procedures for submittal, review, and approval of all applications are set forth in Chapter 10.
- C. The following types of development are exempt from the requirements to provide a landscaping plan:
  1. Single-family and two-family dwellings.
  2. Applications for accessory uses or accessory structures where a principal structure or principal use is already established.
  3. Applications for temporary uses.
  4. Plant or tree nurseries or botanical gardens.
  5. The City of Tifton or authorized agents for the purpose of removal of a tree on publicly owned property or a public right-of-way, provided that such tree is dead or a hazard to the public.
  6. Utility companies or their authorized agents for the purpose of removal of a tree that is a substantial hazard to overhead wires or for trimming that is necessary for establishment or maintenance of service.
  7. The trimming or pruning of trees or the removal of underbrush.

8. The removal of trees or other landscaping damaged by fire, windstorm, lightning, or other acts of nature, which pose imminent danger to life or property.
9. An existing vehicle use area, provided that no change of use or modification of the structure(s) served by the vehicle use area is proposed.
10. Any resurfacing, repair or replacement of any then existing paved vehicle use area unaccompanied by land disturbance of any adjacent surface area.

#### **4.08.03 Maintenance Requirements**

- A. All landscaped areas shall be maintained to ensure that plant materials are healthy and thrive. Any diseased or dead plant materials shall be replaced as soon as reasonably possible based on the growing season, but not later than ninety (90) days following identification of the need for replacement.
- B. All landscaped areas shall be provided with an irrigation system or as an alternative, a watering plan shall be included with the landscaping plan, sufficient to ensure that plants are established in a healthy growing condition.
- C. Where an irrigation system is proposed in a landscaped area, the system shall be shown on the landscaping plan. Standards for the irrigation system are set forth in Section 4.08.04.C.
- D. Necessary trimming and maintenance shall be performed to maintain the health of the plant materials, to provide an aesthetically pleasing appearance, and to assure that the landscaped and buffer areas serve the intended purpose.
- E. Where a tree, shrub, or any portion of a tree or shrub overhangs a public right-of-way, the owner of such tree or shrub shall remove or prune the tree or shrub to ensure the following:
  1. The tree or shrub shall not obstruct light from any street light.
  2. The tree or shrub shall not obstruct a motorist's view of any street intersection.
  3. The tree or shrub shall comply with the requirements for a clear visibility triangle as set forth in Section 6.01.05.
  4. Damaged or dangerous trees and shrubs shall be removed to ensure safety in the use of the public right-of-way. Damaged or dangerous trees shall be determined in accordance with the United States Forestry Service Guidelines.

#### **4.08.04 General Landscape Standards**

The general standards set forth in this section apply to all required landscaped areas, including parking lots, buffers, and interior landscaping.

- A. Minimum specifications for plant materials:
  8. All plant material shall be nursery grown, number one (1) grade, meet current American Association of Nurseryman Standards, and installed according to accepted planting procedures.
  9. Acceptable plant materials are identified in an Appendix to Chapter 4.
  10. Shrubs shall be at least eighteen (18) inches in height at the time of installation.
  11. All landscaped areas and buffers shall be sodded or covered with ground cover.

12. Ground cover used in lieu of grass shall be planted so as to present a finished appearance and reasonably complete coverage within three (3) months of installation.
13. Retention of and replacement with native and drought tolerant species is preferred. Only plants on the approved plant list in Appendix A shall be installed.
14. At least twenty-five (25) percent of the required trees installed in landscaped buffers, landscaped parking areas, and to meet tree planting requirements shall be canopy trees.
15. Existing trees, which are four (4) inches DBH or larger, and shrubs may be counted toward meeting the requirements for landscaped buffers, landscaped parking areas, and tree retention.
16. Canopy trees shall not be installed under or within ten (10) lateral feet of any overhead utility line; over or within five (5) lateral feet any buried utilities; or within a utility easement.
17. All trees and shrubs shall be installed to comply with the requirements for a clear visibility triangle, as set forth in Section 6.01.05.
18. Canopy trees shall not installed closer than ten (10) feet from a property line.
19. Trees shall not be planted closer than ten (10) feet from a fire hydrant.

B. Requirements for landscaping

The landscaping plan shall demonstrate compliance with the standards of this section. The plan shall show the location, size, description, and specifications of all proposed plant materials.

1. Existing plant materials, other than invasive species, may be counted toward meeting the landscaping requirements set forth in this section.
2. At least ten (10) percent of the total gross land area of a non-residential development site shall be landscaped in addition to any required buffer. The landscaped areas shall be located on the site in such manner as to maximize preservation of existing trees. The landscaped area shall contain trees, shrubs, and vegetation consistent with accepted horticultural practice. Plant materials shall be selected from the list of acceptable plant materials provided in Appendix A to this LDC.
3. The choice, location, and irrigation of plant materials shall follow the recommendations of Xeriscape: A Guide to Developing a Water-Wise Landscape, Bulletin 1073, published May 2007, by the Cooperative Extension Service of the University of Georgia College of Agricultural and Environmental Sciences, available online at [www.caes.uga.edu/extension](http://www.caes.uga.edu/extension).
4. Where there is a conflict between the plant materials listed in Appendix 4 (at the end of Chapter 4) and the plant materials listed in Bulletin 1073, the plants listed in Appendix 4 shall be used.
5. Any landscaping plan required under this Code shall be completed no later than ninety (90) days from the date of the issuance of the Certificate of Occupancy.

C. Requirements for irrigation systems

All irrigation systems shall be designed, installed, and maintained in such a manner as not to be a nuisance to adjacent properties and the general public.

1. Irrigation systems must include moisture sensors and an automatic shut-off feature that is activated during rain events.
2. The water source for the irrigation system shall be the lowest quality water that is available and acceptable for the irrigation system. The first choice is reclaimed water. Where reclaimed water is not available and not expected to become available within six (6) months of the completion of the development project, the following sources may be used, and are listed in priority order:
  - a. Stormwater retention pond or lake;
  - b. Groundwater from an onsite well; or
  - c. Potable water.

#### **4.08.05 Landscape Requirements for Parking Lots**

##### **A. Parking lots within the Historic District**

1. A parcel of land with fifty (50) percent or more of the land area within the Historic District shall meet the landscaping standards set forth in this section.
2. A vehicle use area of more than 3,000 square feet but not more than 10,000 square feet shall provide one (1) or more landscaped areas within the vehicle use area equal to six (6) percent of the designated vehicle use area. Perimeter landscaping is not required.
3. A vehicle use area of more than 10,000 square feet shall provide one (1) or more landscaped areas equal to six (6) percent of the designated vehicle use area. In addition perimeter landscaping is required as set forth in Section 4.08.05.C.

##### **B. Parking lots other than within the Historic District**

1. A vehicle use area with 20,000 square feet or less of paved area is not required to provide interior landscaping. However, perimeter landscaping is required as set forth in Section 4.08.05.C.
2. A vehicle use area of more than 20,000 square feet shall provide one (1) or more landscaped areas within the vehicle use area which equals a total of six (6) percent of the vehicle use area. Perimeter landscaping is required as set forth in Section 4.08.05.C.

##### **C. Standards for interior landscaped areas within all parking lots**

1. The interior landscaped area shall contain one (1) tree for each 500 square feet of landscaped area. At least fifty (50) percent of all trees shall be canopy (shade) trees.
2. Interior landscaped areas may be located within the median of a divided entrance provided that the median is a minimum of ten (10) feet wide.
3. Interior landscaped areas may be located as landscaped islands at the end of parking tiers or as landscaped strips between parking tiers.
4. The choice of plant materials and location of trees and shrubs shall comply with the standards set forth in Section 4.08.04.

5. Vehicle stops or curbing shall be used to ensure that vehicles do not overhang required landscaped areas more than two (2) feet.
  6. Where architectural planters are used, the planting area provided by the planter shall be at least ten (10) square feet for shrubs and twelve (12) square feet for understory trees. Canopy or shade trees shall not be located in planters.
- D. Perimeter landscaping for all parking lots
- A minimum of a ten (10) foot wide strip of land, located between the property line and a parking lot shall be landscaped. Width of sidewalks shall not be included within the ten (10) foot wide front setback perimeter landscape area. Any tree located adjacent to a public right of way shall have a root guard or similar design method so as to prevent damage to the City's infrastructure.

#### 4.08.06 Buffer Requirements

- A. The intent of these requirements is to enhance the visual and aesthetic appearance of Tifton. The purpose of these buffer requirements is to:
1. Provide space definition and landscape continuity within developed areas.
  2. Provide appropriate screening and relief from traffic, noise, heat, glare, odor, and the spread of dust and debris.
  3. Reduce the impact of development on the drainage system and reduce flooding.
  4. Provide for reduction or elimination of incompatibility
  5. Reduce the visual impact of potentially negative aspects of adjacent development.
- B. Location, measurement, and design of buffers between uses
1. Buffers shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Where a fence or wall is provided, the buffer shall be located on private property between the property line and the fence or wall.
  2. Buffers shall be located on any portion of an existing, dedicated, or reserved public or private street, right-of-way, and shall not include plantings located within a drainage, utility, or other easement.
  3. Buffer width may be averaged as follows. Average width shall be measured at the two (2) end points of the buffer and two (2) additional points which are each approximately one-third (1/3) of the total linear distance from the end point.
  4. The plants within a buffer shall comply with the standards set forth in Section 4.08.04. Buffers shall include at least four (4) canopy (shade) trees and twenty-five (25) shrubs per 100 linear feet of total perimeter property line. Existing trees and shrubs that meet the standards set forth in Section 4.08.04 may be counted toward this standard.
  5. The land within the buffer shall be maintained as green open space, consisting of sod or ground cover, along with required plantings. An access drive, sidewalk, or pedestrian or bicycle path shall be allowed to cross a buffer.

6. Buffers shall be established and maintained by the owner of the proposed development site.
7. The minimum buffer area for specific zoning districts is set forth in Table 4.08.06(B).

**Table 4.08.06(B). Buffer Area Standards.**

<b>Zoning District of the Proposed Development</b>	<b>Adjacent Zoning District</b>	<b>Minimum Buffer Area</b>
SA	SA	None
SA	R20, R14, R12, R10 R8, RP	10 feet
R20, R14, R12, R10 R8, RP	R20, R14, R12, R10 R8, RP	None
RP	R20, R14, R12, R10 R8, RP	10 feet
RP	, RP	None
NC, CC, GB, CD	R20, R14, R12, R10 R8, RP	20 feet
NC, CC, GB	NC, CC, GB, CD	None
CD	NC, CC, GB, CD	None
WLI, HI	R20, R14, R12, R10 R8, RP	30 feet plus screening
WLI, HI	NC, CC, GB, CD	30 feet
WLI, HI	WLI, HI	None

- C. Location and design of screening of equipment and other site features
  1. Where screening is required for service areas, loading areas, dumpsters and refuse areas, outside storage, or equipment, the standards of this section shall apply.
  2. Screening shall consist of a durable wall or fence to provide a visual blind, designed to be compatible with the character of adjoining properties.
  3. Such fences and walls shall be at least six (6) feet in height, but no greater than eight (8) feet in height, measured from the ground along the common lot line of the adjoining properties.

#### **4.08.07 Tree Protection**

##### **A. Generally**

1. It is the intent of the City of Tifton that existing trees be protected. Trees that are invasive or exotic are not required to be protected. Trees less than four (4) inches DBH are not required to be protected.
2. All protected trees shall be shown on a tree survey, submitted with the site development plan together with an application for a tree removal permit or with an application for development approval as set forth in Chapter 10.
3. Developers and builders shall coordinate the location of all utilities with all utility companies in order to prevent root damage within the critical root zones of protected trees, so as to minimize damage to trees in the protected zones.

4. Nothing in this section shall be construed to allow the removal of any tree or vegetation in a required stream buffer, watershed buffer, buffer adjacent to waters of the state, or other undisturbed or planted buffer located for protection of natural resources, except where such removal has been specifically authorized as set forth in this LDC.

#### B. Exemptions

The following situations are exempt from the provisions of this section.

1. Construction of a single-family home on an existing platted lot. The exemption does not include an exemption from requirements for protective buffers along streams, creeks, and reservoirs as set forth in Chapter 3.
2. The removal of diseased, deceased, infested, or dying trees, or living pine trees or other trees which may pose a danger to an existing or proposed home, or other structure.

#### C. Protection of Trees During Construction

Trees shall be protected during construction as follows:

1. Protected trees shall be identified prior to the commencement of any land disturbance. Identification may be through the use of flag, ties, or other markings.
2. During construction, a tree protection area must be designated around any trees that are to remain at the end of construction. A physical barrier shall be installed around each protected tree or group of trees. This barrier can consist of a four (4) foot high orange safety fence, wide plastic caution tape, a simple fence made of lumber, or other appropriate methods that can identify the tree protection area.
3. The barrier should be placed at or beyond the drip zone of the tree or group of trees. For trees or groups of trees with a drip zone larger than twenty (20) feet, the protection zone shall be the area twenty (20) feet from the tree or the outermost tree in a group.
4. No person engaged in the construction of any structure(s) or site improvement(s) shall encroach on a protected tree or the identified zone surrounding a protected tree with heavy machinery or the storage of heavy building materials.
5. The protection area shall not be used for stockpiling of soil or building materials, dumping cleaning solvents, or parking vehicles or equipment.

### Appendix to Chapter 4

#### Acceptable and Prohibited Landscape Plant Materials

##### Appendix 4.A. Canopy (Large or Shade) Trees

Common Name	Botanical Name
Florida Maple, Southern Sugar Maple	<i>Acer floridanum</i>
Red Maple	<i>Acer rubrum</i>
Sugar Maple	<i>Acer saccharinum</i>
River Birch	<i>Betula nigra</i>
Pecan	<i>Carya illinoensis</i>
Pignut Hickory	<i>Carya glabra</i>

Shagbark Hickory	<i>Carya ovata</i>
Mockernut Hickory	<i>Carya tomentosa</i>
Southern Catalpa	<i>Catalpa bignonioides</i>
Hackberry	<i>Celtis occidentalis</i>
Leyland Cypress	<i>Cupressocyparis leylandii</i>
Persimmon	<i>Diospyros virginiana</i>
American Beech	<i>Fagus grandifolia</i>
Ginko Tree	<i>Ginkgo biloba</i>
Black Walnut	<i>Juglans nigra</i>
American Sweetgum	<i>Liquidambar styraciflua</i>
Yellow Poplar	<i>Liriodendron tulipifera</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
Big Leaf Magnolia	<i>Magnolia macrophylla</i>
Sweetbay Magnolia	<i>Magnolia virginiana</i>
American Hophornbeam	<i>Ostrya virginiana</i>
Sourwood	<i>Oxydendrum arboretum</i>
Slash Pine	<i>Pinus elliotii</i>
Longleaf Pine	<i>Pinus palustris</i>
White Pine	<i>Pinus strobus</i>
Loblolly Pine	<i>Pinus taeda</i>
Chinese Pistachio	<i>Pistacia chinensis</i>
Sycamore	<i>Platanus occidentalis</i>
Sawtooth Oak	<i>Quercus acutissima</i>
Southern Red Oak	<i>Quercus falcata</i>
Georgia Oak	<i>Quercus georgiana</i>
Overcup Oak	<i>Quercus lyrata</i>
Pin Oak	<i>Quercus palustris</i>
Willow Oak	<i>Quercus phellos</i>
Chestnut Oak	<i>Quercus prinus</i>
Shumard Oak	<i>Quercus shumardii</i>
Live Oak	<i>Quercus virginiana</i>
Weeping Willow	<i>Salix babylonica</i>
Corkscrew Willow	<i>Salix contorta</i>
Black Willow	<i>Salix nitra</i>
Sassafras	<i>Sassafras albidum</i>
Common Bald Cypress	<i>Taxodium distichum</i>
Florida Torreya	<i>Torreya taxifolia</i>

**Appendix 4.B. Small Trees (Understory)**

Common Name	Botanical Name
Devil's Walkingstick	<i>Aralia spinosa</i>
Trident Maple	<i>Acer buergeranum</i>
Japanese Maple	<i>Acer palmatum</i>
American Hornbeam (Ironwood)	<i>Carpinus caroliniana</i>
Eastern Redbud	<i>Cercis Canadensis</i>
Fringe Tree	<i>Chionanthus virginicus</i>
Flowering Dogwood	<i>Cornus florida</i>
Georgia Plume	<i>Elliottia racemosa</i>
Loquat	<i>Eriobotrya japonica</i>

Carolina Silverbell	<i>Halesia Carolina</i>
Lusterleaf holly	<i>Ilex latifolia</i>
Savannah Holly	<i>Ilex x attenuata</i>
Dahoon Holly	<i>Ilex cassine</i>
Possumhaw	<i>Ilex decidua</i>
American Holly	<i>Ilex opaca</i>
Crape Myrtle	<i>Lagerstroemia indica</i>
Narrow-leaf Crabapple	<i>Malus angustifolia</i>
Ogeechee Lime	<i>Nyssa ogeche</i>
American Olive	<i>Osmanthus americanus</i>
Cherry, Carolina Laurel	<i>Prunus caroliniana</i>
Cabbage Palm	<i>Sabal palmetto</i>
Sparkleberry	<i>Vaccinium arboreum</i>

#### Appendix 4.C. Shrubs, Large and Small

Common Name	Botanical Name
Abelia	<i>Abelia x grandiflora</i>
Azaleas, hybrids	
Bottlebrush Buckeye	<i>Aesculus parviflora</i>
Groundsel Bush	<i>Baccharis halmifolia</i>
Butterfly Bush	<i>Buddleia davidii</i>
Common Boxwood	<i>Buxus sempervirens</i>
Sweetshrub	<i>Calycanthus floridus</i>
Camellia	<i>Camellia japonica</i>
Sansanqua Camellia	<i>Camellia sansanqua</i>
Button Bush	<i>Cephalanthus occidentalis</i>
Flowering Quince	<i>Chaenomeles speciosa</i>
Hathorns	<i>Crataegus spp.</i>
Sago Palm	<i>Cycas revoluta</i>
Strawberry Bush	<i>Euonymus americanus</i>
Winter Creeper	<i>Euonymus atropurpurea</i>
Border Forsythia	<i>Forsythia x intermedia</i>
Dwarf Fothergilla	<i>Fothergilla gardenii</i>
Creeping Gardenia	<i>Gardenia radicans</i>
Vernal Witchhazel	<i>Hamamllis vernalis</i>
Shrub Althea (Rose of Sharon)	<i>Hibiscus syriacus</i>
Oakleaf Hydrangea	<i>Hydrangea quercifolia</i>
Bigleaf Hydrangea	<i>Hydrangea macrophylla</i>
Star Anise	<i>Illicium parviflorum</i>
Florida Anise	<i>Illicium floridanum</i>
Foster Holly	<i>Ilex x attenuata</i>
Carissa Holly	<i>Ilex cornuta</i>
Inkberry Holly	<i>Ilex glabra</i>
Yaupon Holly	<i>Ilex vomitoria</i>
Virginia Sweetspire	<i>Itea virginica</i>
Showy Jasmine	<i>Jasminum floridum</i>
Winter Jasmine	<i>Jasminum nudiflorum</i>
Parsons Juniper	<i>Juniperus davurica</i>
Plumosa, Andorra Juniper	<i>Juniperus hoizontalis</i>

Fetterbrush	<i>Leucothoe populufolia</i>
Star Magnolia	<i>Magnolia stellata</i>
Leatherleaf Mahonia	<i>Mahonia bealei</i>
Southern Waxmyrtle	<i>Myrica cerifera</i>
Fortunes Osmanthus	<i>Osmanthus fortunei</i>
Sweet Mockorange	<i>Philadelphus coronarius</i>
Maidens Blushes	<i>Pinckneya bracteata</i>
Southern Yew	<i>Podocarpus macrophyllus</i>
Hoptree	<i>Ptelea trifoliata</i>
Santa Crus	<i>Pyracantha koidzumii</i>
Firethorn	<i>Pyracantha species</i>
Indian Hawthorne	<i>Rhaphiolepis indica</i>
Alabama Azalea	<i>Rhododendron alabamense</i>
Florida Azalea	<i>Rhododendron austrinum</i>
Flame Azalea	<i>Rhododendron calendulaceum</i>
Piedmont Azalea	<i>Rhododendron canescens</i>
Dwarf Palmetto	<i>Sabal minor</i>
Saw Palmetto	<i>Serenoa Repens</i>
Bumald Spirea	<i>Spirea x burmalda</i>
Snowmound	<i>Spirea nopponica</i>
Bridalwreath Spirea	<i>Spiraea prunifolia</i>
Thunberg Spirea	<i>Spirea thunbergii</i>
Vanhoutte Spirea	<i>Spiraea vanhouttei</i>
American Snowbell	<i>Styrax americanus</i>
Cleyera	<i>Ternstoemia gymnathera</i>
Arrowwood	<i>Viburnum dentatus</i>
Blackhaw	<i>Viburnum prunifolium</i>
Spanish Bayonet	<i>Yucca aloifolia</i>
Adam's Needle Yucca	<i>Yucca filamentosa</i>
Spanish Dagger	<i>Yucca gloriosa</i>

**Appendix 4.D. Ground Covers**

Common Name	Botanical Name
Columbine Hybrids	<i>Aquilegia spp.</i>
Aaronsbeard, St. Johnswort	<i>Hypericum calycum</i>

**Appendix 4.E. Prohibited Plants**

Common Name	Botanical Name
Kudzu*	<i>Pueraria Montana</i>
Chinese privet*	<i>Ligustrum sinense</i>
Japanese honeysuckle*	<i>Lonicera japonica</i>
Hydrilla*	<i>Hydrilla verticillata</i>
Chinese tallow tree*	<i>Triadica sebifera</i>
Nepalese browntop*	<i>Microtegium vimineum</i>
Bamboo*	<i>Phyllostachys aurea</i>
Autumn olive (silverberry)*	<i>Elaeagnus umbellate</i>
Chinese wisteria*	<i>Wisteria sinensis</i>

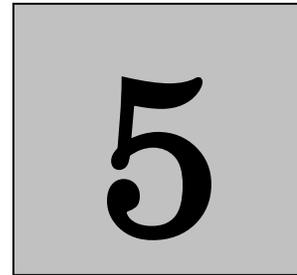
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Mimosa\*

*Albizia julibrissin*

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\* denotes top ten exotic pest plants in Georgia.



# CHAPTER 5

## ACCESSORY AND TEMPORARY USES

5.00.00	GENERALLY	5-2
5.01.00	HOME OCCUPATIONS	5-2
5.01.01	Generally	5-2
5.01.02	Standards for All Home Occupations	5-2
5.01.03	Standards for Rural Home Occupations	5-3
5.02.00	ACCESSORY USES AND STRUCTURES	5-4
5.02.01	Generally	5-4
5.02.02	Accessory Dwellings	5-5
5.02.03	Fences and Walls	5-6
5.02.04	Outside Storage	5-7
5.02.05	Dumpsters	5-7
5.02.06	Swimming Pools	5-8
5.03.00	TEMPORARY STRUCTURES AND USES	5-8
5.03.01	Temporary Structures and Uses During Construction	5-8
5.03.02	Reserved	5-8
5.03.03	Special Events and Seasonal Sales	5-8
5.03.04	Model Homes and Sales Offices	5-10
5.04.00	TELECOMMUNICATION TOWERS AND ANTENNAS	5-10

### 5.00.00 GENERALLY

The provisions of Chapter 5 apply to home occupations, accessory uses and structures, and temporary uses. The standards for home occupations are provided in Section 5.01.00. The standards for accessory uses and structures are provided in Section 5.02.00. The standards for temporary uses and structures are provided in Section 5.03.00. Telecommunication towers and antennas may be located on a lot or parcel with a principal use, or may be the principle use on a parcel. The standards for telecommunication towers and antennas are referenced in Section 5.04.00.

### 5.01.00 HOME OCCUPATIONS

#### 5.01.01 Generally

- A. A home occupation is permissible in a lawfully established dwelling unit in any zoning district where residential uses are permissible. All home occupations shall meet the standards set forth in Section 5.01.02. Home occupations in the SA zoning districts shall meet the additional standards in Section 5.01.03.
- B. The following and similar uses shall be considered home occupations:
  - 1. Instruction or teaching, such as, but not limited to, academic tutoring, performing arts, or fine arts, provided that no more than two (2) students are instructed at any one (1) time.
  - 2. Professional offices such as, but not limited to, the following: accountant, architect, drafting, insurance agent, manufacturing agent, real estate agent, and tax consultant.
  - 3. Administrative or clerical support services, such as transcription, court reporters, stenographers, notary public, or addressing services.
  - 4. Personal services, such as beauty or barber shop, nail technician, dressmaking or tailoring, provided that the service is limited to one (1) station.
  - 5. Cottage industries, such as cooking, or the creation of intellectual property (books, videos, DVDs, and similar).
  - 6. Studios for artists, photographers (including a darkroom), or artisans, including potters and basket weavers.
  - 7. Light repairs, such as clock repair shop, gunsmith shop, or locksmith.
  - 8. Boarding non-transient guests, limited to four (4) guests at any one time subject to the provisions of Section 4.03.21.
  - 9. Day care for six (6) or fewer children.
- C. An interpretation that a use not listed in Section 5.01.01(B) is similar shall be based on the tasks and activities normally associated with the proposed use and the similarity of those tasks and activities with the tasks and activities normally associated with a listed use.

#### 5.01.02 Standards for All Home Occupations

- A. The parcel on which a home occupation is proposed shall conform to all standards of the zoning district in which it is proposed.
- B. Business licenses are required for all home occupations.

- C. Employees of the home occupation shall be limited to the residents of the dwelling.
- D. The home occupation shall be clearly incidental to the residential use of the dwelling.
- E. The use of the dwelling for a home occupation shall not change the residential character of the building.
- F. No internal or external alterations which are inconsistent with the residential use or character of the dwelling shall be permitted.
- G. Products for sale or use in the home occupation shall not be visible from the street.
- H. Only products produced on the premises shall be sold on the premises.
- I. Use of a dwelling for a home occupation shall not exceed twenty-five (25) percent of one (1) floor of the dwelling.
- J. The home occupation shall not constitute a nuisance to the surrounding neighborhood, as evidenced by the use of machinery or equipment that produces noise, smoke, odor, vibration, electrical interference, or other objectionable condition beyond the property line of the lot on which the home occupation is located.
- K. Outside storage of materials used in connection with a home occupation is prohibited.
- L. If the home occupation is proposed to involve the use of an accessory building, such use shall be permissible when it is clearly demonstrated that the accessory building is located, designed, and generally follows the normal and typical patterns of residential accessory buildings. The floor area of accessory building used for a home occupation shall not exceed twenty-five (25) percent of one (1) floor of the dwelling.
- M. The total floor area devoted to a home occupation, when combining home occupation use of the dwelling and home occupation use of an accessory building, shall not exceed twenty-five (25) percent of one (1) floor of the dwelling.
- N. Vehicles used for the home occupation shall be limited to passenger vehicles.
- O. Signs shall be permitted in accordance with the provisions of Chapter 7 of this Code.

### **5.01.03 Standards for All Rural Home Occupations**

- A. A rural home occupation shall be permissible only on land in the SA zoning district.
- B. Where a rural home occupation is proposed, the following standards shall apply in addition to the standards for all home occupations set forth in Section 5.01.02:
  - 1. Employees of a rural home occupation may be any residents on the parcel and are not limited to the residents in the principal dwelling. Further, there shall be no nonresident employees of a rural home occupation.
  - 2. Permissible home occupations include those identified in Section 5.01.01.B and the following: service-oriented commercial activities associated with agricultural activities, such as taxidermy or farm equipment service.

3. In addition to passenger vehicles, two (2) non-passenger vehicles directly associated with the rural home occupation are permissible.

## 5.02.00 ACCESSORY USES AND STRUCTURES

### 5.02.01 Generally

- A. It is the intent of this section to regulate accessory uses and the installation, configuration, and use of accessory structures. Regulation is necessary in order to ensure that accessory uses and structures are compatible with the surrounding neighborhood and are consistent with the character and intent of the zoning district in which the accessory structures are located.
- B. Permissible accessory uses and structures are identified in Table 2.03.04.
- C. Accessory structures shall be on the same lot and subordinate to the principal use or structure.
- D. Accessory structures shall not be allowed in front yards in areas zoned residential or residential professional.
- E. Accessory buildings shall comply with the following standards:
  1. Accessory buildings located in front or side yards on lots zoned for residential use shall meet the front and side setbacks set forth in Table 4.01.02(F).
  2. Accessory buildings located in the rear yard on lots zoned for residential use shall be setback at least five (5) feet from the rear property line and eight (8) feet from the side property line.
  3. Accessory buildings located on through lots shall be setback a distance equal to or greater than the required front yard setback for the zoning district, as set forth in Table 4.01.02(F).
  4. Accessory buildings on lots with a nonresidential zoning classification shall be located to comply with all front, side, and rear setbacks set forth in Table 4.01.02(F) or standard backyard setback requirements with appropriate screening.
  5. An accessory building that exceeds eight (8) feet in height shall be separated from the principal building by at least ten (10) feet.
  6. Accessory structures shall not be located on or within any recorded or required easement.
  7. Accessory structures shall not be erected on a lot prior to the construction of the principal structure.
  8. Accessory structures shall be included in all calculations for impervious surface ratio standards and for stormwater management standards.
  9. Accessory structures, other than fences located in compliance with the requirements of Section 5.02.03, shall not be located within any required buffer or landscaping area, parking lot, protected resource area, or stormwater management area.
- F. An accessory building may be permitted on a separately platted lot provided that the following standards are met:
  1. The lot on which the accessory building is proposed shall abut the lot on which the principal building is located.

2. The lot on which the accessory building is proposed and the lot on which the principal building is located shall have the same ownership.
3. The lot on which the accessory building is located shall comply with the standards for uses within the zoning district.
4. The accessory building shall be located in compliance with the setback standards for the zoning district, as set forth in Section 4.01.02.
5. Except as set forth herein (Section 5.02.01.E) the accessory building shall otherwise comply with all standards set forth in Section 5.02.01.

#### **5.02.02 Accessory Dwellings**

- A. Accessory dwellings include, but are not limited to, basement apartments, garage apartments, caretaker, or other employee quarters.
- B. Accessory dwellings shall be under the same ownership as the principal dwelling and lot.
- C. On lots zoned for residential use, accessory dwellings are permissible only within the principal dwelling or a garage apartment.
- D. Accessory dwellings contained within a principal dwelling shall comply with the following standards:
  1. There shall be no more than one (1) accessory dwelling in a principal dwelling unit.
  2. The accessory dwelling may have a separate exterior entrance.
  3. The accessory dwelling shall not exceed twenty-five (25) percent of the habitable floor area of the principal dwelling.
  4. One (1) additional off-street parking space shall be provided to serve the accessory dwelling.
  5. The accessory dwelling shall comply with all building and health code standards.
- E. An accessory dwelling may be located above or attached to a garage, and shall comply with the following standards:
  1. There shall be no more than one (1) accessory dwelling unit per lot.
  2. The garage and associated accessory dwelling shall be located only within the side or rear yard.
  3. The lot shall comply with the minimum lot area standards set forth in Table 4.01.01.
  4. The total floor area of the accessory dwelling shall not exceed twenty-five (25) percent of the floor area of the principal dwelling and shall have a minimum of 400 square feet
  5. One (1) additional off-street parking space shall be provided to serve the accessory dwelling unit.
- F. An accessory dwelling to provide quarters for caretakers or security personnel are permissible on lots zoned CC, CD, WLI, and HI, subject to the following standards:
  1. The dwelling shall be occupied only by an employee of the business conducted on the premises.
  2. No more than one (1) dwelling shall be located on the nonresidential parcel.

3. The portion of the total site (called dwelling lot) devoted to the dwelling shall be at least 8,000 square feet. The portion of the total site devoted to the dwelling shall be identified on the site development plan, but shall not be platted as a separate lot.
  4. The location of the dwelling on the dwelling lot shall comply with the setbacks required for the R8 zoning district.
  5. The dwelling may be a manufactured house or site built.
  6. The dwelling shall have water and sewage disposal in full compliance with the requirements of the Tift County Health Department.
- G. Accessory dwellings for agricultural workers is permissible in the SA zoning district, subject to the following standards:
1. The dwellings shall be occupied only by an employee of the agricultural operation conducted on the premises and the employee's family.
  2. There shall be no more than two (2) such accessory dwellings per twenty-five (25) acres of land.
  3. The dwellings shall meet all applicable rules and regulations regarding agricultural worker housing of the Georgia Department of Labor.
  4. The dwellings shall have water and sewage disposal in full compliance with the requirements of the Tift County Health Department.
  5. The dwellings shall be located in compliance with the SA zoning district setbacks and height standards.
  6. Accessory dwellings shall be separated from other dwellings and buildings by at least thirty (30) feet.

### 5.02.03 Fences and Walls

#### A. Location of fences and walls

1. Fences and walls may be located on or inside property lines.
2. Setback requirements applicable to buildings shall not prohibit or restrict any necessary retaining wall, below ground foundation, or fence which shall be necessary for the proper development of a site as required by this LDC.
3. Fences and walls shall be located to avoid interference with the required clear visibility area designated in Section 6.01.05.
4. Fences and walls shall not obstruct, hinder, or impede the movement of pedestrian and vehicular traffic, and shall not present a nuisance, danger, or hazard to the general public.
5. Fences shall be constructed with the finished side facing outward.

#### B. Height standards

1. Heights of fences shall be measured from natural ground level at the base of the fence to the topmost part of the fence. Heights of fences located on berms shall be measured from the bottom of the berm to the topmost part of the fence.
2. The maximum height of a fence in a side or rear yard is eight (8) feet.

3. The maximum height of a fence in a front yard is four (4) feet, except within the clear visibility area designated in Section 6.01.05, where the maximum height is three (3) feet.
- C. Specific provisions within the SA zoning district
  1. Barbed wire may be used on fences.
  2. Electric fences are permissible in full compliance with electrical and safety codes.
- D. Specific provisions in WLI and HI zoning districts  
Fences required for enclosure of permissible outdoor storage as set forth in Section 5.02.04 shall not exceed ten (10) feet in height.

#### **5.02.04 Outside Storage**

- A. The standards set forth in this section apply to any storage of equipment, machinery, or materials other than enclosed within a building.
- B. Outside storage involving machinery and equipment, service areas for vehicles in need of major service or repair, materials for construction or distribution is permissible only in the GB, WLI, and HI zoning districts.
- C. Outside storage involving machinery and equipment for agricultural support is permissible only in the SA zoning district.
- D. The provisions of this section shall not be construed to prohibit the outdoor storage of non-commercial lawn equipment in residential areas.
- E. Outside storage shall be located within a rear yard or side yard.
- F. Outside storage shall be fully concealed from public view with a solid fence, not to exceed ten (10) feet in height.
- G. Outside storage of parts and materials, service areas, refuse, or work activity areas shall be maintained in a neat and orderly manner.
- H. Stored materials shall not exceed the height of the fence enclosing the outside storage area.
- I. Outdoor storage shall not be located within any required buffer area, stormwater management area, or easement.

#### **5.02.05 Dumpsters**

- A. Dumpsters shall be screened with a solid masonry wall or hardy plank. The fence shall be eight (8) feet in height. If a fence is used, the finished side shall face outward.
- B. Double-staggered shrubs shall be installed around the perimeter of the wall or fence to form a continuous hedge. Plant materials shall meet the specifications set forth in Section 4.08.04(A), and shall be maintained as required in Section 4.08.03.
- C. A gate shall be provided for access.
- D. Whenever possible, dumpsters shall not be visible from the public right-of-way.
- E. Dumpsters shall be located on a concrete surface of sufficient size to accommodate the dumpster.
  1. Dumpsters for food service establishments shall provide a drain.
  2. Dumpsters for food service establishments shall provide a grease trap.
- F. The dumpster location shall be easily accessible for pick-up.

- G. Dumpsters shall be located to the rear or side of the principal building. A location in the front of the principal building shall be permissible only where side and rear yard locations cannot provide adequate access for pick-up.
- H. Dumpsters shall not be located within any required buffer area, required landscaped area, required parking lot landscaping, or stormwater management area.
- I. All dumpsters shall be properly maintained and shall comply with City's requirements for safety, sanitation, and nuisances.

#### **5.02.06 Swimming Pools**

Swimming pools shall be enclosed by a steel mesh security fence, masonry wall, or other building material providing equal or better access control. The fence or wall shall be a minimum of four (4) feet in height.

### **5.03.00 TEMPORARY STRUCTURES AND USES**

#### **5.03.01 Temporary Structures and Uses During Construction**

A temporary building or use in connection with a construction project shall be permitted during the construction period. The following standards shall be met by temporary uses established during construction:

- A. A building permit shall be required.
- B. Temporary offices may be located on a construction site to be used for administrative functions during construction. Temporary construction offices may have the name of the construction company printed on one (1) permanently affixed sign on the outside of the building and shall comply with the specifications set forth in the supplemental standards and comply with Chapter 7 of this Code. On-site outdoor storage of equipment and construction materials shall be allowed during the period of construction.
- C. Portable toilet facilities shall be provided.
- D. Construction and demolition debris dumpsters are allowable and are not required to be screened.
- E. A temporary office shall be allowable, which may be used for sales functions or sales offices, allowing for the sale, resale, or marketing of dwellings, structures, or property within the development in which it is located, or adjacent developments under the same control. Where such office is open to the public, ADA compliance is required.
- F. On-site temporary use of structures and equipment for the building of roads, public utilities, and government projects shall be allowed.

#### **5.03.02 Reserved**

#### **5.03.03 Special Events and Seasonal Sales**

- A. Special events include carnivals, fairs, festivals, seasonal sales, tent meetings, or other periodic events of a temporary nature. Such events are typically outdoors.
- B. Special events shall be limited to:
  - 1. The SA zoning district; or

2. On any property used for civic purposes; or
  3. On any property used as a religious facility.
- C. The following standards apply to carnivals, fairs, festivals, tent meetings, and similar events and activities:
1. A temporary use permit is required according to the procedures set forth in Chapter 10 and shall be posted in a public and conspicuous location.
  2. The applicant shall ensure the provision of adequate sanitation facilities, sewage disposal, garbage and refuse disposal, potable water supply, and food service during the special event.
  3. The area devoted to the special event shall not be located on any required setbacks, buffers, parking spaces, parking lot aisles, driveways, fire lanes, or other traffic circulation areas.
  4. The site shall have floodlighting for the special event and parking areas, if any activities are to be offered during darkness. Lighting shall be shielded and directed to avoid direct illumination of adjacent properties as measured at the property line.
  5. The site shall have adequate parking facilities. Parking may be on-site or off-site. Where off-site parking is provided, there shall be adequate plans for transporting or conducting patrons from the off-site parking facilities to the special event area.
  6. The applicant shall provide adequate traffic control and security in and around the special event area during hours of operation.
  7. All stages, booths, tents, scaffoldings, or structures of any nature on, under, or within which persons may congregate, shall conform to applicable building, health, and other construction codes.
- D. The following standards apply to seasonal sales:
6. A temporary use permit is required according to the procedures set forth in Chapter 10 and shall be posted in a public and conspicuous location.
  7. The area devoted to seasonal sales shall not be located on any required setbacks, buffers, parking spaces, parking lot aisles, driveways, fire lanes, or other traffic circulation areas.
  8. Goods, tents, equipment, or materials used for the seasonal sales activity shall not be located within any right-of-way.
  9. Parking spaces shall be provided to support the seasonal sales activity. Parking spaces necessary to support the seasonal sales activity shall be in addition to parking provided on the site to serve other uses and shall be calculated based on the square feet of sales area according to the standards in Section 6.01.03.
  10. The applicant shall ensure the provision of adequate garbage and refuse disposal.
  11. The applicant shall demonstrate conformance with all applicable building, health, and other federal, State, or local laws.

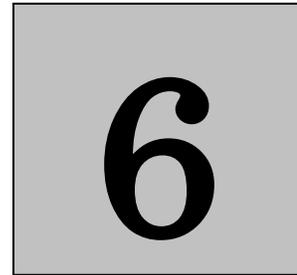
**5.03.04 Model Homes and Sales Offices**

- A. Model homes are permissible only in conjunction with a new residential development during the period of construction of site improvements and new homes.
- B. One (1) or more model homes may be established in a residential development, including planned developments, subject to the following standards:
  - 1. A model home shall be located on a platted lot meeting all standards of this LDC. The number of model home units shall not exceed five (5) percent of the number of homes or lots permissible in the residential development. Fractions shall be rounded to the nearest whole number.
  - 2. A model home shall be located to meet all site design standards of this LDC, except for the modifications specifically enumerated herein.
  - 3. A model home may include a sales office. Where a sales office is provided open to the public, ADA compliance is required.
  - 4. One (1) off-street parking space shall be provided for each employee plus one (1) off-street parking space per model home. In addition, one (1) off-street parking space shall be provided for handicapped parking. These spaces shall be provided on the same lot as the model dwelling unit or on a contiguous lot within the specific project.
- C. The model home shall be discontinued as a model unit and sales office when ninety (90) percent homes in the residential development have been built. The model home site shall be redesigned to comply with all site design requirements applicable to the residential development. Such redesign includes, at a minimum, removal of parking in excess of that associated with a single-family home; removal of any signs; and removal of any exterior lighting associated with the model home and sales office.

**5.04.00 TELECOMMUNICATION TOWERS AND ANTENNAS**

Telecommunications towers and antennas shall be permitted provided that:

- A. All structures are setback from property lines and right of way of lines the required distance for that district plus one foot for every two feet above the height requirements of that district.
- B. Towers or tall structures for telecommunications services will not be permitted within 500 feet of each other measured from the base of the tower to the base of the tower.



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# CHAPTER 6

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## INFRASTRUCTURE IMPROVEMENTS

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6.00.00	GENERALLY	6-3
6.01.00	TRANSPORTATION AND PARKING FACILITIES	6-3
6.01.01	Access and Driveway Design Requirements	6-3
6.01.02	Streets and Rights-of-Way	6-5
6.01.03	Parking Standards and Design	6-9
6.01.04	Drive-Through Facilities and Stacking Lanes	6-14
6.01.05	Visibility at Intersections	6-14
6.02.00	BOARD OF HEALTH REQUIREMENTS	6-15
6.02.01	Purpose	6-15
6.02.02	Jurisdiction	6-15
6.02.03	Soil Suitability Criteria	6-15
6.02.04	Water Supply and Sanitary Sewage, and Septic Systems	6-15
6.03.00	REQUIREMENTS REGARDING POTABLE WATER, SANITARY SEWER, AND OTHER UTILITIES	6-16
6.03.01	Generally	6-16
6.03.02	Requirements for All Utilities	6-16
6.03.03	Potable Water System Requirements	6-16
6.03.04	Sanitary Sewer System Requirements	6-17
6.03.05	Other Utility Requirements	6-17
6.04.00	REQUIREMENTS REGARDING DRAINAGE AND STORMWATER MANAGEMENT	6-17
6.04.01	Generally	6-17
6.04.02	Applicability and Exemptions	6-18
6.04.03	Standards for Stormwater Management	6-19

List of Tables

Table 6.01.03(A).	Parking Space Requirements.	6-10
Table 6.01.03(D).	Parking Lot Design.	6-13
Table 6.01.04(C).	Stacking Lane Requirements for Banks and Financial Institutions	6-14

List of Figures

Figure 6-1.	Joint and Cross Access.	6-22
Figure 6-2.	Visibility at Intersections.	6-23

**6.00.00 GENERALLY**

The purpose of this chapter is to establish standards and requirements for the provision of infrastructure by all development. This chapter contains requirements for the transportation system, set forth in Section 6.01.00, including access, streets, off-street parking, and clear visibility at intersections. Tift County Board of Health requirements are set forth in Section 6.02.00. Requirements for utilities are set forth in Section 6.03.00, including potable water and sanitary sewer. Requirements for drainage and stormwater management are set forth in Section 6.04.00.

**6.01.00 TRANSPORTATION AND PARKING FACILITIES****6.01.01 Access and Driveway Design Requirements****A. Requirements for curb cuts**

Within any zoning district, where the lowering or cutting away of any curbs or the placement of asphalt and/or driveway pipe on non-curbed sections for the purpose of ingress and egress is required to the property, such curb cuts or asphalt width shall be subject to the following provisions:

1. The location, design, and construction of driveway connections shall comply with the Technical Standards Manual.
2. Residential curb cuts (excluding multi-family development and manufactured housing park development):
  - a. No more than two (2) combined entrances and exits shall be allowed any parcel of property, the frontage of which is less than 200 feet on any one (1) street. Additional entrances or exits for parcels having a frontage in excess of 200 feet shall be permitted at the rate of one (1) entrance/exit for each additional 100 feet.
  - b. At street intersections, no curb cuts shall be located within twenty-five (25) feet of the intersection of two (2) curb lines or such lines extended; or within twenty five (25) feet of the intersection of two (2) right-of-way lines or such lines extended, whichever is more restrictive. On principal or minor arterials or collector streets, no driveway shall be within seventy (70) feet of the intersection of two (2) curb lines or curb lines extended.
  - c. The distance between any two (2) curb cuts on the same side of the street shall be not less than ten (10) feet. Said distance shall be measured between the point of tangency of the curb return radii and the established curb.
  - d. All driveways shall be constructed so as to have at least five (5) feet from any property line (excluding right-of-way), except that a curb return may flare to a point where such property line extends with the right of way line.
  - e. The maximum width of any residential driveway shall not exceed twenty-four (24) feet measured at the right-of-way line.
  - f. The sum of the two (2) curb return radii for any curb cut shall not exceed fifteen (15) feet.
3. Commercial, industrial, manufactured housing park, and multi-family curb cuts

- a. Existing lots of record less than 150 feet frontage shall be allowed one (1) combined entrance/exit not to exceed twenty-four (24) feet at right-of-way line.
  - b. No more than two (2) combined entrances or exits shall be allowed any parcel or frontage that is less than 300 feet on any one (1) street. Additional entrances or exits for parcels of property having a frontage in excess of 300 feet shall be permitted at the rate of one (1) entrance-exit for each additional 150 feet.
  - c. At street intersections, no curb cuts shall be located within seventy (70) feet of the intersection of two (2) curb lines or within sixty (60) feet of the intersection of two (2) property lines where such lines extended, whichever is more restrictive.
  - d. Maximum width of any driveway shall not exceed forty (40) feet measured at the right-of-way line; minimum two-way shall be twenty-four (24) feet at right-of-way line with a maximum of twelve and a half (12.5) foot radius. If the driveway provides primary access for heavy truck traffic, the maximum driveway width may be increased upon approval of the Manager. No two (2) driveways on the same property shall be closer than twenty-five (25) feet.
  - e. The sum of the two (2) curb return radii for any one (1) curb cut shall not be less than twenty-five (25) feet, nor greater than forty (40) feet.
- B. Defunct driveways shall be removed
1. When development on sites where existing curb cuts are abandoned and access is no longer afforded due to parking lots, buildings or other permitted structures, the driveway shall be removed, the sidewalk (if existing) shall be replaced, the curb and gutter shall be replaced, fill dirt backfilled to its natural state.
  2. Where the development was served by a piped driveway to a dirt or paved street, said pipe shall be removed, asphalt removed and the shoulders and ditch regraded to its natural pre-existing state.
- C. Joint access driveways and cross access easements
- Joint access driveways and cross access easements shall be designed according to the following provisions:
1. Adjacent commercial or office properties shall provide a cross access drive and pedestrian access to allow circulation between sites through a system of joint use driveways and cross access easements as shown in Figure 6.1. The design of the joint or cross access area shall incorporate the following:
    - a. Continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation;
    - b. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive; and
    - c. Sufficient separation between side street access to the property and the major road to ensure safety.

2. In order to ensure continuous availability of access to all properties, all property owners shall:
  - a. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
  - b. Record an agreement with the deed that remaining access rights along the thoroughfare shall be dedicated to the governing authority and pre-existing driveways shall be closed and eliminated after construction of the joint-use driveways; and
  - c. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

#### **6.01.02 Streets and Rights-of-Way**

- A. The location, arrangement, extent, width, and grade of all streets shall conform to the City of Tifton-Tift County Thoroughfare Plan, and shall be considered in relation to existing and planned streets, topographical conditions, public safety and convenience, and proposed use of land to be served by the streets. The layout of a subdivision shall conform to the requirements and design principles described in this LDC.
- B. The location, design, and construction of all streets shall comply with the Technical Standards Manual and the Georgia Department of Transportation (GDOT) standards for streets.
- C. The location, design, and construction of all traffic control devices, signage and other markings shall comply with the Manual of Uniform Traffic Control Devices (MUTCD).
- D. Streets signs designating the approved name of each street shall be placed in accordance with the standards established by the governing authority.
- E. Access (also see Section 6.01.01(A))
  1. Except as provided in Section 6.01.02(E) below, each lot within a subdivision shall abut a paved public street which is or shall be maintained by the City of Tifton with a minimum right-of-way width of sixty (60) feet.
  2. Where the subdivision does not immediately adjoin a public street, the subdivider shall provide a paved public street from the subdivision to a paved public street.
  3. A subdivision with twenty (20) or more lots shall provide two (2) access points. Where access is by a private street, the following additional standards shall be met:
    - a. The private street shall comply with the standards in Section 6.01.02(E).
    - b. If gated, the gate shall be a breakaway design and construction to as to ensure emergency access.
  4. A driveway connecting the public street with adjoining property is the responsibility of the property owner. Prior to installation, any needed drainage pipe under the driveway shall be approved by the governing authority.

5. Alleys or fire lanes may be provided at the rear of lots in residential subdivisions. Alleys or fire lanes shall be provided at the rear of lots in commercial and industrial developments.
- F. Private roads
1. The development of a subdivision on private roadways may be permitted subject to the provisions of this section.
    - a. Subdivisions which utilize private streets shall be approved by the Mayor and City Council.
    - b. The developer of a subdivision which utilizes private streets shall establish a responsible association with the authority to maintain the private streets.
    - c. Private streets shall be approved for development only when they are eligible for categorization as a local street.
    - d. Private streets shall be designed and constructed to comply with the Technical Standards Manual and the Georgia Department of Transportation (GDOT) standards for public streets and shall conform to the City of Tifton-Tift County Thoroughfare Plan.
    - e. Private streets shall be designed so as to prohibit through traffic.
    - f. To allow for installation of utilities, there shall be a thirty (30) feet utility easement required to be indicated on the subdivision plat.
    - g. Prior to the issuance of building permits for lots within the development, the developer shall file with the Manager a "Release of Maintenance Agreement," acknowledging that the governing authority shall have no responsibility for present or future maintenance of the private streets.
    - h. A blue street sign indicating that the street is a private street shall be erected at the intersection of each public street and the private street.
    - i. Subdivisions developed with private streets may erect a security gate at the entrance to the subdivision, provided that the security gate is equipped with a pass key system or an emergency alarm activated gate to provide access for emergency vehicles.
- G. Design standards
1. Alignment and Continuation. Streets within a subdivision shall be so arranged as to provide for the alignment and continuation of existing public streets.
  2. Cul-de-sacs
    - a. Permanent cul-de-sacs shall be limited in length so that each cul-de-sac serves as street access for no more than twenty-five (25) lots.
    - b. Cul-de-sacs shall terminate in a circular turnaround having a right-of-way of not less than 100 feet.
    - c. Paving within the turnaround shall have an outside diameter of not less than ninety (90) feet.
  3. Permanent dead-end streets and dead-end alleys shall be prohibited.
  4. Permanent half-streets and half-alleys shall be prohibited.
  5. Intersections.

- a. The center line of no more than two (2) streets shall intersect at any one (1) point.
- b. No street shall intersect another street at less than eighty (80) degrees and shall as nearly as possible intersect at ninety (90) degrees.
6. The right-of-way radius at street intersections shall be no less than twenty (20) feet except on major arterial streets, where GDOT standards shall apply.
7. Horizontal and Vertical Alignment of Streets
  - a. New streets shall be designed to meet all minimum requirements for the appropriate classification as listed in the most recent edition of the City of Tifton-Tift County Thoroughfare Plan "Road Classifications" table.
  - b. The classification will be determined by the estimated traffic volume for each street and the land use of lots adjacent to the street. Traffic volumes shall be estimated in accordance with the latest edition of Trip Generation published by the Institute of Transportation Engineers (ITE).
  - c. New streets shall have horizontal alignment, vertical alignment, and superelevation designed in accordance with the latest edition of the American Association of State Highway and Transportation Officials (ASHTO), Geometric Design of Highways and Streets.
8. Right-of-way Extension
  - a. Where the proposed subdivision has twenty-five (25) lots or more and abuts undeveloped properties, street rights-of-way shall be extended by dedication to the boundary of the proposed subdivision as necessary such that every subdivision and prospective subdivision will have at least two (2) points of ingress onto and egress from the public road system either upon completion of construction of the proposed subdivision or when both proposed subdivision and the undeveloped property are developed.
  - b. Undeveloped properties are unimproved lands without prior plans or plats submitted to or recorded with the governing authority where such plans or plats are for the purpose of allowing a higher and better use of the property than allowed in its unimproved state.
9. Street jogs at intersections shall be not less than 150 feet between centerline offsets.
10. Street Right-of-way and Pavement Width
  - a. Street rights-of-way shall be measured between lot lines.
  - b. Street rights-of-way and pavement widths shall meet the minimum requirements as listed in the latest edition of the City of Tifton-Tift County Thoroughfare Plan "Road Classifications" table.
  - c. If the subdivision boundary line lies adjacent to the right-of-way line of an existing street of less than the minimum right-of-way width, a minimum of one-half (1/2) the required extra right-of-way shall be dedicated.
11. Medians
  - a. When a new development is proposed with a median in a street, the subdivider must make provisions for future maintenance of the grassing and landscaping within the median. Prior to issuance of building permits for lots within the development, the developer shall file with the Manager

- a. "Release of Maintenance Agreement," acknowledging that the governing authority shall have no responsibility for present or future maintenance of the medians.
  - b. Median in a street with curb and gutter
    - i. Additional right-of-way will be required to provide a shoulder of at least ten (10) feet width measured from back of curb to right-of-way.
    - ii. Utility easements will be required beyond the right-of-way for the installation of utilities. The width of such easements will be as required by the governing authority engineer after review of the Preliminary Plat and preliminary construction plans of the subject subdivision.
12. Street names. The subdivider shall provide on the subdivision plat the approved name or number of all streets within the subdivision.
- a. Streets and roads that are obviously in alignment with and are extensions of existing previously named or numbered streets shall bear that name.
  - b. The names of all new streets within the subdivision shall be subject to the review and approval of the SDRC.
  - c. New street names shall not duplicate or closely resemble the names of streets already in existence within the City of Tifton.
- H. Street and right-of-way classification map
1. The SDRC will prepare a street and right-of-way classification map, which map will depict all streets in the City of Tifton showing the designations of streets.
  2. This map will be accompanied by a table in the City of Tifton Technical Standards Manual to establish the widths of the following
    - a. Minimum required right-of-way;
    - b. Minimum required pavement or asphalt widths; and
    - c. Minimum required curb and gutter widths.
  3. This map shall be kept up to date by the committee and a copy of such map shall be maintained at all times by the Manager or his designee.
- I. Prerequisites to acceptance of street dedication
1. The developer will be responsible for 100 percent of the costs of all materials to establish and construct a street upon rights-of-way dedicated to the City to include paving, stormwater drainage, and curb and gutter.
  2. The developer will be responsible for 100 percent of the costs of all materials to install water and sewer utilities and service within the new street.
  3. Warranty of street work required:
    - a. The developer must provide an agreement acceptable to the City that all work will be done in accordance with City specifications and that such developer will warrant to the City all work for a period of two (2) years from the date that the SDRC approves and accepts, subject to the aforesaid warranty, such work.

- b. The developer must provide testing and inspection of the construction of all streets certified by a third party independent laboratory. The costs of this third party testing shall be the responsibility of the developer.
- c. At the expiration of two (2) years from such acceptance date, the paved street and all subject utilities will become the maintenance responsibility of the City. The developer will correct, at his expense, any defects that arise or occur or become manifest within the two-year warranty period.

### 6.01.03 Parking Standards and Design

#### A. Parking space requirements

1. Except as provided in this section, no application for a building permit shall be approved unless there is included with the plan for such building, improvements, or use, a development plan showing the required space reserved for off-street parking and loading. Occupancy shall not be allowed unless the required off-street parking and loading facilities have been provided in accordance with those shown on the approved plan.
2. These regulations shall apply to all zoning districts except the Commercial Downtown (CD) district.
3. Minimum off-street vehicular parking spaces shall be provided at the time of the construction of the principal building or at the time of the conversion of a building having a previously existing use, to a more intensive use of the same property.
4. When an addition is made to a building containing less than the required parking or loading requirements, off-street parking shall be provided for the entire building, based upon the standards in this section.
5. No addition to an existing building shall be constructed which reduces the number of spaces, area, or usability of an existing parking lot or loading space, unless such building and its addition conform with the regulations for parking and loading contained herein.
6. Requirements for off-street parking for uses not specifically mentioned in this section shall be the same as required for the use most similar to the one sought.
7. Number of parking spaces

In order to assure a proper and uniform development of public parking areas throughout the area of jurisdiction of this LDC, to relieve traffic congestion on the streets, and to minimize any detrimental effects on adjacent properties, off-street parking space shall be provided and maintained as called for in Table 6.01.03(A).

8. Calculation of required parking
  - a. Where floor area determines the amount of off-street parking required, the floor area of a building shall be the sum of the gross horizontal areas of every floor of the building, using exterior wall dimensions.
  - b. For places of public assembly, the number of seats shall be the maximum occupancy load established for the building by the fire inspector.

Table 6.01.03(A). Parking Space Requirements.

Type of Use or Activity	Minimum Number of Spaces
Assembly places (religious facilities, funeral homes, schools, theaters, auditoriums, arenas, civic centers, and facilities with an auditorium, sanctuary, or gathering place, whether fixed seats or open area)	1 space per 4 seats
Business and commercial activities, including retail sales, shopping centers, and business activities not otherwise specified	1 space per 200 s.f. of gross floor area
Clubs and lodges (including fraternities, sororities, and other social or civic membership organizations)	1 space per each 2 employees, plus 1 space for each 4 seats in the largest assembly area
Day care, child care centers and kindergarten	1 space per employee on the largest shift
Gasoline service stations	1 space per employee on the largest shift, plus 2 spaces per repair bay
Hospitals, nursing homes, rest homes, convalescent homes, assisted care facilities, and other similar facilities and other medical facilities providing overnight accommodations	1 space per each 3 beds, plus 1 space for each employee on the largest shift
Indoor recreational activities, including bowling alley, YMCA and similar uses	1 space per 150 s.f. of gross floor area
Lodging accommodations, without restaurants or lounges	1 space per sleeping room, plus 1 space for each employee on the largest shift
Lodging accommodations, with restaurants or lounges	1 space per sleeping room, plus parking required for the restaurant or lounge, plus 1 space for each employee on the largest shift
Libraries and museums	1 space per each 500 s.f. of gross floor area.
Manufacturing, warehousing and industrial uses	2 spaces for each 3 employees on the largest shift, plus 1 space for each company vehicle operating from the premises
Medical offices and clinics	1 space per 200 s.f. of gross floor area
Mortuary and funeral homes	1 space for each 4 seats in the chapel, plus 1 space for each 3 employees
Multi-family dwellings	2 spaces per dwelling unit
Offices (general, professional, or government)	1 space per 300 s.f. of gross floor area, plus 1 space for each 2 employees

Public parks and outdoor recreation facilities	1 space per 1,000 s.f. feet of active use area
Restaurants, eating, drinking, or entertainment establishments (without drive-in facilities)	1 space per 2 seats, plus 1 space for each 2 employees on the largest shift
Schools and educational uses; Elementary, middle and junior high schools	2 spaces for each classroom, office and kitchen
Schools and educational uses; High schools, trade schools, private colleges and universities	5 spaces for each classroom, plus 1 space for each staff member
Single-family dwellings	1 space per unit
Wholesale and agricultural sales	1 space for each employee on the largest shift, plus sufficient spaces to accommodate vehicles used in the conduct of business

B. Parking space requirements (number of spaces) may be adjusted by the City Manager or his designee. Adjustments may be granted for a multiple tenant establishment, commercial center, or joint use of two (2) or more adjacent or adjoining uses. The property owner shall provide the following information to support a request for reduction or waiver of otherwise required parking.

1. The site development plan shall show that there is one (1) or more paved driveway connections between the parking areas of the developments involved. The number, location(s), and design specifications of said driveway(s) shall be acceptable to the governing authority.
2. A parking study may be provided to document the proposed number of parking spaces as may be required as determined by the SDRC based upon the site development plan. The study shall include an estimate of the number of spaces required and the source of the estimate. Acceptable sources include studies such as conducted by the Urban Land Institute or the Institute of Transportation Engineers. Parking data for similar uses may be included, provided that the similar uses are documented as similar in density, scale, bulk, area, type of activity, hours of operation, and location. The governing authority shall retain the sole authority to accept the parking data as appropriate for the proposed use.
3. A cross-access and cross-parking agreement, in recordable form acceptable to the governing authority, shall be executed by the owners of developments involved. Said agreement shall guarantee the joint use of a specified number of parking spaces.

C. Parking space requirements may be reduced, waived by the Manager or his designee, or shared parking may be approved, based upon the availability of an off-site and non-contiguous parking facility or parking lot. The property owner shall provide the following information to support a request for reduction or waiver of otherwise required parking.

1. The availability of the off-site parking lot shall be guaranteed in perpetuity, by virtue of common ownership with the primary site, recorded easements, or other binding agreements acceptable to the governing authority.

2. The off-site parking lot shall be located no more than 200 feet from the primary site. The distance shall be measured along the paved public right-of-way from the entrance driveway into the parking area to the entrance of the principal building.
3. The off-site parking lot shall meet all development standards set forth in this LDC.

D. Parking lot design requirements

Off-street parking lots, individual parking spaces, loading areas, and loading stalls shall be designed to conform to the following criteria and standards.

1. All multiple-family, commercial, and industrial uses shall provide a paved, dust-free surface.
2. All such areas shall be at all times maintained at the expense of the owners thereof in a clean, orderly, and dust-free condition to the extent it does not create a nuisance.
3. All off-street parking and loading areas shall be well maintained. Parking lots and loading areas shall be free of potholes, debris, weeds, broken curbs, and broken wheel stops.
4. All off-street parking, loading, and service areas shall be drained so as to prevent damage to abutting properties and/or public streets.
5. All parking areas shall be arranged for convenient access and safety of pedestrians and vehicles.
6. All parking areas shall provide barriers when located at the perimeter of the lot to prevent encroachment onto adjacent property.
7. All off-street parking, loading, and service areas shall be separated from walkways, sidewalks, and streets by curbing or other suitable protective device. Loading stalls shall not hinder movement of pedestrians or vehicles over a street, sidewalk, or alley, or to and from an off-street parking area.
8. Off-street parking and loading areas that are to be used at night shall include proper illumination for the safety of pedestrians, vehicles, and for security purposes. Lighting shall be located and shielded to avoid direct illumination of adjacent properties.
9. Individual spaces and internal aisles shall be designed according to the standards below:
  - a. Parking space dimensions shall be a minimum width of nine (9) feet and length of twenty (20) feet.
  - b. The number, design, and location of parking spaces provided to ensure handicapped access shall comply with the Georgia Accessibility Code standards for accessible design.
  - c. There shall be provided adequate interior driveways to connect each parking space with a public right-of-way.

Table 6.01.03(D). Parking Lot Design.

Required Width of Interior Driveways and Aisles (feet)	Parking Design (degree of angle)
24	90°
18	60°
12	45°
12	Parallel
12	One-way traffic
24	Two-way traffic

## 10. Pavement markings and signs

Each off-street parking space shall be clearly marked, and pavement directional arrows or signs shall be provided wherever necessary. Markers, directional arrows, and signs shall be properly maintained so as to ensure their maximum efficiency.

## E. Loading space requirements

1. Industrial, wholesale, institutional, and commercial operations or similar uses shall provide loading spaces as follows:
  - a. Commercial centers, commercial uses, hotels, hospitals, and institutional uses with less than 10,000 square feet of gross floor area shall provide one (1) off-street loading space.
  - b. Commercial centers, commercial uses, hotels, hospitals, and institutional uses with 10,000 square feet or more of gross floor area shall be provide one (1) space per 10,000 square feet of gross floor area, plus one (1) space for each additional 20,000 square feet, or fraction thereof.
  - c. Industrial uses shall provide one (1) space for each 10,000 square feet of gross floor area.
2. Elementary, middle, and junior high schools, day care centers, and childcare centers shall provide safe and convenient drop off areas for students. The drop off area is intended to allow a student to enter or exit a vehicle directly to a sidewalk abutting the designated drop off area to the school or day care center.
3. Off-street loading spaces shall be designed and constructed so that all maneuvering for loading and unloading can take place entirely within the property lines of the premises. Loading spaces shall be provided so as not to interfere with the free, normal movement of vehicles and pedestrians on public rights-of-way.
4. Off-street loading spaces shall meet the following design requirements:
  - a. Loading spaces shall not block streets, alleys, or sidewalks. Loading spaces shall not impair the movement of vehicles or pedestrians on streets, alleys, or sidewalks.
  - b. Every loading space shall meet the following minimum dimensions:

Length	30 feet
--------	---------

Width	12 feet
Height clearance	14 feet

#### 6.01.04 Drive-Through Facilities and Stacking Lanes

- A. All uses and facilities providing drive-up or drive-through service shall provide stacking lanes in compliance with the standards of this section.
- B. Restaurants with drive-up or drive-through facilities shall provide a minimum stacking space to accommodate eight (8) vehicles. A bypass lane shall be required.
- C. Banks and financial institutions shall provide stacking spaces according to Table 6.01.04(C). A by-pass lane shall be provided.

**Table 6.01.04(C). Stacking Lane Requirements for Banks and Financial Institutions.**

Number of Drive-Through Lanes	Total Number of Vehicles Accommodated
1	6
2	10
Each additional lane	2 additional vehicles accommodated

- D. Stacking lanes shall not be located within a designated delivery area or area designated for loading spaces.

#### 6.01.05 Visibility at Intersections

- A. In order to provide a clear view of intersecting rights-of-way and/or private driveways, there shall be a triangular area of clear visibility formed by the two (2) intersecting rights-of-way, driveways, or combination thereof.
- B. The horizontal dimensions of sight areas are defined as triangular areas formed by the intersecting right-of-way lines and a straight line joining the right-of-way lines twenty (20) feet from the point of intersection of the right-of-way lines.
- C. The vertical dimensions of sight areas are defined as that vertical space between the heights of two (2) feet and twelve (12) feet in elevation above the nearest edge of the street pavement of a paved street or above the nearest edge of the riding surface of an unpaved street.
- D. Within the clear visibility triangle area no fence, wall, sign, structure, slope or embankment, parked vehicle, hedge, foliage or other planting, and other object or structure shall be placed, erected, or maintained which will obstruct visibility. (See Figure 6.2).
- E. Streetlights and street name signposts shall be permitted, provided that illuminating fixtures or nameplates are not within the prescribed clear space.
- F. These visibility requirements shall not be required within the Commercial Downtown (CD) zoning district.

## 6.02.00 BOARD OF HEALTH REQUIREMENTS

### 6.02.01 Purpose

The purpose of this section is to insure that private water supply wells, private septic tanks, and on-site sewage disposal systems are located and installed in a manner that protects the general health and safety of the citizens of the City of Tifton.

**6.02.02 Jurisdiction**

- A. The Tift County Health Department and, if applicable Georgia DNR, shall have jurisdiction for protecting the health of the community for developments that propose the installation of private wells, private septic tanks, or on-site sewage disposal systems.
- B. The Health Department shall review proposed development for the suitability of soils, minimum lot size, and minimum lot width for the location and installation of private wells, private septic tanks, or on-site sewage disposal systems.
- C. Administrative procedures and permit procedures, including the role of the Health Department in the review of proposed development, are provided in Chapter 10.

**6.02.03 Soil Suitability Criteria**

In determining the suitability of soils for the installation of private wells, private septic tanks, or on-site sewage disposal systems, the Health Department shall use the following sources:

- A. Preliminary review of soil suitability shall be based on the Tift County Soils Map.
- B. The Health Department may require soil borings of the proposed development site to determine the suitability of soils. Soil borings may be required at up to two (2) stages of the development review process:
  - 1. During the development review process by the Health Department.
  - 2. At the time of the application for a building permit by the applicant of the building permit.

**6.02.04 Water Supply, Sanitary Sewage, and Septic Systems**

- A. No building permit shall be issued by the Manager or his designee without the approval of the Tift County Health Department for the proposed private wells, private septic tanks, or on-site sewage disposal systems.
- B. Community or shared sewage disposal systems may be approved by the Health Department.
- C. Community or shared sewage disposal systems with a capacity of greater than 10,000 gallons per day shall require approval from the Georgia EPD as do developments with more than ninety-nine (99) individual septic tanks.
- D. Where topography, soil characteristics, drainage, groundwater or other physical conditions preclude safe on-site water supplies and/or sewage disposal systems, the developer shall furnish to the Georgia EPD, plans and specifications for a public water supply and/or public sewage disposal system for the development.

**6.03.00 REQUIREMENTS REGARDING POTABLE WATER, SANITARY SEWER, AND OTHER UTILITIES****6.03.01 Generally**

- A. All development shall include adequate provision for utility infrastructure in full compliance with the standards of Section 6.03.00.
- B. A certificate of occupancy shall not be issued for structures in a subdivision or a development until Health Department approval has been received and all necessary utilities have been installed in full compliance with the design, construction, and placement standards set forth in Section 6.03.00.
- C. All construction drawings shall be prepared and sealed by a professional engineer registered in the State of Georgia.
- D. All engineering plans and specifications shall be reviewed and approved by the governing authority prior to the developer submitting plans and specifications to any other governmental agencies.

### **6.03.02 Requirements for All Utilities**

- A. New connections to the existing City of Tifton and Tift County Utility Systems are subject to all standards, specifications, codes, and ordinances as they pertain to water and sewer systems and/or facilities.
- B. The location, design, and construction of utilities shall comply with the City of Tifton Technical Standards Manual.
- C. All construction and installation shall be performed by a utility contractor licensed by the governing authority.
- D. The developer shall construct and convey to the governing authority, free and clear of all encumbrances and at no cost to the City, the extension to the utility systems and the complete water and/or sewer system on the subject property prior to recording of the final plat.
- E. Following conveyance to the governing authority by the developer, the extension and any additions, repairs and replacements thereto shall at all times remain the sole, complete and exclusive property of and under the control of the governing authority. The developer shall have no right or claim in or to the developer's extension provided, however, that the extension shall be used for providing service to the development.

### **6.03.03 Potable Water System Requirements**

- A. The developer shall be responsible for the design of an adequate system of water supply, treatment, transmission, and distribution facilities for the development.
- B. All potable water systems shall comply with the design and construction standards of the City of Tifton Utility Department.
- C. All development shall be required to connect to a public water system when the governing authority's water system is available within 500 feet. Through extensions, the subdivider shall assure that every lot of the subdivision shall be provided with public water.
- D. The City of Tifton Utility Department may determine that conditions are such that a private water system is acceptable. It is the developer's responsibility to contact the Utility Department for this determination. The Utility Department will advise the developer as to the proper procedures for connecting to the system.
- E. If it is determined that a private water system is permitted, it is the responsibility of the developer to coordinate with the private utility company for

approval of the connection. Plans, specifications, and design calculations must be submitted to the City of Tifton Utility Department for approval, whether the system is public or private.

- F. All water systems, public or private, shall be located entirely within rights-of-way or permanent easements dedicated to the City of Tifton.
- G. Hydrants
  - 1. Specifications for the location and depth of the connection of hydrants shall meet the minimum standards contained in the City of Tifton Technical Standards Manual and the International Fire Code.

#### **6.03.04 Sanitary Sewer System Requirements**

- A. The developer shall be responsible for the design of an adequate sewage collection system and/or treatment facilities where necessary.
- B. All wastewater systems shall comply with the design and construction standards of the City of Tifton Utility Department.
- C. All development shall be required to connect to a public sewer system when the governing authority's sanitary sewer system is available within 500 feet. Through extensions, the subdivider shall assure that every lot of the subdivision shall be provided with public sewer.
- D. The developer is responsible for the coordination of connection to a privately owned system.
- E. All sewer systems, public or private, shall be located entirely within rights-of-way or permanent easements dedicated to the City of Tifton.

#### **6.03.05 Other Utility Requirements**

- A. When water, sewer, electrical power, telephone, or cable television facilities are installed and intended to be owned, operated, or maintained by a public utility or any entity other than the property owner or developer, the ownership of such utility or facility shall be transferred to the service provider.
- B. All lines for electricity, telephone, cable television, streetlights, and gas distribution (exclusive of transformers or enclosures containing electrical equipment, including, but not limited to, switches, meters, or capacitors) may be placed underground within easements or dedicated public rights-of-way.

### **6.04.00 REQUIREMENTS REGARDING DRAINAGE AND STORMWATER MANAGEMENT**

#### **6.04.01 Generally**

- A. The purpose of the drainage and stormwater management requirements set forth in this section is to minimize the detrimental effects of stormwater runoff and to provide for mitigation of stormwater impacts from new development and redevelopment.
- B. The regulations in this section are intended to:
  - 1. Establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;

2. Provide retention/detention of stormwater runoff to maintain surface water quality, to ensure percolation, and reduce contamination to surface water and groundwater;
  3. Preserve natural lakes, creeks, other water courses, and natural drainage features;
  4. Prevent creation of flood hazards due to new development;
  5. Encourage the use of nonstructural stormwater management and stormwater better site design practices, such as the preservation of green space and other conservation areas, to the maximum extent practicable;
  6. Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety.
- C. The requirements of this LDC do not supersede those of other State or federal agencies.

#### **6.04.02 Applicability and Exemptions**

- A. All proposed development, except as specifically described in this section, shall comply with the standards and criteria set forth in Section 6.04.00.
- B. No drainage system, whether natural or manmade, shall be altered, designed, constructed, abandoned, restricted or removed without prior written approval of all appropriate local, state and federal agencies.
- C. The following activities are exempt from the requirements of Section 6.04.00:
1. An individual single-family residential dwelling unit on a legal lot of record;
  2. Additions or modifications to existing single-family or duplex residential structures;
  3. Maintenance of an existing structure which will not change the peak discharge rate, volume, or pollution load of stormwater runoff from the site on which that structure is located; and
  4. Agricultural or silvicultural land management activities within the SA zoning district.
- D. Stormwater design manual

All stormwater management plans shall utilize the policy, criteria, technical specifications, and standards in the latest edition of the Georgia Stormwater Management Manual (GSMM) for the proper implementation of the requirements of this section. The manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring and local maintenance experience. All references to the GSMM mean the latest edition as defined on the GSMM website at [www.georgiastormwater.com](http://www.georgiastormwater.com). Updates, errata, and revisions will be provided on the website.

#### **6.04.03 Standards for Stormwater Management**

- A. "Master Drainage and Stormwater Management Plan," prepared, signed, and sealed by a registered professional engineer shall be submitted to the SDRC simultaneous with preliminary plat submittal.
1. The developer shall be responsible for the design of an adequate drainage and stormwater management system for the development.
  2. The developer shall provide for adequate drainage for springs or other ground water drainage.
  3. The location, design, and construction of drainage and stormwater management systems shall comply with the City of Tifton Standards Manual.
  4. The Master Drainage and Stormwater Management Plan shall contain sufficient information to demonstrate that the requirements and criteria in Section 6.04.00 are being complied with and that opportunities are being taken to minimize adverse post-development stormwater runoff impacts from the proposed development.
  5. The plan shall consist of maps, narrative, and supporting hydrologic and hydraulic design calculations for the proposed drainage and stormwater management system.
  6. The plan shall include all of the information required in the stormwater management site plan checklist found in the GSMM.
- B. Design Standards
1. The drainage system for a subdivision, commercial, or industrial development shall be designed in accordance with sound engineering principles and procedures such that all parcels included in the subdivision final plat are positively drained.
  2. The drainage system shall be designed to accommodate drainage from adjacent lands that naturally drain to or through the lands being subdivided. This accommodation shall be provided by the construction of interceptor ditches along the entire upstream perimeter of the subdivision.
  3. Further, this accommodation shall provide for the conveyance of the 100-year storm event peak flows through the subdivision in such a way as to prevent flooding of any proposed buildings or to the drainage and road infrastructure.
  4. The drainage and stormwater management system shall be designed to not significantly affect the natural drainage onto adjacent lands.
    - a. Significant effects to natural drainage onto adjacent lands include both changes in flow rates and character and location of stormwater runoff, including changes from sheet flow to point discharge;
    - b. The post-developed peak discharge rate must not exceed the pre-developed peak discharge rate for the design storms unless appropriate agreements are obtained by the developer from the owner of such adjacent lands concurring with the proposed drainage design;
    - c. Such agreements must extend to the next natural or man-made drainage feature downstream of the development; and
    - d. Such downstream drainage feature must be capable of conveying the 100-year storm event peak flow rates for the entire drainage basin it serves.

- e. Unless discharge is into an existing well defined drainage channel, such agreement must be provided.
    - i. Evidence of such concurrence shall be submitted to the Manager or his designee along with the Master Drainage and Stormwater Management Plan, or
    - ii. A level spreader shall be designed and installed.
  5. Drainage facilities for stormwater management, both detention and retention, shall have their storage volumes and principal outlet control structures designed for the storms with return frequencies of two (2) years, five (5) years, ten (10) years, twenty-five (25) years, fifty (50) years, and 100 years.
    - a. All such facilities shall have the emergency overflow structures designed to convey the 100-year storm event peak flows.
    - b. All facilities that impound water on a permanent or temporary basis with water depths greater than two (2) feet must either have side slopes below the 100-year water surface of 4H:1V or flatter, or be enclosed by a fence at least four (4) feet in height.
    - c. Fencing material must prohibit passage of items larger than six (6) inches in diameter, and adequate gates must be installed to allow maintenance.
  6. All drainage systems discharging into any creek, stream, or natural body of water including but not limited to wetlands, as determined by the U.S. Army Corps of Engineers shall, pass through an approved sedimentation or detention pond prior to such discharge.
  7. Drainage facilities associated with streets and roads must be designed:
    - a. To convey stormwater in accordance with the minimum requirements listed in the City of Tifton and Tift County Thoroughfare Plan "Road Classifications" table
    - b. Such that all lateral and longitudinal storm pipes and drainage structures, including catch basins and drop inlets, are capable of carrying the twenty-five (25) year design storm.
    - c. All cross drain pipes shall be designed such that all pipes are capable of carrying the fifty (50) year design storm.
- C. Record documents

Upon completion of construction and prior to approval of the final plat, the subdivider shall provide record documents for all facilities that impound water on a temporary or permanent basis.

1. Drainage facilities including, but not limited to, culverts, rights-of-way, and easements, shall be dedicated to the governing authority, at no expense to the City, and at the option of the City.
2. The record drawings shall include pipes and outlet control structures, shall show one (1) foot contours, and shall give pipe and structure elevations to the accuracy of 0.01 feet.
3. Such record plans shall demonstrate that the construction has been completed in accordance with the approved construction plans, shall be sealed by a professional engineer or registered land surveyor, and shall include the following statement:

ENGINEER'S/SURVEYOR'S CERTIFICATE  
STATE OF GEORGIA  
COUNTY OF TIFT

I, \_\_\_\_\_, being a registered Professional Engineer/Land Surveyor in the State of Georgia, registration number \_\_\_\_\_, do hereby certify that the stormwater management system elevations, pipe sizes, structure sizes, dams, and storage volumes for \_\_\_\_\_ (the project) were constructed in general accordance with the plans and specifications approved by the City of Tifton, and that the stormwater management system will function as designed.

Signed and sealed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(SEAL)

Signature

4. Ingress and egress easements shall be documented for the stormwater management facilities to ensure access from a public right-of-way to stormwater management facilities requiring regular maintenance and for the purpose of inspection and repair. Upon final inspection and approval, the final plat shall indicate that such easements exist shall be recorded and shall remain in effect even with the transfer of title of the property. Areas required for maintenance shall be cleared of all trees and underbrush that would interfere with maintenance of the facilities.
5. To provide for future access, drainage and utility easements measuring a minimum of five (5) feet shall be provided along each side and rear property line of every lot within a residential subdivision.
6. Drainage pond structures shall be designated as a separate lot of record on the final plat of a residential subdivision, unless otherwise approved by the Manager.

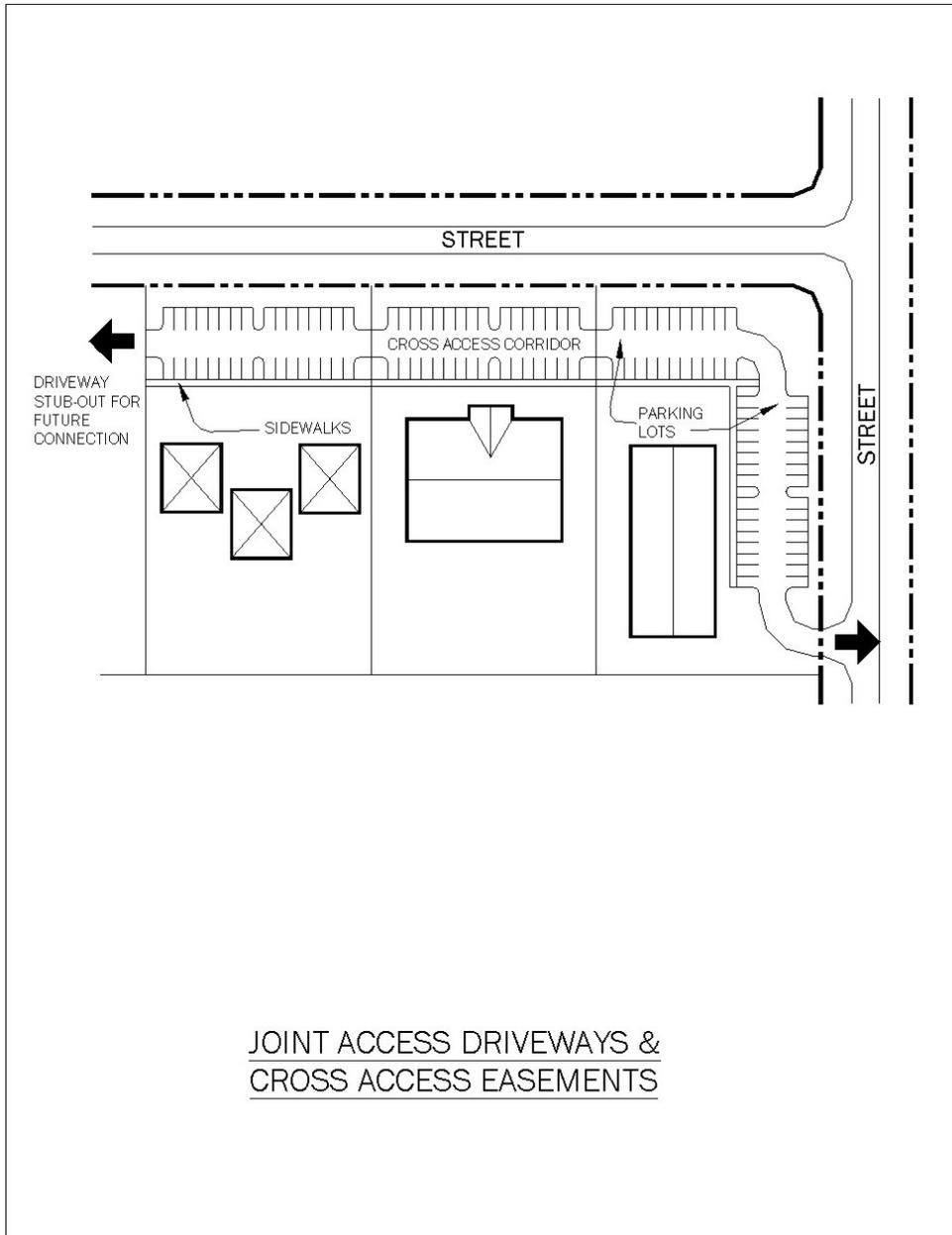


Figure 6.1.

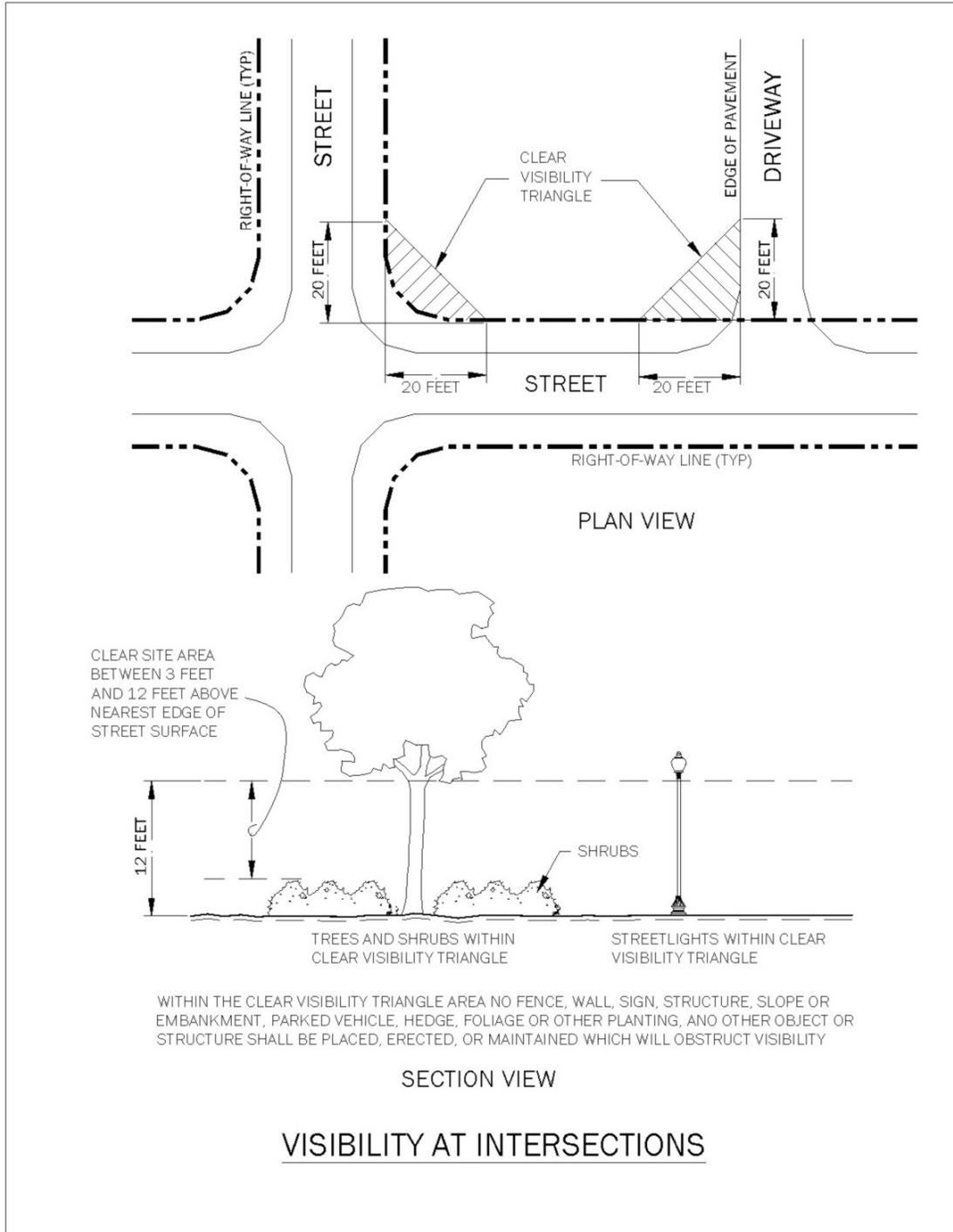


Figure 6.2.



# CHAPTER 7

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## SIGN REGULATION

7.01.00	PURPOSE AND FINDINGS		7-2
7.01.01	Findings		7-2
7.01.02	Purpose		7-2
7.02.00	DEFINITIONS		7-3
7.03.00	PERMITS		7-5
7.04.00	APPLICATION INFORMATION	7-5	
7.05.00	TIME FOR CONSIDERATION		7-5
7.06.00	DENIAL AND REVOCATION		7-6
7.07.00	PERMIT EXPIRATION		7-6
7.08.00	FEES		7-6
7.09.00	PROHIBITED SIGNS		7-6
7.10.00	RESTRICTIONS IN RESIDENTIAL ZONING DISTRICTS/HISTORIC DISTRICTS		7-7
7.11.00	RESIDENTIAL SUBDIVISION ENTRANCE SIGNS	7-7	
7.12.00	GENERAL SIZE AND LOCATION REQUIREMENTS IN NON-RESIDENTIAL DISTRICTS	7-7	
7.13.00	CONSTRUCTION STANDARDS	7-9	
7.14.00	NONCONFORMING SIGNS		7-10
7.15.00	VARIANCES	7-10	
7.16.00	EXEMPTIONS AND PERMIT REQUIREMENTS		7-10
7.17.00	ILLUMINATION		7-11
7.18.00	FALSE ADVERTISING ON SIGNS; NUISANCES	7-11	
7.19.00	REMOVAL PROCEDURES	7-12	
7.20.00	HISTORIC DISTRICTS		7-13
7.21.00	ENFORCEMENT AND PENALTIES		7-13
7.22.00	RESPONSIBILITY OF OWNERS AND AGENTS	7-14	
7.23.00	SEVERABILITY		7-14
7.24.00	EFFECTIVE DATE	7-14	

## 7.01.00 PURPOSE AND FINDINGS.

### 7.01.01 Findings.

After extensive research, study and deliberation the City Council has determined:

- A. Proper regulation of signs is a necessary prerequisite to a peaceable, orderly and safely designed business environment, the protection of property values and the promotion of tourism in this unique community;
- B. An improperly regulated sign environment poses health and safety hazards to the public;
- C. The result of effective sign regulation will be to lessen hazardous conditions, confusion and visual clutter caused by the proliferation, improper placement, illumination and excessive height and size of signs which compete for the attention of pedestrian and vehicular traffic;
- D. Through proper regulation of signs, the attractiveness and economic well being of the city will be enhanced as a place to live, work, and conduct business;
- E. The City of Tifton derives substantial revenue from tourism centered around the historic character of the City and its surrounding plantations; preservation of the City's historic character is necessary to protect and foster future tourism; and
- F. The historic districts established and recognized by the city pose special consideration in the regulation of signage, requiring signage within said districts to reflect the character of the district and not detract from or be inconsistent with the historic aspects or character of that district.

### 7.01.02 Purpose

- A. The Mayor and Council find that signs provide an important medium through which individuals may convey a variety of messages. However, left completely unregulated, signs can become a threat to public safety as a traffic hazard and detriment to property values and the City's overall public welfare as an aesthetic nuisance. By enacting this ordinance, the Mayor and Council intend to:
  1. Balance the rights of individuals to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs;
  2. Protect the public health, safety, and welfare;
  3. Reduce traffic and pedestrian hazards;
  4. Maintain the historical image of the City;
  5. Protect property values by minimizing the possible adverse effects and visual blight caused by signs;
  6. Promote economic development; and
  7. Ensure the fair and consistent enforcement of sign regulations.

- B. The following sources, in particular, comprise appropriate background for the regulation of signage within the City of Tifton and are available for inspection and copying at the Office of the City Clerk of the City of Tifton:
1. Signs, Billboards and Your Community, a Citizen's Manual for Improving the Roadway Environment by Effective Control of Billboards and Outdoor Advertising, by the Pennsylvania Resources Council Inc. and Society Created to Reduce Urban Blight;
  2. Information provided by Scenic America with respect to sign control;
  3. Toronto Staff Report, dated February 6, 2001, reflecting staff input on proposal to install two electronic animation signs;
  4. Billboard Regulation in Portland, A Report Adopted by the City Club of Portland Oregon on September 6, 1996;
  5. Electronic Billboards and Highway Safety, prepared for the Bureau of Highway Operations, Division of Transportation Infrastructure Development, by CTC and Associates LLC June 10, 2003;
  6. Research Review of Potential Safety Effects of Electronic Billboards on Driver Attention and Distraction, Final Report, September 11, 2001, from Human Centered Systems Team, Office of Safety Research and Development, Federal Highway Administration;
  7. Materials related to a billboard collapse in Snellville Georgia, resulting in the death of three workers;
  8. Driving Performance and Digital Billboards, a Study by Virginia Tech Transportation Institute;
  9. A Critical, Comprehensive Review of Two Studies Recently Released by the Outdoor Advertising Association of America, prepared for the Maryland State Highway Administration by Jerry Wachtel, dated October 18, 2007;
  10. The Milwaukee County Stadium Variable Message Sign Study, dated December 1994; and
  11. The Impact of Driver Inattention on Near Crash/Cash Risk: An Analysis Using the 100 Car Naturalistic Driving Study Data prepared by National Highway Traffic Safety Administration, US Department of Transportation, dated April 2006.

## 7.02.00 DEFINITIONS.

**A-frame sign.** Any upright, rigid supporting frame in the form of a triangle with steeply angled sides that meet at the top in the shape of the letter "A" located on the ground, not permanently attached and easily movable, and usually two-sided which conveys a message. Sandwich board signs are included in this definition.

**Aggregate sign area.** The area of all signs on a parcel, excluding the area of one face of all double-faced signs.

**Animated sign.** A sign with action, motion, or changing colors which requires electrical energy. This definition includes any signs that electronically change the

sign face, whether by substitution of copy or scrolling. An electronic sign that maintains a steady sign face without change for no less than six (6) hours is not considered an animated sign. However, any deviation from the minimum six (6) hour change of unchanged copy results in the sign being considered an animated sign.

**Area of a sign/ Sign area.** The smallest square, rectangle, triangle, circle, or combination thereof, which encompasses one face of the entire sign, inclusive of any border and trim but excluding the base, apron, supports, and other structural members.

**Awning sign.** A sign located on a roof-like cover extending before a place as a shelter and which may be used in lieu of a wall sign.

**Banner.** A sign, with or without characters, letters, illustrations or ornamentation, applied to cloth, paper or fabric of any kind, with only such material as backing.

**Billboard sign.** Any sign with a sign area exceeding 300 square feet.

**Director.** The Director of Environmental Management or his designee.

**Double-faced sign.** A sign which has two (2) display areas placed back to back against each other or where the interior angle formed by the display areas is sixty (60) degrees or less, where one face is designed to be seen from one direction and the other face from another direction.

**Flag.** Any fabric or bunting containing colors, patterns, or symbols used to signify a government or other entity or organization.

**Freestanding sign.** A sign securely affixed to a support structure which is permanently attached to the ground and wholly independent of any building for support, such as monument or stanchion signs.

**Historic District.** The entire area designated by ordinance as a historic district.

**Illuminated sign.** A sign that has light cast upon the sign from a source either internal to the sign or from an external light source directed primarily toward such sign.

**Monument sign.** A freestanding sign mounted directly upon the ground. Such sign may not be attached to or be a part of or supported by the building in or to which the sign applies.

**Non-conforming sign.** Any sign which does not conform to the provisions of this ordinance that was legal at the time of its erection.

**Parcel.** A separate tax unit of real property on county real estate records.

**Roof sign.** A sign attached to or supported by the roof of a building which extends above the immediately adjacent roofline of the building.

**Sign.** A device or representation for visual communication which is used for the purpose of bringing the subject thereof to the attention of others.

**Stanchion sign.** A freestanding sign mounted on one or more steel poles set in the ground and of sufficient strength and size to support the advertisement portion of such structure which rests upon or is supported by such poles.

**Wall sign.** A sign fastened, placed or painted upon or parallel to the exterior wall of the structure itself, whether front, rear or side of the structure.

**Window sign.** A sign installed flush with or on a window and intended to be viewed from the outside.

#### **7.03.00 PERMITS.**

All signs allowed by this ordinance, except those exempted from obtaining a permit, shall require a permit issued by the city prior to posting, displaying, substantially changing, or erecting a sign in the city.

#### **7.04.00 APPLICATION INFORMATION.**

Applications for sign permits required by this ordinance shall be filed by the sign owner or the owner's agent with the City of Tifton Environmental Management Department. The application shall describe and set forth the following:

- A. The street address of the property upon which the sign is to be located and a plat map of the property, drawn to scale, showing all existing structures, including existing signage and which bears an indication of the proposed location of the sign.
- B. The aggregate area for all signs on the parcel.
- C. The name(s) and address(es) of all of the owner(s) of the real property upon which the subject sign is to be located.
- D. Written consent of the owner, or the owner's agent, granting permission for the placement or maintenance of the sign.
- E. Name, address, phone number of the sign contractor.
- F. The type of sign to be erected, the area of the sign, the height of the sign, the shape of the sign, and an explanation of how the sign is to be mounted or erected.
- G. The distance of the sign from the closest adjacent sign in either direction.
- H. The size of the parcel on which the sign is to be placed.

#### **7.05.00 TIME FOR CONSIDERATION.**

The City shall process all sign permit applications within thirty (30) business days of the City's actual receipt of a completed application and accompanying sign permit fee. The Director shall give notice to the applicant of the decision of the City by hand delivery or by mailing a notice, by first class mail, to the address on the permit

application on or before the 30th business day after the City's receipt of the completed application and fee. If mailed, notice shall be deemed to have been given upon the date of mailing in conformity with this section. If the City fails to act within the thirty (30) business day period, the permit shall be deemed to have been granted.

#### **7.06.00 DENIAL AND REVOCATION.**

##### **A. Procedure**

The City shall deny permits to applicants that submit applications for signs that do not comply with the provisions of this ordinance, are incomplete applications, or applications containing any false material statements. Violation of any provision of this ordinance will be grounds for terminating a permit granted by the city for the erection of a sign. Should it be determined that a sign permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a permit has been erroneously issued in violation of this ordinance, the Director shall revoke the permit. Should the Director deny a permit, the reasons for the denial are to be stated in writing and mailed by first class mail or via hand delivery to the address on the permit application on or before the 30<sup>th</sup> business day after the City's receipt of the application. Any application denied and later resubmitted shall be deemed to have been submitted on the date of re-submission, instead of the date of the original submission. No permit shall be denied or revoked, except for due cause. "Due cause" is the violation of the provisions of this ordinance, state or federal law related to signage, or the submission of an incomplete application or an application containing false material statements.

##### **B. Appeal**

An individual whose permit application has been denied or a permittee whose permit has been revoked may appeal the decision of the Director in accordance with the provisions for appeals to the Board of Appeals contained in Section 11, Appendix A of the Code of the City of Tifton.

#### **7.07.00 PERMIT EXPIRATION.**

A sign permit shall become null and void if the sign for which the permit was issued has not been completed and installed in accordance with the permit application within six (6) months after the date of issuance. No refunds will be made for permit fees paid for permits that expired due to failure to erect a permitted sign. If later an individual desires to erect a sign at the same location, a new application must be processed and another fee paid in accordance with the fee schedule applicable at such time.

#### **7.08.00 FEES.**

The cost of a permit shall be as set from time to time by the City Council.

#### **7.09.00 PROHIBITED SIGNS.**

The following types of signs are prohibited throughout the city:

- A. Signs on public rights of way other than publicly owned or maintained signs;

- B. Window signs which exceed 30% of the window area;
- C. Signs which contain words, pictures, or statements which are obscene, as defined by the Official Code of Georgia Annotated § 16-12-80;
- D. Signs which simulate an official traffic control or warning sign or hide from view any traffic or street sign, signal or public service sign;
- E. Signs which emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing;
- F. Signs which interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic; and
- G. Signs erected by nailing, fastening or affixing the sign in any manner to any tree, post, curve, utility pole, or other structure except as set forth herein.

#### **7.10.00 RESTRICTIONS IN RESIDENTIAL ZONING DISTRICTS/HISTORIC DISTRICTS.**

Other than subdivision entrance signs allowed under Section 7.11.00, parcels located in residential zoning districts shall not contain signs having an aggregate sign area greater than fifteen (15) square feet. No individual sign shall exceed six (6) square feet in sign area in a residential zoning district or have a height of greater than five (5) feet. The level of the ground shall not be altered in such a way as to provide additional sign height. Signs meeting the standards of this section are exempt from permitting requirements.

#### **7.11.00 RESIDENTIAL SUBDIVISION ENTRANCE SIGNS.**

Platted residential subdivisions consisting of more than two (2) parcels may erect one monument sign at each entrance to the subdivision. Such sign shall not exceed a height of five (5) feet and shall not have a sign area greater than twenty-five (25) square feet. The level of the ground shall not be altered in such a way as to provide additional sign height. Such entrance signs shall not count toward the maximum allowable signage on a residential parcel.

#### **7.12.00 GENERAL SIZE AND LOCATION REQUIREMENTS IN NON-RESIDENTIAL DISTRICTS.**

- A. No freestanding sign may be located within twenty (20) feet of the intersection of street right-of-way lines extended.
- B. No sign shall be located on any building, fence or other property belonging to another person without the written consent of the owner, and as permitted under the provisions of this ordinance.
- C. Billboard signs.
  - 1. Billboard signs shall not exceed 400 square feet of sign area. Billboard signs shall not exceed ten (10) feet in height or forty (40) feet in length.
  - 2. Billboard signs shall only be located on parcels in commercial or industrial zoning areas.
  - 3. Billboard signs shall only be located on parcels adjacent to designated state or federal highways and shall be oriented only towards those highways.
  - 4. No billboard sign shall be located within 1,000 feet of another billboard

sign measured radially along the same thoroughfare.

5. No billboard sign shall be located within 500 feet of residential zoned parcels.
  6. No billboard sign shall be located within 500 feet in any direction of a public park, public playground, public recreation area, public forest, scenic area, or cemetery; provided, however, that such sign may be located within 500 feet of a public park, public playground, public recreation area, public forest, scenic area, or cemetery when the sign is separated by buildings or other obstructions so that the sign located within the 500 foot zone is not visible from the public park, public playground, public recreation area, public forest, scenic area, or cemetery.
  7. No billboard signs shall be erected in the following designated areas:
    - a. Tift Avenue from the City Limits north to 9<sup>th</sup> Street south;
    - b. 2<sup>nd</sup> Street from the City Limits east to Stafford Drive West;
    - c. South Central Avenue from the City Limits south to the intersection of 3<sup>rd</sup> Street north; and
    - d. South Main Street from the City Limits south to 9<sup>th</sup> Street north.
  8. No billboard sign shall be erected to a height in excess of eighty (80) feet.
  9. No billboard shall be erected within a historic district or within 500 feet in any direction of the boundary of a historic district.
- D. Stanchion signs
1. Stanchion signs for parcels exceeding three (3) acres shall not exceed a sign area of 150 square feet.
  2. Stanchion signs for parcels less than three (3) acres, but equal to or greater than 30,000 square feet shall not exceed a sign area of ninety (90) square feet.
  3. Stanchion signs for parcels less than 30,000 square feet in size shall not exceed a sign area of seventy (70) square feet.
  4. Stanchion signs shall only be located on property in commercial or industrial zoning areas and shall be limited to one such sign per parcel per street frontage.
  5. No stanchion sign shall exceed eighty (80) feet in height at the highest point on the sign.
  6. Stanchion signs shall be limited to forty (40) feet in the following designated areas:
    7. Tift Avenue from the City Limits north to 9<sup>th</sup> Street south;
    8. 2<sup>nd</sup> Street from the City Limits east to Stafford Drive West;
    9. South Central Avenue from the City Limits south to the intersection of 3<sup>rd</sup> Street north; and
  10. South Main Street from the City Limits south to 9<sup>th</sup> Street north.
- E. Monument signs. Monument signs shall not exceed sixty (60) square feet of total area, which shall include signage and structure, and shall be limited to one such sign per parcel per street frontage. Monument signs shall not exceed 6 feet in height.

**F. Wall and Awning Signs.**

1. Wall and awning signs shall not project above the parapet wall.
2. Wall signs shall not project beyond the building face. Awning signs shall not project beyond the building face by more than four feet.
3. Wall and awning signs shall not exceed a sign area of 300 square feet or ten percent of the wall face of the premises to which the sign relates, whichever is less, on each street facing wall.
4. The maximum wall or awning sign height shall be ten feet.
5. Wall signs shall only be located on property in commercial or industrial zoning areas.
6. Each building tenant shall be limited to one wall or awning sign on each street facing wall.

**G. A-frame signs**

A-Frame signs shall be permitted in CD zoning districts only and shall have a maximum width of eighteen (18) inches and shall not exceed three (3) feet in height and shall be weighted to prevent displacement by wind or weather. No A-frame sign shall impede pedestrian traffic and shall comply in all respects with the American with Disabilities Act.

**I. Maximum aggregate sign area.**

Parcels may contain more than one freestanding sign, provided that:

1. Parcels exceeding three acres shall be allowed a maximum aggregate sign area of 300 square feet for the entire parcel.
2. Parcels less than three acres but greater than 30,000 square feet shall be allowed a maximum aggregate sign area of 180 square feet for the entire parcel.
3. Parcels less than 30,000 square feet in size shall be allowed a maximum aggregate sign area of 100 square feet for the entire parcel.
4. These limits shall not include the area of any wall signs, window signs or billboard signs located on the parcel.
5. These limits shall include the area of all freestanding signs on the parcel.

**J. Measurement of sign height**

All sign heights shall be measured from the grade level of the centerline of the adjacent street to which the property on which the sign is located has access. The level of the ground shall not be altered in such a way as to provide additional sign height

**7.13.00 CONSTRUCTION STANDARDS.**

- A. All signs for which a permit is required under this ordinance shall be constructed and maintained in accordance with the provisions of the city building code, state and federal regulations and the International Maintenance Property Code.
- B. Signs for which a permit is not required under this ordinance that are constructed of degradable material may be posted for a maximum of sixty (60) days unless replaced with another sign of the same material. Any such

replacement signs may be posted for a maximum of sixty (60) days.

#### **7.14.00 NONCONFORMING SIGNS.**

- A. Nonconforming signs, which met all legal requirements when erected, may stay in place. Non-conforming signs shall be permitted until one of the following conditions occurs:
1. The deterioration of the sign or damage to the sign makes it a hazard or unsightly; or
  2. The sign has been damaged by circumstances beyond the control of the owner to the extent that more than minor repairs are required to restore the sign; provided that signs damaged by an Act of God and not due to the owner's action may be restored to their pre-damaged condition, provided that the useful life of the signs is not extended.
- B. No structural repairs except those permitted pursuant to Subsection (a)(2) above change in shape, size or design, shall be permitted except to make a non-conforming sign comply with all requirements of this ordinance.
- C. A non-conforming sign may not be replaced by another non-conforming sign except where changed conditions beyond the control of the owner render the sign nonconforming or warrant the sign's repair.

#### **7.15.00 VARIANCES.**

Variations shall be limited to the minimum relief necessary to overcome the hardship. No variance shall be granted to allow a greater number of signs than would be allowed if the hardship did not exist. A variance from compliance with the sign regulations of this ordinance shall be limited to the following hardship situations:

A. Standards.

1. Where visibility of a conforming sign from the public street and within fifty (50) feet of the proposed sign would be substantially impaired by existing trees, plants, natural features, signs, existing buildings or structures on a different lot; and
2. Placement of the sign elsewhere on the lot would not remedy the visual obstruction; and, such visibility obstruction was not created by the owner of the subject property; and, the variance proposed would not create a safety hazard to traffic.
  - a. Requests for a variance shall be taken in accordance with Section 12-63 Appendix A of the Code of the City of Tifton.

#### **7.16.00 EXEMPTIONS AND PERMIT REQUIREMENTS.**

- A. The following types of signs shall be exempt from the permit requirements of Section 7.03.00 and **shall** count toward the maximum aggregate sign area limits provided in Sections 7.10.00 and 7.13.00 but shall not require a permit.

1. Non-illuminated signs, having a sign area of less than fifteen (15) square feet, provided they are not located in the public right of way.
  2. Every parcel may display no more than two (2) banners with a maximum size of twenty-four (24) square feet per banner.
- B. The following types of signs shall be exempt from the permit requirements of Section 3 and **shall not** count toward the maximum aggregate sign area limits provided in Sections 7.10.00 and 7.13.00(g):
1. Window signs installed for purposes of viewing from outside the premises. However, such signs shall not exceed thirty (30) percent of the available window space.
  2. Numerals displayed for purposes of identifying property location and not exceeding four (4) inches in height in residential districts and ten (10) inches in height in nonresidential districts.
  3. Every parcel may display no more than two (2) flags. Flagpoles in residential zoned districts shall not exceed twenty-five (25) feet in height or the height of the primary structure, whichever is less. Flagpoles in commercial or industrial zoned districts shall not exceed sixty (60) feet in height. The dimensions of any flag shall be proportional to the flagpole height such that the hoist side of the flag shall not exceed fifty (50) percent of the vertical height.

#### **7.17.00 ILLUMINATION.**

- A. Illumination for signs shall not cast light on adjoining property or shine in such a manner as to cause traffic interference. Sign illumination devices such as, but not limited to, flood or spotlights shall be so placed and so shielded as to prevent the rays or illumination there from being cast into neighboring dwellings or approaching vehicles. No sign shall have blinking, flashing, scrolling, fading, or fluctuating lights or other illuminating devices which have a changing light intensity, brightness or color or form or simulate movement. No revolving or rotating beam or beacon of light shall be permitted as part of any sign.
- B. The illumination of any sign within a historic district of the city shall be limited to indirect illumination only and shall be of such intensity or brightness that the illumination shall not interfere with the character of the historic district influenced by such historic impact area.

#### **7.18.00 FALSE ADVERTISING ON SIGNS; NUISANCES.**

- A. No persons shall display false statements upon signs in such a manner as to mislead the public as to anything sold, services to be performed, or information disseminated.
- B. When a business or service utilizing a sign is discontinued, all signs related to that business or service shall be removed or neutralized within ten (10) days from the date of notification by the Director. Sign cabinets or structures to which another sign face may ultimately be attached can conform to this requirement by painting over the existing sign with a color that harmonizes with the business building or by removing sign pan faces and replacing them with blank panels.
- C. No persons shall display any advertising material on any sign which constitutes a

nuisance as defined in OCGA § 41-1-1. Any sign determined to be a nuisance by the zoning administrator is subject to notice and removal pursuant to the city's removal procedures.

#### **7.19.00 REMOVAL PROCEDURES.**

- A. The Director shall caused to be removed any sign that endangers the public safety, such as an abandoned, dangerous or materially, electrically or structurally defective sign or a sign for which no permit has been issued or which is otherwise in violation of this article. The Director shall prepare a written notice which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed or the violation corrected within thirty (30) days, the sign shall be removed in accordance with the provisions of this section.
- B. All notices mailed by the Director shall be sent by certified mail and first class mail. Any time periods provided in this section shall be deemed to commence on the date of the receipt of the certified mail or if the first class mail is not returned, after three (3) days of mailing. Alternatively, notice may be personally hand delivered to the sign owner, and notice shall be effective on such date of hand delivery.
- C. The notice shall be mailed to the owner of the property on which the sign is located, the owner of the sign if different than the property owner, and the occupant of the property. If any of such persons is unknown or cannot be found, notice shall be mailed to such person's last known address, if any, and posted on the sign or on the premises.
- D. Any person having an interest in the sign or the property may appeal the determination of the Director ordering removal or compliance by filing a written notice of appeal within ten (10) days after receipt of notice. An appeal under this section shall act as a supersedeas to the enforcement of the alleged violation.
- E. Notwithstanding the above, in cases of emergency, the Director may cause the immediate removal of a dangerous or defective sign without notice.
- F. The cost of removal of the sign by the city shall constitute a lien against the property and shall be recoverable in the same manner as city property taxes. The cost of removal shall include any and all incidental expenses incurred by the city in connection with the sign's removal.
- G. When it is determined by the Director that the sign would cause imminent danger to the public safety, and contact cannot be made with the sign owner or building owner, no written notice will have to be served. In this emergency situation, the Director shall document the imminent danger and his or her attempts to contact the sign owner, and may correct the danger, all costs being charged to the sign owner and property owner.
- H. If it shall be necessary for the Director to remove a sign pursuant to the provisions of this section, and it should be practicable to sell or salvage any material derived in the removal, he may sell the same at private or public sale at the best price obtainable, and shall keep an account of the proceeds thereof. Such proceeds, if any, shall be used to offset the cost of removal to be charged to the sign owner or property owner. Where the proceeds derived from such a sale are less than the cost of removal, such deficiencies shall constitute a lien against the property on which the sign is located, such lien to be collectible in the same manner as city property taxes.

- I. In the event a sign is determined to be in the right of way in violation of this ordinance, the sign may be removed by the Director of Environmental Management or his designee and impounded without notice. All signs impounded may be reclaimed within thirty (30) days upon payment of a \$30.00 impoundment fee per sign. Any sign not reclaimed within thirty (30) days shall become the property of the city and may be disposed of in any manner deemed appropriate by the Director.

#### **7.20.00 HISTORIC DISTRICTS.**

All signs located in a historic district designated by the City of Tifton shall comply with the requirements of the City of Tifton Historic District Manual.

#### **7.21.00 ENFORCEMENT AND PENALTIES.**

- A. The sign and sign structure shall be maintained in good repair, structurally sound, with proper anchorage capable of supporting the imposed loads, so as not to pose a threat to the public health, safety or welfare. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.
- B. All exterior surfaces shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking, and chipped paint shall be eliminated and surfaces repainted. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment. Sign faces shall be maintained in good repair, and shall have neatly painted, posted or otherwise maintained display surfaces, free of defects such as holes, tears, cracks, breaks or missing portions, which are plainly visible from the public right-of-way.
- C. When a sign or sign structure is found to be in need of maintenance or repair, the Director shall issue a notice of violation to the property owner, which shall describe the maintenance issue, and provide a period of ten (10) days to rectify the condition.
- D. If, after receiving the notice of violation, the property owner fails to remedy the maintenance issue within the time provided, it shall be a violation of this chapter, subject to citation and/or removal as provided in the ordinance. The Director may also institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal of the sign or sign structure. The reasonable cost of any action taken by the City or its agents to remedy the maintenance issue shall be charged against the real estate upon which the structure is located and shall constitute a lien upon such real estate.
- E. Any person violating any provision of this ordinance shall be liable for a fine in an amount as set by the Municipal Court. Each day a sign is posted in violation of this ordinance shall constitute a separate violation.

**7.22.00 RESPONSIBILITY OF OWNERS AND AGENTS**

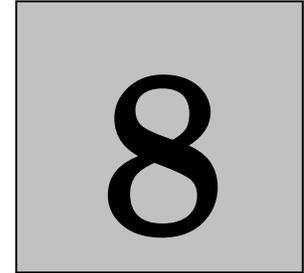
It shall be the responsibility of the owners or agents, tenants and lessees of all property upon which a sign is located to comply with the provisions of this ordinance.

**7.23.00 SEVERABILITY.**

In the event any section, subsection, sentence, or word of this ordinance is declared and adjudged to be invalidated or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this article, which shall remain in full force and effect as if such portion so declared or adjudged unconstitutional were not originally part of this article. The City Council declares that it would have enacted the remaining parts of this article if it had known that such portion thereof would be declared or adjudged invalid or unconstitutional.

**7.24.00 EFFECTIVE DATE.**

This ordinance shall be designated as Chapter 7 of the City of Tifton Development Code and the effective date of this ordinance shall be the adoption hereof. All ordinances and parts of ordinances in conflict herewith are hereby repealed.



# CHAPTER 8

## BOARDS AND COMMISSIONS

8.00.00	GENERALLY	8-3
8.01.00	RESERVED	8-3
8.02.00	CITY OF TIFTON PLANNING AND ZONING COMMISSION	8-3
8.02.01	Established	8-3
8.02.02	Membership	8-3
8.02.03	Quorum	8-4
8.02.04	Officers	8-4
8.02.05	Meetings	8-5
8.02.06	Duties and Responsibilities	8-6
8.02.07	Rules and Regulations	8-6
8.02.08	Authority	8-7
8.02.09	Legal Assistance	8-7
8.02.10	Disclosures	8-7
8.03.00	ZONING BOARD OF APPEALS	8-8
8.03.01	Established	8-8
8.03.02	Membership	8-8
8.03.03	Rules	8-9
8.03.04	Administrative Procedures	8-10
8.04.00	HISTORIC PRESERVATION COMMISSION (CITY)	8-10
8.04.01	Established	8-10
8.04.02	Membership	8-10
8.04.03	Quorum	8-10
8.04.04	Powers and Duties	8-10
8.04.05	Administrative Procedures	8-11

**8.05.00 RESERVED**

**8-12**

**8.00.00 GENERALLY**

The committees, boards, and commissions described in Chapter 8 are established for the purpose of implementing the provisions of the LDC. The committees, boards, and commissions described in this Chapter shall have the powers and duties described necessary to achieve the purpose of this LDC.

**8.01.00 RESERVED****8.02.00 CITY OF TIFTON PLANNING AND ZONING COMMISSION****8.02.01 Established**

There is hereby established the Tifton Planning and Zoning Commission which shall function in accordance with the provisions of this article.

**8.02.02 Membership**

- A. The planning and zoning commission shall consist of 5 members who shall be selected from time to time as follows:
  - 1. One (1) member shall be selected from time to time by the mayor and city council of Tifton for an initial term expiring June 30, 2013, and three (3) year terms thereafter with such position to be designated as Tifton post number one (1);
  - 2. Two (2) members shall be selected from time to time by the mayor and city council of Tifton for an initial term expiring June 30, 2014, and three (3) year terms thereafter with such position to be designated as Tifton post number two (2); and
  - 3. Two (2) members shall be selected from time to time by the mayor and city council of Tifton for an initial term expiring June 30, 2015, and three (3) year terms thereafter with such position to be designated as Tifton post number three (3).
- B. The terms of the members shall be for three (3) years. Said members shall be allowed to succeed themselves at the discretion of the City Council.
- C. The City Council shall have the authority to remove any member for cause. All vacancies in the membership of the planning commission which shall from time to time exist shall be filled for the unexpired term thereof by the City Council which selected the member whose position shall become vacant.
- D. Limitation on service
  - 1. Members of the planning commission shall, notwithstanding their terms of office, serve at the pleasure of the governing authority which selected each such member and each member shall be subject to removal prior to the termination of his term by action of the governing authority which so selected such member.
  - 2. Upon selection and commencement of his term, each member shall serve, subject to death or resignation and subject to removal, until both the selection of and the commencement of the term of his successor.
- E. Members of the planning commission shall receive no compensation for their services except that they may be reimbursed for any out-of-pocket expenses

- incurred by them in direct connection with the performances of their services and duties subject to approval thereof by the governing authorities or the governing authority of the governmental entity on behalf of which the member shall function in accordance with such requirements as shall be imposed in connection therewith from time to time by resolutions of the governing authorities or of the governing authority of the governmental entity on behalf of which the member shall function.
- F. Members of the planning commission shall attend planning commission training within the first year of their appointment.

### 8.02.03 Quorum

- A. A quorum of the planning commission shall consist of any three (3) of the five (5) regular members.
- B. Decisions of the planning commission as to its recommendations on applications for action shall be rendered by majority vote of members who are present at the planning commission meeting.
- C. In the event that a quorum is not present at a planning commission meeting, the matters under consideration shall be handled as follows:
1. Held for consideration at next regularly scheduled meeting of the planning commission to which public notice has been given to those entitled thereto,
  2. If there is not a quorum at the next regularly scheduled meeting of the planning commission, only after this second attempt, the matter shall be forwarded to the governing authority without a recommendation from the planning commission.

### 8.02.04 Officers

- A. The planning commission shall annually select from among its members a chair who shall preside at meetings of the planning commission.
- B. The planning commission shall annually select from among its members a vice-chair who shall preside at meetings of the planning commission in the absence of the chair or the disqualification of the chair.
- C. Staff Secretary
1. The secretary of the planning commission shall be the zoning administrator or such other person or official as shall from time to time be so designated by the manager acting on behalf of the City Council.
  2. The staff secretary of the planning commission shall provide administrative assistance to the planning commission relative to matters relating to this LDC. The duties shall include:
    - a. Prepare and conduct all correspondence of the planning commission;
    - b. Receive and file all correspondence to the planning commission;
    - c. Receive and file all applications and filings to and with the planning commission;
    - d. Receive and file all transmittals to the planning commission from the zoning administrator and other public officials;
    - e. Review and evaluate all applications and filings to and with the planning commission for compliance with the rules and regulations of the planning

- commission and notify those filing the applications and filings of any noncompliance therewith;
- f. Following consultation with the chair (and to the extent necessary the other members) schedule meetings of the planning commission in accordance with applicable law, ordinances, resolutions, and the rules and regulations of the planning commission;
  - g. Prepare and maintain a calendar and docket of proposed rezoning actions before the planning commission;
  - h. Prepare and submit to the members at least forty-eight (48) hours prior to a scheduled hearing an agenda therefore as well as copies of all applications and other filings made in connection with each such proceeding;
  - i. Determine all notices to be given in connection with proceedings before the planning commission and cause such notices to be given to those entitled thereto;
  - j. Attend all meetings and hearings of the planning commission;
  - k. Cause a mechanical record to be made of all meetings and hearings of the planning commission relative to proposed rezoning actions by use of tape recorder or other appropriate device;
  - l. Cause to be retained and maintained a copy or a facsimile of all physical evidence presented in connection with proposed rezoning actions;
  - m. Prepare and maintain minutes of proceedings of the planning commission indicating therein all significant information, matters and facts pertaining thereto including specifically all motions, votes and decisions of the planning commission together with the vote of each member upon each such motion, vote and decision including those absent, disqualified or failing to vote thereon together with such other matters as shall be pertinent to the activities of the planning commission;
  - n. Cause to be retained and maintained all minutes, records, files and notices of the planning commission;
  - o. With respect to proposed rezoning actions, maintain a written record of the name and address of all persons who shall present any evidence, testimony or opinions, make any statement at a hearing of the planning commission; and
  - p. Perform such other duties as shall be directed from time to time by the planning commission that are approved by the manager.

#### **8.02.05 Meetings**

- A. Meetings of the planning commission shall be held from time to time as necessary for the planning commission to perform its duties and responsibilities.
  - 1. Meetings to be held at least once per month on a regularly scheduled day and at a regularly scheduled time and place.
  - 2. Meetings shall also be held upon call by the chair, the vice-chair in the absence or disability of the chair, or by a majority of the members.

3. All meetings of the planning commission shall be open to the public and shall be held in accordance with the requirements of state law relative to open public meetings.

B. Minutes and records

All minutes, upon approval thereof by the planning commission, and all files, dockets, calendars, physical evidence, notices and records of the planning commission that relate to matters with respect to each governmental entity shall be maintained and made available for public inspection.

### 8.02.06 Duties and Responsibilities

The planning commission shall:

- A. Function only in an advisory capacity to the City Council.
- B. Subject to the direction, control, and instructions of the City Council, conduct surveys and studies of existing conditions and probable future developments and shall develop plans for physical, social, and economic growth which will best promote the public health, safety, morals, convenience, prosperity, general welfare, efficiency and economy in the development of the City of Tifton and submit the plans to the City Council, and
- C. Subject to the direction, control and instructions of the city Council:
  1. Develop and submit to the City Council for its consideration a master plan, and amendments thereto, for the development of each governmental entity;
  2. Develop and submit to the City Council for its consideration recommendations relative to amendments to or revisions of this LDC, including zoning ordinances, zoning maps and regulations for the subdivision of land within the boundaries of the city;
  3. Review proposed amendments to or revisions of the zoning ordinances and zoning maps of each of the city which shall be submitted by others, make findings with respect thereto, and make recommendations to the City Council with respect to the adoption, rejection, modification or conditional adoption of each such proposed amendment or revision;
  4. Develop and submit to City Council for its consideration official maps or plats, and amendments thereto, which designate the exact location of the boundary lines of existing, proposed, extended, widened and narrowed streets, public ways, public open spaces and public buildings and sites together with regulations and amendments thereto for the erection of buildings and other structures to be located therein; and
  5. Perform such additional functions and services for and on behalf of City Council as shall be authorized or directed from time to time by the City Council.

### 8.02.07 Rules and Regulations

The planning commission shall adopt such rules, policies, procedures and regulations as shall not be inconsistent with the provisions of this LDC, the zoning ordinances of the City of Tifton and applicable law.

**8.02.08 Authority**

- A. The planning commission shall have no authority or power other than as specifically provided from time to time by ordinance or resolution of the City of Tifton; and
- B. Without limiting the generality of the foregoing, shall have no authority, right or power to expend any funds, to direct the activities of any employee or official of the City of Tifton (except solely the secretaries of the commission and then only to the extent specifically authorized in this article) or to contract for or on behalf of either itself or the City of Tifton.

**8.02.09 Legal Assistance**

With respect to this LDC on matters relative to the City of Tifton, the city attorney shall act as the legal advisor and representative of the planning commission and shall render such legal assistance as shall be necessary.

**8.02.10 Disclosures****A. Financial interest**

1. A member of the planning commission who:
  - a. Has a property interest in any real property affected by any proposed action pending before the planning commission;
  - b. Has a financial interest in any business entity which has a property interest in any real property affected by any proposed rezoning action pending before the planning commission; or
  - c. Has a member of the family who has any interest described in either subsection (a) or subsection (b) of this section;

shall at or prior to the initial meeting of the planning commission at which the matter is to be considered (but in no event later than immediately following the announcement of the matter for consideration by the commission) disclose the nature and extent of such interest in writing to the applicant and to the commission.

2. All such disclosures shall be entered into the minutes of meetings of the planning commission, shall be matters of public record of both the planning commission and the City of Tifton, and shall be available for public inspection at any time during normal working hours.

**B. Contributions**

1. When any applicant for any proposed rezoning action has made, within two (2) years immediately preceding the filing of that applicant's application for the rezoning action, gifts having in the aggregate a value of \$250.00 or more to any planning commission member, it shall be the duty of the applicant or the attorney representing the applicant to disclose in writing to the planning commission:
  - a. The name of member(s) to whom the gift or gifts were made; and
  - b. An enumeration and description of each gift having a value of \$250.00 or more made by the applicant to each such member during the two (2) years immediately preceding the filing of the application for the zoning change.

2. The disclosures required by subsection 1 above shall be filed within ten (10) days after the application for the proposed rezoning action is first filed.
- C. Relationships
1. Each member of the planning commission who shall have any business or financial relationship with any applicant or with any owner of any property proposed for rezoning action and who, due to the nature or extent of such relationship or relationships, may not be able to objectively act with respect to the proposed rezoning action shall, at or prior to the initial meeting of the planning commission at which the matter is to be considered (but in no event later than immediately following the announcement of the matter for consideration by the commission), disclose the nature and extent of such relationships to the applicant and to the planning commission.
  2. All such disclosures shall be entered into the minutes of the planning commission, shall be matters of public record of both the planning commission and the City of Tifton and shall be available for public inspection at any time during normal working hours.
- D. Disqualification of members.
1. Any member of the planning commission who shall have:
    - a. A property interest, a financial interest, or a member of the family who has either a property interest or financial interest which is subject to disclosure pursuant to the provisions of this article;
    - b. Received any contribution which is subject to disclosure pursuant to the provisions of this article; or
    - c. Any relationship which is subject to disclosure pursuant to the provisions of this article;may disqualify himself from participation in the consideration of the proposed rezoning action in issue or may be disqualified by vote of the planning commission as provided in subsection 2 below.
  2. Any other member, the applicant and any other interested person shall each be entitled at the time of the call for consideration of the matter or at any time prior thereto to raise any issue of possible disqualification of any member whereupon, following such consideration as the planning commission shall deem appropriate, the planning commission shall determine by majority vote of those members who are not subject to potential disqualification in connection with the proposed rezoning action whether the member shall be disqualified.

### **8.03.00 ZONING BOARD OF APPEALS**

#### **8.03.01 Established**

There is hereby established an appeals board with the title of "The Tifton Board of Zoning Appeals", hereinafter referred to as the "ZBA."

#### **8.03.02 Membership**

- A. The ZBA shall consist of five (5) members, all of whom shall be residents of the City of Tifton who shall be selected by the City Council.

- B. None of the members of the ZBA shall hold any other public office, except that one (1) members may also be a member of the City of Tifton Planning and Zoning Commission.
- C. Officers
  - 1. The ZBA shall elect one (1) of its members as Chairman, who shall serve for one (1) year or until he is re-elected or his/her successor is elected.
  - 2. The Zoning Administrator shall function as the secretary to the ZBA.
- D. The members of the ZBA shall receive no compensation for their service except that they may be reimbursed for out-of-pocket expenditures made in connection with their duties.
- E. The members of the ZBA may be removed for cause, upon written charges, and after public hearing.
- F. Any member of the ZBA shall be disqualified to act upon a matter before the ZBA with respect to property in which the member has an interest.

### 8.03.03 Rules

- A. The ZBA shall have the authority to adopt rules of procedure, or by-laws to govern its operation.
- B. By-laws shall not conflict with the requirements of this LDC. In the event of any conflict between the provisions of this LDC and the bylaws, the provisions of this LDC shall control.
- C. The following topics may be included in the bylaws:
  - 1. The creation of committees;
  - 2. Code of conduct;
  - 3. Voting procedures;
  - 4. Scheduling of meetings;
  - 5. Order of business; and
  - 6. Preparation of minutes.
- D. Meetings to be held at least once per month on a regularly scheduled day and at a regularly scheduled time and place.

Meetings shall also be held upon call by the chair, the vice-chair in the absence or disability of the chair, or by a majority of the members.

All meetings of the ZBA shall be open to the public and shall be held in accordance with the requirements of state law relative to open public meetings.
- E. The Chairman, or in his/her absence the acting Chairman, may administer oaths and compel the attendance of witnesses by subpoena, as otherwise permitted by law.
- F. The ZBA shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk and shall be a public record.
- G. The decisions of the ZBA shall be by resolution, which resolution shall contain a statement of the grounds of its decision or action.

- H. No appeal to the ZBA requesting the same relief in regard to the same property shall be received or heard by the ZBA for a period of twelve (12) months following the date of said resolution, except that this limitation shall not affect the right of said ZBA to grant a rehearing as provided in the rules of procedure adopted by said ZBA.

#### **8.03.04 Administrative Procedures**

- A. The procedures and duties of the ZBA are established in Chapter 9, Variances and Chapter 10, Appeals.
- B. The ZBA shall have responsibility for final decision on the following types of applications;
1. Extension of nonconforming residential uses;
  2. Variances; and
  3. Appeal of administrative decisions.
- C. The Zoning Administrator shall provide such technical, administrative, and clerical assistance and office or meeting space as is required by the ZBA to carry out its function under the provisions of these regulations.
- D. All applications submitted for variances and appeals under the provisions of the LDC will be forwarded to the SDRC, for preparation of a compliance report.

### **8.04.00 HISTORIC PRESERVATION COMMISSION**

#### **8.04.01 Established**

There is hereby established a historic preservation commission with the title of "Historic Preservation Commission of the City of Tifton, Georgia", hereinafter referred to as the "HPC."

#### **8.04.02 Membership**

- A. The HPC shall consist of seven (7) members appointed by the Mayor and City Council, all of whom shall be residents of the city, and a majority of whom shall be persons who have demonstrated special interest, experience or education in history or architecture.
- B. Members of the HPC shall be appointed for a three (3) year term and shall serve at the pleasure of the Mayor and City Council.
- C. Members of the HPC shall not receive any salary or any other compensation except expense reimbursement approved in advance by the Mayor and City Council.
- D. The HPC shall select such officers as it deems appropriate from among its members.

#### **8.04.03 Quorum**

A quorum of the HPC shall consist of any four (4) of the seven (7) regular members. Action by the HPC shall require a minimum of four (4) votes.

#### **8.04.04 Powers and Duties**

The HPC shall be authorized, in accordance with the provisions of O.C.G.A. § 44-10-25, to:

- A. Prepare and maintain an inventory of all property within the city having the potential for designation as historic property;
- B. Recommend to the Mayor and City Council specific places, districts, sites, buildings, structures, or works of art to be designated by ordinance as historic properties or historic districts;
- C. Review applications for certificates of appropriateness, and grant or deny the applications in accordance with the provisions hereof and the provisions of O.C.G.A. § 44-10-28;
- D. Recommend to the Mayor and City Council that the designation of any place, district, site, building, structure, or work of art as a historic property or as a historic district be revoked or removed;
- E. Restore or preserve any historic properties acquired by the city to the extent specifically authorized by the Mayor and City Council;
- F. Promote the acquisition by the city of facade easements and conservation easements in accordance with the provisions of the Facade and Conservation Easements Act of 1976 (O.C.G.A. §§ 44-10-1--44-10-5A);
- G. Conduct educational programs on historic properties located within the city;
- H. Make such investigations and studies of matters relating to historic preservation, as the Mayor and City Council or the HPC itself may, from time to time, deem necessary or appropriate for the purposes of this article;
- I. Seek out local, state, federal and private funds for historic preservation, and make recommendations to the Mayor and City Council concerning the most appropriate uses of any funds acquired by the city as a result thereof;
- J. Consult with historic preservation experts in the historic preservation section of the state department of natural resources or its successor and the Georgia Trust for Historic Preservation, Inc. or its successors; and
- K. Submit to the historic preservation section of the state department of natural resources or its successor a list of historic properties or historic districts designated as such pursuant to the provisions of O.C.G.A. § 44-10-26.

#### **8.04.05 Administrative Procedures**

##### **A. Records**

The HPC shall maintain a public record of all applications for certificates of appropriateness and of all the HPC's proceedings relative thereto as well as all of its other actions, decisions and proceedings.

##### **B. Rules and Policies**

1. The HPC shall adopt such rules and policies for the transaction of its business, for consideration of applications for designations, and for certificates of appropriateness as it deems necessary, subject to approval thereof by the Mayor and City Council.
2. The HPC shall provide for the time and place of regular meetings, provide notice to the public thereof as required by law, and shall provide a method for the calling of special meetings.

##### **C. Conflict of Interest**

Any member of the HPC who has any ownership or other interest in any property which is the subject of any proceeding before the HPC is prohibited from consideration of or voting upon any such matter.

**D. Negotiations for Acquisition**

The HPC may, where such action is authorized in advance by the Mayor and City Council and is reasonably necessary or appropriate for the preservation of a unique historic property, enter into negotiations on behalf of the city with the owner for the acquisition by gift, purchase, exchange, or otherwise, of the property or any interest therein by the city; provided that no commitment of any nature whatsoever relative thereto may be made by the HPC except to the extent specifically authorized by the city council.

**8.05.00 RESERVED**