

**AN ORDINANCE PROVIDING  
LAND DEVELOPMENT REGULATIONS FOR THE  
UNINCORPORATED AREAS OF PULASKI  
COUNTY**

Adopted July 3, 2006  
Amended November 22, 2006  
Amended December 20, 2010

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# **CHAPTER 1: PURPOSE AND ENACTMENT**

## **Section 1.0 Purpose**

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

## **Section 1.1 Authority for Enactment**

The Sole Commissioner of Pulaski County enacts these Regulations under the exercise of powers placed upon him or her by the Georgia State Constitution, Article IX, Section II, Paragraph IV, Planning and Zoning.

## **Section 1.2 Jurisdiction**

These Regulations shall only apply to the unincorporated areas of Pulaski County.

## **Section 1.3 Application of Regulations**

The requirements of these Regulations are declared to be minimum requirements and shall not be deemed to interfere with, abrogate, annul, or otherwise affect in any manner any easements, covenants, or other agreements between parties. However, whenever the provisions of these Regulations impose greater restrictions upon the use of land or buildings than the provisions of other regulations, ordinances, rules, permits, or any easement, covenants, or other agreements between parties, the provisions of these Regulations shall govern.

## **CHAPTER 2: ADMINISTRATION AND ENFORCEMENT**

### **Section 2.0 Enforcement**

The Zoning Administrator, herein referred to as the Enforcement Officer, shall administer and enforce these Regulations, and is hereby given the authority and responsibility to enforce all provisions of these Regulations under the direction of the Sole Commissioner of Pulaski County which includes, but is not limited to the following duties:

1. To serve as a liaison between the Pulaski County Planning and Zoning Board and the Sole County Commissioner keeping each body advised of pending actions pertaining to zoning.
2. To serve as a non-voting Ex-Officio member of the Planning and Zoning Board to provide technical assistance in matters relating to zoning requests.
3. To maintain in a timely and current manner the Official Zoning Maps reflecting thereon any and all rezoning amendments approved by the Sole County Commissioner. The Zoning Administrator shall post amendments of the Official Zoning Map within seven (7) calendar days following approval of such action by the Sole County Commissioner.
4. To perform any other rezoning duties as directed by the Sole County Commissioner.

### **Section 2.1 Permits**

The following shall apply in the issuance of any permits:

1. It shall be unlawful for any person to commence excavation for, or construction of any building structure, or moving of any existing building without first obtaining a building permit from the Building Inspector. No permit shall be issued for the construction, alteration, or remodeling of any building or structure until an application has been submitted in accordance with the provisions of these Regulations, showing that the construction proposed is in compliance with the provisions of these Regulations and with the Building Code.
2. No plumbing, electrical, drainage, or other permit shall be issued until the Pulaski County Building Inspector has determined the plans and designated use indicate that the structure and premises, if constructed as planned and proposed, will conform to the provisions of these Regulations.

### **Section 2.2 Certificates of Occupancy**

It shall be unlawful to use or permit the use of land, building, or structure for which a building permit is required, and to use or permit to be used, any building or structure hereafter altered, extended, erected, repaired, or moved, until the Pulaski County Building Inspector has issued a Certificate of Occupancy stating that the provisions of these Regulations have been complied with.

The Certificate of Occupancy as required for new construction of, or renovations to existing buildings and structures, in the Building Code, shall also constitute Certificates of Occupancy as required by these Regulations.

Temporary Certificates of Occupancy may be issued for a part of a building or structure prior to the occupancy of the entire building or structure, provided that such Temporary Certificate of Occupancy shall not remain in force more than six (6) months, nor more than five (5) days after the building or structure is fully completed and ready for occupancy and, provided further, that such portions of the buildings or structure are in conformity with the provisions of these Regulations.

A record of all Certificates of Occupancy shall be kept in the office of the Zoning Administrator and copies of such Certificates of Occupancy shall be furnished upon request to a person or persons having a proprietary or tenancy interest in the property involved.

Accessory buildings or structures to dwellings shall not require a Certificate of Occupancy, but rather may be included in the Certificate of Occupancy for the principal dwelling, building, or structure on the same lot when such accessory buildings or structures are completed at the same time as the principal use.

Certificates of Occupancy shall be applied for coincident with the application for a building permit and shall be issued within ten (10) days after the erection or alteration of such building has been completed in conformity with the provisions and requirements of these Regulations. If such Certificate is refused for cause, the applicant therefore shall be notified of such refusal and the cause thereof within ten (10) days.

### **Section 2.3 Fees**

Fees for inspections and the issuance of permits or certificates or copies thereof required or issued under the provisions of these Regulations shall be collected by the Zoning Administrator in advance of the issuance of such permits or certificates.

The amount of such fees shall be established by the Sole County Commissioner, from time to time, and shall cover the cost of inspections and supervision resulting from the enforcement of these Regulations. These fees shall be deposited with the County Clerk.

### **Section 2.4 Zoning Applications and Amendments**

The Pulaski County Sole Commissioner may amend, supplement, or change the regulations or the district boundaries of these Regulations as established herein. The procedure for submitting a request for an amendment to the Land Development Regulations or district boundaries of the official Zoning Map is stated in the Policies and Procedures Manual for Pulaski County.

### **Section 2.5 Variances**

#### **Section 2.5.1 General**

Relief from the application of the provisions of these Regulations may be granted by the Sole Commissioner upon a finding that compliance with such provisions will result in a hardship to the property or owner that is substantially unwarranted by the protection of

the public health, safety, or general welfare, and the need for consistency among all properties similarly developed.

Such relief shall be granted only to the extent necessary to alleviate such unnecessary hardship and not as a convenience to the applicant nor to gain any advantage or interest over similarly developed properties.

### **Section 2.5.2 Standards for Approval**

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

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its shape or topography; or
2. The application of the Ordinance to this particular piece of property would create an unnecessary hardship; or
3. There are conditions that are peculiar to the property which adversely affect its reasonable use or usability.

If denied, as appeal for a hardship variance affecting the same property shall not be reconsidered for a period of twelve (12) months from the date of denial; provided, however, that the Sole County Commissioner may reduce the waiting period under extenuating circumstances or on his or her own motion.

In no case shall a hardship variance be granted for any of the following:

1. A condition created by the applicant, including the result of an unwise investment decision or real estate transaction.
2. A change in the conditions of preliminary or final plat approval.
3. An increase or a reduction in minimum lot size.

## CHAPTER 3: DEFINITIONS

### Section 3.0 General

Except as specifically described herein, all words shall have the customary dictionary meaning. Words used in the present tense include the future tense, and words used in the future tense include the present. Words used in singular number include the plural and words used in the plural include the singular. The word “person” includes a “firm”, “corporation”, “association”, “organization”, “trust”, or “partnership”. The word “lot” includes “plot” or “parcel”. The word “building” includes “structure”.

The word “shall” is mandatory and not discretionary; the word “may” is permissive. The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended”, “arranged”, or “designed to be used or occupied”. The word “map” means the “Official Zoning Map of Pulaski County”.

### Section 3.1 Specific Definitions

**Access:** A way or means of approach to provide physical entrance to a property.

**Acts of God:** A manifestation especially of a violent or destructive natural force, such as a lightning strike, earthquake, hurricane, fire, or flood that is beyond human power to cause, prevent, or control.

**Adult Entertainment:** Adult entertainment is defined as entertainment that is characterized by an emphasis on the depiction, display or the feature of “specified anatomical areas” or “specified sexual activity”.

**Adult Entertainment Businesses:** A nightclub or other establishment that features adult entertainment. Any commercial establishment which has as its primary purpose or business which engages in services such as massage parlors, wrestling parlors or like activity including a night club, cabaret, lounge or other establishment which features adult entertainment.

**Agriculture or Agricultural, General:** The bona fide use of a parcel of land of ten (10) acres or more for the cultivation of land, raising of poultry and/or livestock, or for similar agrarian activity (fields, lots, pastures, orchards, non-intensive livestock production, agricultural conservation lands, commercial timber or pulpwood harvesting, horticultural businesses, etc.) for gain or profit, and the related buildings, structures, and appurtenances associated with or necessary to carry out the aforementioned activities.

**Agriculture or Agricultural, Intensive:** The bona fide use of a parcel of land of ten (10) acres or more for the use of confined animal operations such as large-scale poultry and swine production facilities and feedlots.

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

**Alcoholic Beverage:** A liquor or brew containing alcohol as the active agent.

**Alteration:** Any change, addition, or modification in construction or type of occupancy; any change in the structural members of the building, such as walls, partitions, columns, beams, girders, or any change which may be referred to herein as “altered” or “reconstructed”.

**Animal Husbandry:** The commercial care or breeding (excluding grazing) of domestic animals such as cattle, sheep, swine, reptile, and fowl.

**Apartment:** A room or rooms used as a dwelling for one (1) family in a building containing at least one (1) other unit used for the same purpose and has at least cooking facilities, bathroom, and a place to sleep.

**Apartment Building:** A residential structure containing three (3) or more apartments.

**Applicant:** A property owner or their authorized representative who has petitioned Pulaski County for approval of a variance, conditional use, development permit, building permit, interpretation or appeal, or any other authorization for the use or development of their property under the requirements of this Ordinance.

**Application:** A petition for approval of a variance, conditional use, development permit, building permit, interpretation or appeal, or any other authorization for the use or development of a property under the requirements of this Ordinance.

**Automobile Repair Garage:** A building or portion thereof, other than a private or parking garage, designed or used for the storage, servicing, repairing, equipping, or hiring of motor-driven vehicles.

**Automobile Service Station:** Any area of land, including structures thereon, used for the retail sale of gasoline or oil, automobile accessories, and incidental services including facilities for lubricating, automobile washing, and cleaning, or otherwise servicing automobiles, but excluding painting and major repairs.

**Automobile Wrecking Yard, Used Parts, or Graveyard:** Means anywhere three (3) or more vehicles not in running condition, or the parts thereof, are stored in the open, or any building or structure used principally for wrecking or storage of automobiles not in running condition for automobile parts.

**Basement:** That portion of a building having its floor subgrade (below ground level) on all sides.

**Bed and Breakfast (B&B):** Overnight accommodations in dwelling unit and a morning meal provided to transients for compensation. Bed and Breakfast accommodations differ from boarding houses in that they are truly transient accommodations, with guests rarely staying more than a few days. In addition, the owner almost always lives in the

facility. The impact of a B&B should not be much greater than that of a private home with frequent houseguests, with the exception of parking demand.

**Berm:** A mound of earth, or the act of pushing earth into a mound.

**Billboard:** A structural poster or painted sign, usually found along or near roadways and of such size as to catch the attention of the motoring public, which may be either free standing or attached to the outside of a building, for the purpose of conveying information, knowledge or ideas to the public about a subject unrelated to the premises on which it is located.

**Block:** An area of land within a subdivision that is entirely surrounded by public streets, public lands, railroad rights-of-way, watercourses, or other well-defined and fixed boundaries.

**Boarding House:** A residence, or part thereof, where meals and/or lodging are provided for compensation to three (3) or more, but not exceeding twenty (20), persons by prearrangement for definite periods. A boarding house is to be distinguished from a hotel, motel, or nursing home.

**Buffer:** An area of natural vegetation or manmade construction that is intended to provide a visual and dimensional separation between dissimilar land uses.

**Buffer, Natural:** A visual screen created by vegetation of such density so as to present an opaque visual separation when viewed from one side to the other throughout the year.

**Buffer, Structural:** A visual screen created through construction of a solid wooden fence, decorative masonry wall, earthen berm, or combination of fence or wall with an earthen berm, which may be supplemented with vegetation, so as to present an opaque visual separation when viewed from one side to the other throughout the year.

**Buildable Area of Lot:** That portion of a lot bounded by, and interior to, the required rear, side, and front building setback lines.

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

**Building, Accessory:** A detached, subordinate structure, the use of which is clearly incidental to, customarily associated with, and related to the principal structure or use of the land, and which is located on the same lot as the principal structure or use. Accessory buildings shall include storage buildings, tool houses, party houses, bath houses (as used in conjunction with swimming pools), and similar uses.

**Building Code:** The technical codes adopted or adopted as amended by Pulaski County.

**Building Height:** The vertical distance of a building measured from the average elevation of the finished grade to the highest point on the roof surface.

**Building Inspector:** Means the person appointed, employed, or otherwise designated as the director of planning, permits and inspections of building structures; the building inspector may be the person appointed to serve as enforcement officer as defined in this ordinance.

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

**Building Permit:** A written permit that allows construction issued by the Code Enforcement Officer for Pulaski County, Georgia.

**Building, Principal:** A building in which the primary use of the lot on which the building is located is conducted.

**Care Home:** A rest home, nursing home, convalescent home, home for the aged or similar use established and operated on a profit or non-profit basis to provide lodging and meals and domiciliary care for the aged, infirm, chronically ill or convalescent persons. The term "care home" shall include the term "extended care facility" as defined by Georgia Law. Such facility shall be licensed pursuant to O.C.G.A § 31-7-12 as appropriate.

**Center Line:** That line connecting the succession of midpoints between the identifiable limits of any improvements on the ground or of any easement.

**Certificate of occupancy:** Means a document issued by the building inspector certifying that a dwelling unit, commercial facility or any structure intended for human occupancy is in compliance with applicable requirements set forth by the governing authority, and indicating it to be in a condition suitable for occupancy.

**Clerk of the Superior Court:** The Clerk of the Superior Court of Pulaski County, Georgia.

**Clinic:** A professional office where the services of more than one (1) practitioner can be obtained and where patients are studied or treated on an outpatient basis and where no overnight accommodations are provided.

**Club:** An organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics, or the like, but not for profit.

**Community Sewer System:** a privately owned sewer system meeting the minimum standards set by the Environmental Protection Division of the Georgia Department of Natural Resources.

**Community Water Systems:** A privately owned water system meeting the minimum standards set by the Environmental Protection Division of the Georgia Department of Natural Resources.

**Condominium:** Individual ownership of units in a multi-unit structure or structures, combined with a joint ownership of common areas and/or facilities of the buildings and grounds.

**Construction and Demolition (C&D) Landfill:** Any disposal facility where non-hazardous construction and demolition debris may be disposed of.

**Construction, Existing:** Any structure for which the start of construction commenced before the effective date of this Ordinance.

**Construction, New:** Any structure for which the start of construction commenced after the effective date of this Ordinance.

**Construction, Start of:** For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-3-18), includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction repair, reconstruction, or improvement was within one hundred eighty days (180) of the permit date. The actual start of construction means the first placement of permanent construction of a building, including a manufactured home, on site, such as the pouring of slabs or footing, 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 land preparation, such as clearing, grading and filling, nor does it include the installation of streets or walkways; the excavation for a basement, footings, piers or foundations, or the erection of temporary forms; or the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building.

**Contractor:** The developer or subdivider or his authorized representative, whether doing work on a contract basis or working directly for the developer or subdivider.

**County Commissioner:** The Sole Pulaski County Commissioner.

**County Health Officer:** The Pulaski County Health Department officer responsible for approval of on-site sewage disposal systems.

**Curb Break or Curb Cut:** Any interruption or break in the line of a street curb for the purpose of connecting a driveway and a street, or otherwise to provide vehicular access to an abutting property.

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

**Day, Calendar:** One of the numbered twenty-four (24)-hour periods into which a week, month, or year is divided.

**Day Care Facility:** An individually or jointly owned facility designated to offer care and/or training to children unrelated to the owner or director for any part of the day on a regular basis. Such facility may or may not be operated for profit. Day care is not a baby-sitting service to be used for the convenience of the parents at irregular intervals (drop-ins).

- A. **Group Center (day nursery, day care center):** A facility for six (6) or more children, regardless of age, whose primary purpose is the care of the child for part of a day, while his or her parents are absent from home.
- B. **Nursery School:** A school for two, three, and four year old children which operates for periods not to exceed four (4) hours a day and whose primary purpose is education and guidance for healthy emotional and social development of children.
- C. **Kindergarten:** A school for four or five year old children which operates for periods not to exceed four (4) hours a day and whose primary purpose is education and guidance for healthy emotional and social development.
- D. **Family Day Care:** A service in a private home, offering care in a family setting to a maximum of five (5) children, including the foster family's own children during part of the day while the natural parents are absent from their home.
- E. **Adult Day Care:** Personal care and supervision in a protective setting for adults outside their own home for less than twenty-four (24) hours per day. The program may include the provisions of daily medical supervision, nursing and other health care support, psychosocial assistance, or appropriate socialization stimuli or a combination of these. Adult day care is available for those persons who do not require twenty-four (24) hour per day institutional care, but who, because of physical and/or mental disability, are not capable of full time independent living.

**Day, Business:** The calendar days of Monday through Friday, except for those days on which a State or Federal Holiday occurs.

**Developer:** Any person who undertakes the subdivision of land as defined in this Ordinance.

**Development:** Any manmade change on improved or unimproved real estate including, but not limited to, buildings, structures, mining, dredging, filling, grading, paving, excavation, drilling, or permanent storage of materials or equipment.

**Development Permit:** The authorization necessary to initiate and conduct a land-disturbing activity and to carry out the planned development of land and structures.

**Development/Construction Plans:** A set of plans, details, and technical specifications for the construction of site improvements to a commercial, office, industrial, or multi-family lot that includes, but is not limited to, building footprints, drives, parking, drainage systems, utilities, buffers, landscaping, parking lot lighting, embankments, signage, soil erosion control devices and measures, and all other improvements required for the subdivision of land.

**District:** Any section of the unincorporated area of Pulaski County within which the land use regulations are uniform.

**Display Surface Area:** The net geometric area measured by the smallest possible adjoining square or rectangles enclosing the display surface of the sign, including the outer extremities of all letters, characters, and delineations; provided, however, display surface area shall not include the structural supports for free standing signs; provided further, that only one (1) face of a double-faced sign shall be considered in determining the display surface area.

**DOT:** Georgia Department of Transportation.

**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 storm water management, drainage control, or flood control purposes.

**Driveway:** A travel way improved for vehicular access to a property for the primary purpose of providing access between a street and automobile parking facilities or truck-loading areas on the property, or for providing a connection between distinct parking and loading areas on the property.

**Duplex:** A structure containing two (2) dwelling units, each of which has direct access to the outside.

**Dwelling:** A building or portion of a building arranged or designed to provide living quarters for one (1) or more families.

**Dwelling, Multi-Family:** A residential building exclusively designed for or occupied by three (3) or more families in separate dwelling units living independently of each other on a single lot, and meeting or exceeding the standards for single-family and two (2)-family dwellings contained in this Ordinance.

***Dwelling, Single-Family:*** A residential building, whether site-built or a manufactured home or an industrialized building, designed for or occupied exclusively by one (1) family and meeting or exceeding the standards for single-family and two (2)-family dwellings contained in this Ordinance.

***Dwelling, Two-Family:*** A residential building designed for or occupied exclusively by two (2) families in separate dwelling units living independently of each other on a single lot, and meeting or exceeding the standards for single-family and multi-family dwellings contained in this Ordinance.

***Dwelling Unit:*** One (1) or more rooms connected together and constituting a separate, independent housekeeping establishment for use on a regular basis involving owner occupancy or rental or lease on a weekly, monthly, or longer basis, with provisions for cooking, eating, and sleeping, and physically set apart from any other rooms or dwelling units in the same structure.

***Easement:*** A grant by a property owner of the use of land for a specific purpose or purposes by the general public, a corporation, or a certain person or persons.

***Enforcement Officer:*** The official or his/her designate as appointed by the Sole Commissioner and charged with the administration and enforcement of this ordinance.

***EPD:*** The Environmental Protection Division of the Department of Natural Resources.

***Erosion:*** The process that wears land surface away by the action of wind, water, ice, or gravity.

***Erosion and Sedimentation Control Plan:*** A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity.

***Erosion and Sedimentation Control Practices, Structural:*** 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 sedimentation control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, 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*.

***Erosion and Sedimentation Control Practices, Vegetative:*** Practices for the stabilization of erodible or sediment-producing areas by covering with:

- Permanent seeding, sprigging, or planting, producing long-term vegetative cover; or
- Temporary seeding, producing short-term vegetative cover; or

- Sodding, covering areas with turn of perennial sod-forming grass.

Such practices can be found in the publication, *Manual for Erosion and Sediment Control in Georgia*.

**FAA:** The Federal Aviation Administration; an agency in the Department of Transportation that is responsible for the safety of civilian aviation.

**Family:** An individual or two (2) or more persons living together as a household.

**Farm:** A parcel of land that is used for growing crops, raising livestock, or other agricultural purposes within agricultural districts.

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

**Feed Lot:** A lot, yard, corral, or other area in which livestock are confined, primarily for the purposes of feeding and growth prior to slaughter. The term does not include areas that are used for raising crops or other vegetation or upon which livestock are allowed to graze.

**FCC:** The Federal Communications Commission; an independent government agency that regulates interstate and international communications by radio and television and wire and cable and satellite.

**Fence:** An artificially constructed barrier of wood, wire, wire mesh, or decorative metal erected to enclose, screen, or separate portions of a lot.

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

**Final Plat:** A complete and exact subdivision plat prepared for official recording.

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

**Flea Market:** An outdoor and/or indoor facility established for the purpose of selling at retail such new or used items as household goods, tools, crafts, or any combination of new or used goods. These markets, sales, and displays are those that occur continuously or frequently, and specifically more than two (2) times per year, normally at a fixed location where a proprietor, partnership, or corporation leases to vendors a booth, commercial staff, or designated area from which the vendor markets his/her goods.

**Flood or Flooding:** A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of tidal waters and/or the unusual and rapid accumulation of runoff of surface waters from any source.

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

**Flood Plain:** A nearly level alluvial plain that borders a stream and is subject to flooding unless protected artificially.

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

**GAEPD:** The Environmental Protection Division of the State of Georgia Department of Natural Resources.

**Garage Apartment:** A dwelling unit for one (1) family erected above a private garage detached from the main dwelling.

**Garage, Private:** An accessory building or a portion of a main building used for the parking or storage of automobiles of the occupants of the main building. A carport is considered a private garage.

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

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

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

**Guarantee of Condition Bond:** Means a surety bond to guarantee that the affidavit and photographs required by paragraphs (1) and (2) of subsection (a) of Section 3 of this ordinance reasonably portray or represents the existing condition of the pre-owned manufactured home proposed for relocation.

**Hardship Variance:** A dispensation permitted on individual parcels of property as a method of alleviating unnecessary hardship by allowing a reasonable use of the building, structure, or property, which, because of unusual or unique circumstances, is denied by the terms of the applicable development regulations.

**Health Department:** The Pulaski County Health Department.

**Home Business:** An occupation for gain or support conducted only by members of a family residing on the premises and entirely within the main dwelling with a portion of the activities including on-premise retail sales.

**Home, Manufactured:** A structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (320) or more square feet in floor area, 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; and which complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq. "Manufactured home" includes such structures commonly referred to as "mobile home," and "house trailer;" the term does not include campers, travel trailers, motor homes, or modular homes.

**Home, Manufactured, Pre-Owned:** Any manufactured home that has been previously used as a residential dwelling and has been titled.

**Home, Modular:** Finished housing sections, built in a factory, which are transported to the building site and joined together on a permanent foundation. This may include whole sections, such as bedrooms and living areas, chosen by the buyer and assembled such that they result in a floor plan that resembles a traditional home. Subject to state or local codes, not HUD code.

**Home Occupation:** Any use conducted entirely within the dwelling and carried on by the inhabitants thereof, which use is incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.

**Home, Stick-Built or Site-Built:** Industry term for a "traditional" home assembled piece-by-piece at the building site from rough boards and other materials delivered in bulk.

**Hotel:** A building in which lodging or board and lodging are offered to the public for compensation and in which ingress and egress to and from each sleeping room is generally made through the interior of the building.

**HUD Code:** The Federal Manufactured Home Construction and Safety Standards (commonly known as the HUD Code) that went into effect June 15, 1976 and sets the standards for manufactured homes. The standards regulate design and construction, strength and durability, transportability, fire resistance, energy efficiency, and quality.

On-site additions such as garages, decks, and porches are built to local, state, or regional building codes.

**Improvements:** Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

**Improvements, Public:** The construction, enlargement, extension, or other construction of a facility intended for dedication to the public, including but not limited to, a street, curb and gutter, sidewalk, cross drain, catch basin, traffic control and street name sign, or other roadway appurtenance other than a driveway apron connection; domestic water supply system main, fire hydrant, valve or other appurtenance other than a supply line to a building; or sanitary sewerage main or outfall, lift station, force main, manhole or other appurtenance other than a drain line from a building.

**Improvements, Substantial:** Any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during the life of a building, in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the building. The market value of the building should be:

1. The appraised value of the building prior to the start of the initial repair or improvement; or
2. In the case of damage, the value of the building prior to the damage occurring.

For the purposes of this definition, the term “substantial improvements” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications that are solely necessary to assure safe living conditions.

**Inert Landfill:** Any disposal facility where solid waste consisting of earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, and land clearing debris such as stumps, limbs, and leaves may be disposed of.

**Intersection:** The place where two (2) streets cross, or the point at which the centerline of a street intersects the centerline of another street or railway.

**Junkyard:** Any business and any place of storage or deposit, whether in connection with another business or not, which has stored or deposited two (2) or more unregistered motor vehicles that are no longer intended or in condition for legal use on the public highways, or used parts of motor vehicles or old iron, metal, glass, paper, cordage, or other waste or discarded or secondhand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two (2) or more motor vehicles. Such terms shall also include any place of business or storage or deposit of motor vehicles purchased for the purpose of

dismantling the vehicles for parts or for use of the metal for scrap and where it is intended to burn materials that are parts of a motor vehicle or cut up the parts thereof.

***Kennel, Commercial:*** Any place in or at which more than four (4) adult dogs, cats, rabbits, or other domesticated animals are kept for the purpose of sale, boarding, care, breeding, or training, and for which any fee is charged for such services. This term does not apply to similar facilities operated for agrarian or agricultural practices.

***Land Disturbance Permit:*** Authorization from the local or state regulatory agency to perform construction activities or land-disturbance activities in conformance with an approved soil erosion and sediment control plan and/or minimum standards as provided by law.

***Land Disturbing Activity:*** Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in this Section.

***Land-Lease Community:*** A residential development where individual homeowners own the residence, but lease the home site from the developer or owner.

***Land Use Plan, Comprehensive:*** The various maps, plats, charts, descriptions, explanatory material, and all textural matter approved by the Pulaski County Sole Commissioner for the purpose of guiding and shaping the growth of the unincorporated area of Pulaski County.

***Land Use Plan, Future:*** A plan that designates the future use or reuse of the land within a given jurisdiction's planning area, and the policies and reasoning used at arriving at the decisions in the plan. The land-use plan serves as a guide to official decisions regarding the distribution and intensity of private development, as well as public decisions on the location of future public facilities and open spaces. It also serves as a basic guide for any zoning and subdivision controls, urban renewal, and capital improvement programs.

***Landscape Architect:*** A registered, practicing landscape architect licensed by the State of Georgia.

***Local Government:*** The governing authority of Pulaski County or any other political subdivision mentioned in this Ordinance.

***Lot:*** A parcel occupied or to be occupied by one (1) or more main buildings and its accessory buildings and has frontage along or legal access to a public right-of-way.

***Lot Area:*** The total horizontal area included within lot lines.

***Lot, Corner:*** A lot abutting upon two (2) or more streets at their intersection.

**Lot, Double Frontage:** A lot other than a corner lot that has frontage upon two (2) or more streets that do not intersect at a point abutting the property.

**Lot, Flag:** A lot not fronting or abutting a public roadway and where access to the public roadway is limited to a narrow, private, right-of-way.

**Lot, Frontage:** That portion of a lot extending along a street right-of-way line.

**Lot, Interior:** A lot having bounding on only one (1) street.

**Lot Lines:** The boundary dividing a given lot from the street, an alley, or adjacent lots.

**Lot Lines, Front:** In the case of an interior lot, a line separating the lot from a street or place; and in the case of a corner lot, a line separating the narrowest frontage of the lot from the street.

**Lot Lines, Rear:** (1) The lot line that is opposite and most distant from the front lot line; (2) The rear lot line of an irregular, triangular, or gore lot shall, for the purpose of this Ordinance, be a line entirely within the lot at least ten feet (10') long and parallel to and most distant from the front lot line.

**Lot Lines, Side:** (1) Any lot line not a front lot line or a rear lot line; (2) A side lot separating a lot from a street is a street lot line; (3) A side lot line separating a lot from another lot is an interior side lot line.

**Lot of Record:** A lot which is part of a subdivision approved in accordance with land subdivision requirements, a plat of which has been lawfully recorded in the records of the Clerk of the Pulaski County Superior Court; or a parcel of land, the deed of which was lawfully recorded in the same office prior to the adoption date of this Ordinance.

**Lot, Reverse Frontage:** A double frontage lot that abuts two (2) public streets but is not allowed to have vehicular access to one (1) of them.

**Lot Width:** The distance between side lot lines measured at the front line of the building located or intended to be located on the lot.

**Motel:** A building or group of buildings in which lodging is provided to transient guests, offered to the public for compensation, and in which access to and from each room or unit is through an exterior door.

**Municipal Solid Waste Landfill:** A disposal facility where any amount of municipal solid waste, whether or not mixed with or including commercial waste, industrial waste, nonhazardous sludges, or small quantity generator hazardous waste, is disposed of by means of placing an approved cover thereon.

**Nursery, Commercial:** An enterprise that conducts the retail and/or wholesale of plants grown on the premises, as well as accessory items (but not power equipment, such as

gas or electric lawn mowers and farm implements) directly related to their care and maintenance.

**Official Land Use Maps:** Official maps of Pulaski County that shows the location of streets, public building sites and public open spaces therefore existing and established by law as public streets, public building sites or public open spaces. This may include mapped boundary lines of future streets, public building sites, public park playgrounds or other public open space areas or of existing sites or areas that are to be expanded.

**Opaque:** Impenetrable to view, or so obscuring to view that features, buildings, structures, and uses become visually indistinguishable.

**Open Space:** A parcel or parcels of land or an area of water or a combination of both land and water within the site designated for development and designed and intended for the use and enjoyment of residents of the development or for the general public, not including streets or off-street parking areas. Open space shall be substantially free of structures, but may contain such improvements as are in the plans as finally approved and are appropriate for the benefit of residents of the development.

**Outdoor Advertising Sign:** A structural poster or painted sign other than a billboard sign.

**Owner:** Any individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these regulations.

**Parcel:** A general term including all plots of land shown with separate identification on the Official Tax Appraisal Maps for Pulaski County. Parcels may or may not be lots, depending upon whether or not such parcels are created as herein provided.

**Person:** Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of the State, any interstate body, or any other legal entity.

**Planning Board:** This term shall refer to the Pulaski County Planning and Zoning Board whose members are appointed by the Sole County Commissioner of Pulaski County.

**Plat, Final:** The plat submitted to the Enforcement Officer for final approval and, subsequently, to be recorded with the Clerk of Superior Court of Pulaski County.

**Plat, Preliminary:** A tentative subdivision plat, indicating the approximate proposed layout of subdivision as a basis for consideration by the Enforcement Officer before preparation of the final plat and construction drawings and specifications.

**Prime Agricultural Land:** Land in Pulaski County which is best suited for producing food, feed, forage, fiber, and oil seed crops and also available for these uses. It has the soil quality, growing season, and moisture supply needed to produce sustained good yield of crops economically if treated and managed, including water management, according to modern farming methods.

**Produce Stand/Curb Market:** A permanent or semi-permanent building stand not exceeding two hundred square feet (200 sq. ft.) of floor area intended to provide a place to sell at retail only perishable farm and garden vegetables and orchard or grove fruits.

**Professional Engineer:** An engineer duly registered or otherwise authorized by the State of Georgia to practice in the field of civil engineering.

**Project:** The entire proposed development project regardless of the size of the area of land to be disturbed.

**Protective Covenants:** Contracts made between private parties as to the manner in which land may be used, with the view toward protecting and preserving the physical and economic integrity of any given area.

**Publicly Dedicated:** Land or improvements that has or have been transferred by plat or deeded to and accepted by Pulaski County or the City of Hawkinsville for public use and maintenance.

**Public Utilities:** A service or services provided by a public utility company or a private entity which provides such service or services, and all equipment and structures necessary to provide such services.

**Pulaski County Future Land Use Plan:** The land use plan created by the citizens of Pulaski County and adopted by the Sole County Commissioner.

**Registered Land Surveyor:** A surveyor duly registered or otherwise authorized by the State of Georgia to practice in the field of land surveying.

**Reserve Strip:** A strip or tract of land reserved for the purposes of controlling or limiting access from properties to abutting streets.

**Right-of-Way:** Access over or across particularly described property for a specific purpose or purposes.

**Screening:** Also referred to in the text as “protective screening”, a visual and acoustical barrier, which, through the use of buffers, natural topography, landscaping, fences, walls, berms, or approved combination thereof, is of such nature and density that provides year-round maximum capacity from the ground to a height of at least six feet (6’) that screens structures and activities on the lot from view from the normal level of first story window on an abutting lot.

**Security Bond:** A type of subdivision improvement guarantee in the form of a bond, secured by the subdivider from a bonding company, in an amount specified by the Sole Commissioner to cover costs of required improvements and payable to the County. The County may call in the security bond in the event the subdivider defaults on required improvements.

**Sediment:** Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site by origin of 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 straight line distance between a street right-of-way or lot line and the nearest point of a structure or building or projection there from.

**Setback Line, Accessory Structure:** A line delineating the minimum allowable distance between a property line or the right-of-way line of an abutting street and an accessory structure or building on a lot.

**Setback Line, Front Building:** The minimum allowable distance between the right-of-way line of any abutting street and any part of a principal building on a lot. The front setback distance is applied along the full length of the right-of-way line and is parallel to it.

**Setback Line, Principal Building:** A line delineating the minimum allowable distance between a property line or the right-of-way line of an abutting street and a principal building on a lot.

**Setback Line, Rear Building:** The minimum allowable distance between a rear lot line and any part of a principal building on a lot. The rear-building setback extends along the full length of the rear lot line.

**Setback Line, Side Building:** The minimum allowable distance between a side lot line and any part of a principal building on a lot. The side-building setback extends along the side lot line between the front building setback and a rear-building setback.

**Sewerage, Public:** A sanitary sewerage system for the collection of water-borne wastes complete with a sewage treatment plant that is owned and operated by a public agency or authority.

**Shoulder:** The portion of a street or road measured from the outer edge of the paved surface or the back of curb to the inside edge of the ditch or gutter or original ground surface.

**Sidewalk:** The portion of a street or road available exclusively for pedestrian traffic.

**Sign, Illuminated:** A sign lighted or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.

**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 sedimentation by wind, water, ice, or gravity.

**Storm Water Retention Measures:** Any measure designed by a licensed professional and approved by the local government to retain water to control the flow of storm water.

**Storage:** The placement, keeping, or retention of vehicles, equipment, materials, goods, or products on a temporary basis for intermittent use or subsequent distribution or transfer.

**Street:** A public or private thoroughfare, which affords the principal means of access to abutting property, roadway, highway, and land.

**Alleys:** Public or private thoroughfares used primarily as a secondary means of access to the rear or side of properties otherwise abutting on a street.

**Arterial Streets:** Medium-speed, medium-capacity roadways that provide intra-community travel and access to the countywide highway system. Access to community arterials should be provided at collector roads and local streets.

**Collector Streets:** Relatively low-speed, low-volume streets that provide circulation within and between neighborhoods. Collectors usually serve short trips and are intended for collecting trips from local streets and distributing them to the arterial network.

**Cul-de-sac:** A dead-end street of limited length having a primary function of serving adjoining land and constructed with a turn-around at its end.

**Dead End:** A street connected to another street at only one (1) end.

**Expressways/Freeways:** Divided highways of four (4) lanes or more that provide a high degree of service to through traffic, designed with no direct access to individual uses on abutting properties that may contain some intersections at grade with traffic controls.

**Frontage Roads:** Streets adjacent to freeways, expressways or arterial streets separated there from by a dividing strip and providing access to abutting properties and adjacent areas, and for control of access. Sometimes also referred to as “marginal access streets.”

**Minor or Local Commercial and Industrial Streets:** Those, which are primarily for access to the abutting properties.

**Minor or Local Residential Streets, including Cul-de-sac:** Those, which are primarily for access to the abutting properties.

**Street, County:** A street that is owned or maintained by Pulaski County.

**Street Frontage:** All the property on the side of a street between two (2) intersecting streets (crossing or terminating), or if the street is dead ended, then all the property abutting on one (1) side between an intersecting street and the dead end of the street.

**Street Grade:** The grade of the curb or centerline of a street measured at any point along the street.

**Street Jog:** An incidence where two (2) streets or two (2) portions of a single street are separated by a relatively short distance, usually at their intersection with another street.

**Street, Private:** A road or street that has not been accepted for maintenance by the County and that is not owned or maintained by a State, County, City, or other public entity.

**Structure:** Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include but are not limited to buildings, driveways, parking lots, walls, fences, signs, and swimming pools.

**Structure, Accessory:** A subordinate structure detached from but located on the same lot as a principal building. The use of an accessory structure must be incidental to the use of the principal building. Accessory structures include garages, decks, storage buildings, and fences.

**Subdivision:** Any division of a tract or parcel of land into two (2) or more lots, building sites, or other divisions of and for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land involving a new street or a change in existing streets, and includes re-subdivision, and, where appropriate, to the context, relates to the process of subdividing or to the land or area subdivided; provided, however, that the following are not included in this definition:

1. The division of land into parcels of five (5) acres or more where each lot has at least one hundred fifty feet (150') of frontage on an existing public road or street and no new street is involved; or
2. The division of land into exactly two parcels where no new street is involved and the applicant presents evidence that no previous subdivision of the property has occurred within the past two years.
3. The division of space into condominium units in accordance with O.C.G.A. § 44-3-70, et. seq., not involving any division or separate ownership of land.

(Amended November 22, 2006)

**Tangent:** The straight-line distance between the ending on one (1) curve of a line (centerline of a street) and the beginning of another curve of the same line (centerline).

**Use:** The purpose for which land or a building or other structure is designed, arranged, or intended or for which it is or may be occupied or maintained.

**Use, Accessory:** The use customarily incidental and accessory to the principal use of a building located upon the same building site as the principal use.

**Use, Conditional:** A use which within certain districts specified by this Ordinance is not permitted as a matter of right, but may be permitted within these districts by the County Commissioner after the Planning and Zoning Board has reviewed the proposed site plans for the use, its arrangement and design, its relationship to neighboring property, and other conditions peculiar to the particular proposal which would determine its desirability or undesirability.

**Use, Nonconforming:** Any building or land use which lawfully exists at the time of adoption of this Ordinance and which does not now conform with the use regulations of the district in which it is located.

**Utility or Utility System:** Any person engaged in the transmission of energy, including electricity, gas, and water.

**Variance:** A departure from any provision of this Ordinance for a specific parcel, except use, without changing this Ordinance or the underlying zoning of the parcel. A variance usually is granted only upon demonstration of hardship based on the peculiarity of the property in relation to other properties in the same district.

**Wall:** Any structure or device forming a physical barrier that is constructed so that the vertical surface is closed, thus preventing the passage of light, air, and vision in a horizontal plane. The material of which a wall is constructed may be of masonry, brick, concrete, metal, wood, or other similar materials. Measurement of height shall be from the high ground.

**Wall, Breakaway:** 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 portions of the building or the supporting foundation system.

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

**Waters of the State:** 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.

**Watercourse:** A channel in which a flow of water occurs, either continuously or intermittently. Such flow must be in a definite direction and cover a prescribed area. Watercourses may be either natural or artificial, and both may occur either on the surface or underground.

**Wetlands:** Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

**Yard:** An area that lies between the principal building on a lot and the nearest lot line.

**Yard, Front:** A yard situated along any public street right-of-way or private street easement

## **CHAPTER 4: ESTABLISHMENT OF ZONING DISTRICTS**

### **Section 4.0 Districts**

The unincorporated portions of Pulaski County are hereby divided into six (6) classes of districts known as the following:

- GA- General Agricultural
- IA- Intensive Agricultural
- R- Residential
- MU- Mixed Use
- PI- Public and Institutional
- PRC- Park, Recreational, and Conservation

### **Section 4.1 District Boundaries**

The boundaries of the above districts are shown on the map designated as the “Official Zoning Map, Pulaski County, Georgia”. The Pulaski County Tax Parcel Maps are the base maps for the County’s zoning districts and these entire tax parcel maps are hereby designated GA, General Agricultural District unless otherwise designated on said map.

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the Zoning Maps, the following rules shall apply:

1. Where zoning district boundaries are indicated as approximately following the centerlines of roads or highways or lines extended, such centerlines or such lines extended, shall be construed to be such boundaries.
2. Where district boundaries are indicated as approximately following the County line, or the corporate limits line of any incorporated place or the land lot line of land lot; such County line, corporate limits line, or land lot line shall be construed to be such boundaries.
3. Where district boundaries are indicated as approximately parallel to the center lines of streets or highways, such district boundaries unless otherwise specifically indicated, shall be construed as being parallel thereto and at a distance of two hundred feet (200’) from the right-of-way line of such streets and highways, each above district boundary being shown at scale on the official Zoning Map of Pulaski County, Georgia.

4. Where district boundaries are indicated as approximately following the centerline of streambeds or riverbeds, such centerlines or such lines extended shall be construed to be such boundaries.

#### **Section 4.1.1 District Boundary Lines Dividing A Lot of Single Ownership**

Where a district boundary line, as appearing on the Zoning Map, divides a lot in single ownership at the time of the enactment of these Regulations, the requirements for the district in which the greater portion of the lot lines shall be extended to the balance of the lot provided that such extension will not include any part of such lot more than one hundred feet (100') beyond the district boundary line without approval of the Planning and Zoning Board and provided further that this provision shall not apply to a through lot. In the case of a through lot, the restriction of the district applying to the adjoining lots which front on the same street as the proposed use of the lot shall apply. A through lot being a lot that runs from street to street.

## **CHAPTER 5: GENERAL PROVISIONS**

Except as hereinafter specifically provided, the following regulations shall apply:

### **Section 5.0.0 Conflicting Regulations**

Whenever any provisions of these Regulations imposes more stringent requirements, regulations, restrictions, or limitations that are imposed or required by the provisions of any other law or regulations, the provisions of these Regulations shall govern.

### **Section 5.0.1 Scope**

No building or structure, or part thereof, shall hereinafter be erected, constructed, or reconstructed, or altered and maintained, and no new use or change shall be made or maintained of any building, structure, or land, or part thereof, except in conformity with the provisions of these Regulations.

### **Section 5.1.0 Principal Dwellings**

Except as herein provided, there shall be no more than one (1) principal dwelling per lot or parcel. However, in R, PI, and MU Zones within the unincorporated areas of Pulaski County, as many as four (4) bedrooms on any parcel of land greater than two (2) acres shall be permitted. All residential uses shall meet the following conditions:

1. Each such land area shall have a numerical address.
2. Each such land area shall receive approval from the Pulaski County Health Department as to its suitability as a site for an effective sanitary sewage disposal system designed to accommodate wastes generated by the user of that land site.
3. An acceptable domestic water supply shall be available to each user of the supply and such water supply shall meet local requirements as administered by the Pulaski County Health Department.
4. Each use shall be accessible either by private drive or public roadway to the public thoroughfare system.
5. Facilities established under these provisions for residential use shall meet the requirements of local construction and use codes established by the Pulaski County Commissioner. The Pulaski County Building Inspector will not issue permits for construction prior to the approval of each of the aforementioned conditions.

### **Section 5.1.1 Substandard Lots**

Any residentially zoned lot that was recorded at the time of the effective date of these Regulations that does not meet the requirements of these Regulations may be utilized for single residential purposes. However, all substandard lots must have County Health

Department approval for placement of well and septic tanks. The purpose is to permit utilization of recorded lots, which lack adequate width or depth as long as reasonable living standards can be provided.

### **Section 5.1.2 Dwellings Other Than the Main Structure**

No primary structure shall be erected or placed upon the rear or side of a lot or upon a lot with another dwelling without approval.

### **Section 5.1.3 Site Distance at Intersections**

In all Districts, no fence, wall, hedge, or shrub planting that obstructs the site lines at elevations between two (2') and twelve (12') feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five feet (25') from the intersection of the street property lines, or in case of a rounded property corner, from the intersection of the street property lines extended. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained to comply with the above site lines.

### **Section 5.1.4 Reduction of Lot Area Prohibited**

No lot shall be reduced in size so that lot area or other requirements of these Regulations are not maintained.

### **Section 5.1.5 Conditional Uses (Public Hearing Required)**

Before a building permit or certificate of occupancy shall be issued for a conditional use, application shall be made to the Planning and Zoning Board which, after careful review of any applicable sections of these Regulations, may recommend to the County Commissioner the approval of such permit, if in the judgment of the Planning and Zoning Board the use will not be detrimental to the health, safety, and general welfare of Pulaski County.

An application to establish a conditional use shall be approved following review by the Planning and Zoning Board and a determination by the Pulaski County Commissioner that:

1. The proposed use will not be contrary to the purposes of these Regulations.
2. The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood nor affect adversely the health and safety of residents and workers.
3. The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noise or fumes generation, or type of physical activity.
4. The proposed use will not be affected adversely by the existing uses; and the proposed use will be placed on a lot of sufficient size to satisfy the space requirements of said use.

5. All development standards set forth for each particular use for which a permit may be granted have been met.
6. Provided that the County Commissioner may impose or require such additional restrictions and standards as may be necessary to protect the health and safety of workers and residents in the community, and to protect the value and use of property in the general neighborhood; and provided that wherever the Sole County Commissioner shall find, in the case of any permit granted, pursuant to the provision of these regulations that any term, conditions, or restrictions upon which such permit was granted are not being complied with, said commissioner shall rescind and revoke such permit after giving due notice to all parties concerned and granting full opportunity for a public hearing.

### **Section 5.2 Accessory Buildings**

Accessory buildings, except as otherwise permitted in these Regulations, shall be subject to the following regulations:

1. Where the accessory building is structurally attached to a main building, it shall be subject to and must conform to all regulations herein applicable to principal buildings.
2. No detached accessory building shall be located closer than twenty-five feet (25') to any property line.
3. Garages, in any district, shall not be erected, constructed, or altered closer to the side lot line than the permitted distance for the dwelling.
4. Carports, in any district, shall not be erected, constructed, or altered closer to the side lot line than the permitted distance for the dwelling.
5. Accessory buildings may not be stacked upon one another either during use or storage of such buildings.

### **Section 5.3 (reserved)**

### **Section 5.4 Recreational Vehicles**

Travel trailers and motor homes shall not be utilized as permanent dwellings in any district and shall only be allowed as temporary dwellings in designated travel trailer, motor home, recreational vehicle parks, or in the General Agricultural or Intensive Agricultural Districts.

## **Section 5.5.0 Manufactured Homes**

Manufactured homes being installed within the county, or being relocated within the county (except when being moved within the boundaries of the property it currently occupies) shall be required to meet any and all applicable building inspection standards or conditions pertaining to the health and safety of manufactured homes as locally adopted.

“Install” shall mean to construct a foundation system and to place or erect the manufactured home on such foundation system. Such term includes, without limitation, supporting, blocking, leveling, securing, or anchoring the manufactured home and connecting multiple or expandable sections of the manufactured home.

Manufactured homes shall not be stored on a lot or parcel more than thirty (30) days.

Manufactured homes shall not be utilized as accessory buildings.

Joining or connecting two (2) manufactured homes is not permitted.

**Section 5.5.1 Conditions.** All pre-owned manufactured homes located in the jurisdiction shall bear a label certifying it was constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, *et seq.* (the HUD Code) and shall be installed in accordance with O.C.G.A. § 8-2-160, *et seq.*

**Section 5.5.2 Permitting, Inspection, Certificate of Occupancy and Fees.** A permit shall be required to locate a pre-owned manufactured home in the jurisdiction. All permits shall be issued within three (3) business days of receipt of all items listed in subsections (a)(1)-(4) of this Section.

(a) Permit. To obtain a permit, Applicants shall provide to the building inspector:

- (1) An affidavit signed by the applicant that the pre-owned manufactured home meets health and safety standards required by this Act;
- (2) Photographs of the interior and exterior of the pre-owned manufactured home providing evidence that home meets the minimum health and safety standards of Section 4 of this ordinance, 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 located at another site within the county;
- (3) A refundable guarantee of condition bond or refundable cash deposit; and
- (4) The permit and inspection fee required by subsection (d) of this Section.

- (b) 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.
- (c) Certificate of Occupancy. A certificate of occupancy shall be issued to the Applicant at such time that the building inspector certifies that the requirements of this ordinance have been met.
- (d) Fee. A permit and inspection fee shall be charged to the applicant to cover the cost to the County 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 an additional fee for each additional follow-up inspection that may be necessary.
- (e) Setting of Bonds, Cash Deposits, and Fees: Bonds, Cash Deposits, and Fees for this section (Section 5.5.2) shall be set by the Pulaski County Commissioner during an official meeting of the Commissioner that has been advertised according to the Commissioner's open meetings policy.

**Section 5.5.3 Minimum Health and Safety Standards.** All preowned manufactured homes shall comply with the following before being issued a certificate of occupancy by the building inspector:

- (a) 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 have been altered in such a way that the home no longer meets the HUD Code.
- (b) 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.
- (c) 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.
- (d) 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 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.

- (e) Heating Systems. Heating shall be safe and in working condition. Un-vented heaters shall be prohibited.
- (f) Electrical Systems. 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.
- (g) Hot Water Supply. Each home shall contain a water heater in safe and working condition.
- (h) Egress Windows. Each bedroom of a manufactured home shall have at least one operable window of sufficient size to allow egress if necessary.
- (i) Ventilation. The kitchen in the home shall have at least one operating window or other ventilation device.
- (j) Smoke Detectors. Each pre-owned manufactured home shall contain one operable battery-powered smoke detector in each bedroom and in the kitchen, which must be installed in accordance with the manufacturer's recommendations.
- (k) All manufactured homes not placed in land lease communities shall have all towing apparatus removed and underpinning in place within thirty (30) days of being placed upon a property.

## **Section 5.6 Telecommunication Towers and Antennas**

The purpose of this section is to establish standards and regulations of antennas and towers. The goals are to:

1. Encourage the location of towers in non-residential areas and minimize the total number of towers throughout the County.
2. Strongly encourage the joint use of new and existing tower sites.
3. Encourage location of towers and antennas, to the extent possible, in areas where the adverse impact on the community is minimal.
4. Encourage configuration in a way that minimizes the adverse visual impact of towers and antennas.
5. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.

Telecommunication towers and antennas are allowed in each district as a conditional use. Each applicant requesting a Conditional Use permit for an antenna and/or tower will be required to submit:

1. A letter of authorization signed by the owner and notarized granting permission to the agent, with a copy of the lease agreement.
2. A plat of the property and site plan showing approved drives, setbacks, and other Regulation requirements.
3. DOT/County driveway approval, as required.
4. FCC & FAA acknowledgement.
5. An inventory of existing tower sites that are within the County and within one-quarter (1/4) mile of the border thereof, including specific information about the location, height, and design of each tower.
6. Documentation concerning prospective carrier(s).

The following shall govern the location of all towers and the installation of all antennas:

1. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness.
2. At a tower site, the design of the buildings and related structures shall, to the

- extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment.
3. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
  4. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.
  5. All towers that are greater than two hundred feet (200') in height or located within one (1) mile of an airport shall be registered with the FCC. Upon registration, and based on the recommendation of the FAA, the FCC shall require the structure to be painted and lighted as necessary to make it conspicuous to aircraft.
  6. All towers shall have a set back from any structure, roadway, or property line that is equal to its height in feet.
  7. Landscaping and buffer requirements:
    - a) Landscaping and buffer requirements can be waived where the applicant makes other means of screening the support structure base and adjacent equipment facilities (i.e., opaque fencing, etc.). The waiver shall be in writing by the Zoning Administrator pending an administrative review of the development plans.
    - b) Existing mature tree growth and natural land forms on the site shall be preserved to the extent feasible; provided, however, that vegetation that causes interference with the antennas or inhibits access to the equipment facility may be trimmed.
    - c) Existing vegetation on site may be used in lieu of required landscaping where approved by the Zoning Administrator.
    - d) Landscaping shall be confined to the leased area of the tower or antenna wherever feasible.
    - e) It will be the responsibility of the owner/tenant to keep all landscaping material (as part of the landscaped area) free from disease and properly maintained in order to fulfill the purpose for which it was established. The owners of the property, and any tenant on the property where buffers and landscaping are required,

shall be jointly and severally responsible for the maintenance of all landscaping materials. Such maintenance shall include all actions necessary to keep the buffer and landscape areas free from litter and debris, to keep plantings healthy, and to keep planted areas neat in appearance. Any vegetation that constitutes part of the buffer or landscaping shall be replaced in the event it dies.

8. No equipment shall be operated at a tower or antenna so as to produce noise that would constitute a nuisance based on local or state laws, except in emergency situations requiring the use of a backup generator, where the noise standards may be exceeded on a temporary basis, not to exceed fourteen (14) days. No generator shall be used for regular tower or antenna operations prior to commercial power being delivered to the site.
9. Towers or antennas with support structures shall be enclosed by a security fence of neutral color not less than six feet (6') in height. The support structure shall also be quipped with an appropriate anti-climbing device.
10. The Federal Telecommunications Act of 1996 (FTA) gives the FCC sole jurisdiction of the field of regulation of radio frequency (RF) emissions and towers and antennae which meet the FCC standards shall not be conditioned or denied on the basis of RF impacts.
11. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove same within ninety (90) days of receipt of notice from the governing authority notifying the owner of such abandonment. If such antenna or tower is not removed within said ninety (90) days, the governing authority may, in the manner provided in Sections 41-2-8 through 41-2-17 of the Official Code of Georgia, remove such antenna or tower at the owner's expense. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the towers.

### **Section 5.7.0 Adult Entertainment**

It is the intent and purpose of this Section to set forth standards that employ a higher degree of scrutiny for locations chosen or potential sites chosen to be in the best interest of the health, welfare, safety, and morals of the community. The following regulations should prevent the deleterious effects that adult entertainment businesses have upon neighborhoods and property values, as well as other public places such as churches, schools, and parks without unreasonably infringing upon the protected rights of adult entertainment businesses and their patrons.

### **Section 5.7.1 Conditional Use Permit**

Adult entertainment businesses shall be permitted as a conditional use in the **IA** Zoning District subject to the conditions set forth in this Section:

Provided the Planning and Zoning Board and County Commissioner approve a site plan that includes parking, lighting, signage, and noise control. The plan shall also show any properties within one thousand feet (1000') of the proposed location.

The County Commissioner may consider if there is evidence that the type and number of schools, churches, libraries, recreational facilities, and residential developments in the vicinity of the proposed location may cause minors to frequent the immediate area.

### **Section 5.7.2 Other Requirements**

Unless otherwise specified elsewhere in these Regulations, adult entertainment businesses shall be required to conform to the following standards:

- The property line of the parcel containing the adult business shall not be located within five (5) miles of any of the following:
  - Any parcel of land upon which a church, school, licensed day care center, governmental building simultaneously owned and occupied by such government, library, civic center, public park, or playground is located.
  - Another adult entertainment business.
- All lights or lighting arrangements shall be directed away from adjoining or nearby residential properties.
- No alcoholic beverages shall be served or brought onto the premises of the adult entertainment business.
- Permits for all adult entertainment businesses shall be obtained from Pulaski County with all fees to be determined by the current fee schedule on file with the Sole Commissioner of Pulaski County.

### **Section 5.8.0 Signs**

The provisions of this section shall govern the location, size, setback, and height of signs in each of the use districts established in these regulations in order to insure safe construction, light, air, and open space, to reduce hazards at intersections, to prevent the accumulation of trash, and to protect property values of the entire community. In addition, the provisions set forth in the Pulaski County Building Code adopted by the Governing Body, including all revisions and amendments thereto, shall also be adhered to.

### **Section 5.8.1 General Provisions**

All types of signs, except billboards, shall be allowed without a permit in all zoning districts where they are permitted uses. Permits shall be required for all billboard signs.

All signs shall be subject to the same setbacks and other limitations imposed upon buildings or structures in the use district in which said sign is located, except as otherwise provided herein.

For the purpose of computing sign size, both sides of a sign shall be considered.

No sign shall be placed upon any street, road, or highway right-of-way within the unincorporated area of Pulaski County.

No sign shall be located in such a manner as to materially impede the view of any street or highway intersection; or in such a manner as to materially impede the view of the intersection of a street or highway with a railroad crossing.

No sign shall be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape.

No portion of any sign shall be less than ten feet (10') above the level of a sidewalk or other pedestrian thoroughfare, nor shall be less than sixteen feet (16') above the level of a public driveway, alley, or street.

### **Section 5.8.2 Permitted Uses**

Signs for the purpose of conveying information, knowledge, or ideas to the public about a subject directly relating to the premises on which it is located shall be permitted in the following zoning district provided the following requirements are adhered to:

#### **GA, IA, R, PRC**

A single non-illuminated sign per lot, not exceeding two square feet (2 sq. ft.) in area.

Permanent signs not exceeding thirty-two square feet (32 sq. ft.) in size identifying subdivisions, apartment developments, or church bulletin boards.

#### **PI, MU**

Signs not exceeding twelve square feet (12 sq. ft.) in size.

Signs pertaining to the sale or lease of property upon which it is located.

Principal use identification signs not exceeding forty square feet (40 sq. ft.) in size.

### **Section 5.8.3 Billboards**

For the purpose of these regulations the State Law, H.B. Bo. 9 EX, governing outdoor advertising adjacent to any state-aid road that is also a part of the interstate or primary systems of highways is hereby made a part of these regulations and shall govern the placement and maintenance of signs in addition to the following provisions. Whenever these regulations are in conflict with Georgia State Law, the most restrictive shall govern.

### **Section 5.8.4 General Provisions**

Billboards shall only be allowed by permit within the Mixed Use District. Applications for permits shall be made upon forms provided by the Zoning Administrator, accompanied by such application fees as set forth by the Sole Commissioner of Pulaski County.

Billboards shall not be located within five hundred feet (500') of another billboard.

Billboards shall not be illuminated.

Minimum display surface area shall be two hundred square feet (200 sq. ft.) and maximum display surface area shall be seven hundred square feet (700 sq. ft.).

### **Section 5.8.5 Signs Prohibited In All Districts**

Any sign that uses the word "Stop" or "Danger" prominently displayed and/or that is a copy or imitation of official traffic control signs.

Any sign that contains flashing or intermittent red, green, blue, or amber illumination that could interfere with the effectiveness of, or obscure, an official traffic sign, device, signal, or public safety official.

No sign or advertisement, other than official signs posted by the County, State, or Federal Government shall be posted on public property.

### **Section 5.8.6 Maintenance and Removal of Signs**

All sign structures, including billboards, shall be kept in good repair and a proper state of preservation.

All sign structures, including billboards, which are no longer functional, or are abandoned, shall be removed or relocated at the owner's expense, in compliance with the provisions of these Regulations within thirty (30) days following dysfunction.

All legally established nonconforming sign or billboard, in place before the adoption of these Regulations, shall be permitted without alteration in size or location, provided that the requirements of these Regulations are adhered to.

In the event of the destruction of any sign or billboard, in excess of fifty percent (50%) of the total sign area, the owner shall have the right to reconstruct, rebuild, renovate, or

repair said sign to the same condition as before said destruction, unless said sign was non-conforming at the time of destruction, in which case the sign must be reconstructed so as to conform to these Regulations.

### **Section 5.9.0 Large Scale Poultry and Swine Production Facilities and Feed Lots**

All large-scale poultry and swine production facilities, as well as all feedlots, must meet or exceed the requirements contained within this Section.

#### **Section 5.9.1 Development Standards**

**Setbacks-** The following setbacks, unless otherwise stated, are the distance from each primary or accessory structure to any property line(s).

- Fifteen hundred feet (1,500') from the following:
  - Any residence (excluding the poultry house owner's residence),
  - Any property line of any recorded subdivision,
  - Any church, school, or other public building or use.
- Five hundred feet (500') from any US or State Highway right-of-ways.
- Two hundred and fifty feet (250') from all other road right-of-ways and property lines.

**Buffers-** At the discretion of the Planning and Zoning Board, protective screening may be required to protect nearby existing residential, commercial, industrial, or public land uses from negative impacts such as excessive lights, vehicular activity, odors, and noise. If required, the visual buffer will be planted with deciduous trees, evergreens, flowering trees, ornamental trees, or shrubs in areas designated by the Planning and Zoning Board. Such buffer shall consist of fast growing varieties. The County Extension Agent can advise the applicant on which species shall be suitable.

**Site Plans-** All large-scale poultry and swine production operations, as well as all feed lots, shall submit a clearly and legibly drawn site plan at a scale not smaller than two hundred feet (200') to one inch (1") represented both graphically and numerically. The site plan must include the following information:

1. Vicinity map at a scale no smaller than six hundred feet (600') to one inch (1")
2. North arrow
3. Total acreage
4. Location of all structures related to the operation
5. Access roads, right-of-way, and ingress/egress driveways

6. Locations of exhaust fans and compost areas
7. Location of on-site wells
8. Identification of adjacent property owners by recorded plat reference and identification of habitable dwellings permitted within one thousand five hundred feet (1,500') of the subject property line.
9. Distance from all road right-of-ways.

**Existing Operations-** The expansion of a large-scale poultry or swine production operation or feedlot in existence before the effective date of these Regulations shall be allowed provided that the expansion or addition shall not encroach within the setback stipulations stated in these Regulations. In addition, any expansion or addition shall not diminish the distance between any property lines or right-of-ways already within the setback stipulations stated in these Regulations. In no case may an expansion of such use be located closer than two hundred and fifty feet (250') from any property line or right-of-way.

## CHAPTER 6: GA- GENERAL AGRICULTURAL

### Section 6.0 Purpose

The General Agricultural District is established as a district in which the principal use of the land is for profit-generating agricultural operations (fields, lots, pastures, orchards, non-intensive livestock production, etc.), agricultural conservation lands, commercial timber or pulpwood harvesting, horticultural businesses, and very low-density housing. The specific intent of the regulations for this District is:

1. To protect, land, especially prime farm land, needed and used for agricultural pursuits from encroachment by untimely and unplanned residential, commercial, or industrial development and;
2. To allow the continuation of existing agricultural pursuits in area where, in accordance with the recommendations of the Future Land Use Plan, future residential, commercial, or industrial development is anticipated, but where the present application of such zoning controls for future, more intensive land uses would be unreasonable and premature.

### Section 6.1 Permitted Uses

#### Residential:

**Primary Structure-** Single family, manufactured, and modular homes on lot sizes of five (5) acres or greater.

**Accessory Uses-** Including, but not limited to, a private garage, detached home workshop, swimming pool, greenhouse, all of which shall be incidental to the use of the property as a residence.

#### Agricultural:

- Sale of products or commodities grown on premises.
- General agricultural uses to include, but not limited to:
  - Fields, lots, pastures, orchards, non-intensive livestock production.
  - Agricultural conservation lands.
  - Commercial timber or pulpwood harvesting.
  - Horticultural businesses.

**Other Uses:**

- Home Occupations
- One (1) manufactured home, per lot, for the care of another.
- Agricultural related commercial businesses

**Section 6.2 Conditional Use Permit**

The following shall be allowed as in the General Agricultural District after a conditional use permit has been issued:

- Small-scale commercial businesses
- Home Businesses
- Churches
- Airports or Helipads
- Care Homes
- Day Care Facilities
- Commercial Recreational Areas
- Large scale poultry and swine production facilities.
- Feed lots.
- Quarries or other mining activities
- Municipal Solid Waste Landfills

**Section 6.3 Setbacks**

All primary and accessory structures/uses shall be placed a minimum of twenty-five feet (25') away from all property lines.

## CHAPTER 7: IA- INTENSIVE AGRICULTURE

### Section 7.0 Purpose

The Intensive Agricultural District is established as a district in which the principal use of the land is for confined animal operations such as large-scale poultry and swine production facilities and feedlots as well as all practices in the general agricultural classification.

### Section 7.1 Permitted Uses

#### Residential:

**Primary Structure-** Single family, manufactured, and modular homes on lot sizes of five (5) acres or greater.

**Accessory Uses-** Including, but not limited to, a private garage, detached home workshop, swimming pool, greenhouse, all of which shall be incidental to the use of the property as a residence.

#### Agricultural:

- Sale of products or commodities grown on premises.
- General agricultural uses to include, but not limited to:
  - Fields, lots, pastures, orchards, non-intensive livestock production.
  - Agricultural conservation lands.
  - Commercial timber or pulpwood harvesting.
  - Horticultural businesses.
- Intensive agricultural uses to include, but not limited to:
  - Large scale poultry and swine production facilities.
  - Feed lots.

#### Other Uses:

- Home Occupations
- One (1) manufactured home, per lot, for the care of another.

- Agricultural related commercial businesses

### **Section 7.2 Conditional Use Permit**

The following shall be allowed as in the Intensive Agricultural District after a conditional use permit has been issued:

- Small-scale commercial businesses
- Home Businesses
- Churches
- Airports or Helipads
- Care Homes
- Day Care Facilities
- Commercial Recreational Areas
- Quarries or other mining activities
- Municipal Solid Waste Landfills

### **Section 7.3 Setbacks**

All primary and accessory structures/uses shall be placed a minimum of twenty-five feet (25') away from all property lines.

## CHAPTER 8: R-RESIDENTIAL

### Section 8.0 Purpose

The Residential District is established as a district in which the principal use of the land is for moderately dense single-family, detached housing development.

### Section 8.1 Permitted Uses

#### Residential:

- **Primary Structure-** Single family, manufactured, and modular homes on lot sizes of two (2) acres or greater.
  - Subdivisions for stick-built, manufactured, or modular housing.
  - Land lease communities.
  - Duplex developments with no more than four (4) bedrooms per two (2) acres.
- **Accessory Uses-** Including, but not limited to, a private garage, detached home workshop, swimming pool, greenhouse, all of which shall be incidental to the use of the property as a residence.

#### Other Uses:

- Home Occupations
- One (1) manufactured home, per lot, for the care of another, provided that all other requirements of this Ordinance are met.

### Section 8.2 Conditional Use Permit

The following shall be allowed as in the Residential District after a conditional use permit has been issued:

- Home Businesses
- Churches
- Day Care Facilities
- Commercial Recreational Areas
- Large scale poultry and swine production facilities.

- Feed lots.

### **Section 8.3 Setbacks**

All primary and accessory structures/uses shall be placed a minimum of twenty-five feet (25') away from all property lines.

## CHAPTER 9: MU- MIXED USE

### Section 9.0 Purpose

The Mixed Use District is established as a district in which the principal use of the land is for compact, mixed-use development where residential and small, low-density retail and professional offices are located together. This District will be initially located adjacent to the current Hawkinsville City Limits where a mix of residential and commercial is currently located and where public water is available. The intent of this category is to deter sprawl and concentrate more intensive development in areas where annexation is likely to occur in the future.

### Section 9.1 Permitted Uses

#### Residential:

- **Primary Structure-** Single family, manufactured, and modular homes on lot sizes of two (2) acres or greater.
  - Subdivisions for stick-built, manufactured, or modular housing.
  - Land lease communities.
  - Duplex developments with no more than four (4) bedrooms per two (2) acres.
- **Accessory Uses-** Including, but not limited to, a private garage, detached home workshop, swimming pool, greenhouse, all of which shall be incidental to the use of the property as a residence.

#### Other Uses:

- Home Occupations
- Barber/beauty shops
- Custom dressmaking and tailoring
- Laundry or dry cleaning and laundry operated by customers such as laundrette, laundromat and the like.
- Offices, business, professional, or governmental
- Retail businesses selling convenience goods and serving the adjacent residential neighborhoods such as apparel, drug, and food.

## **Section 9.2 Conditional Use Permit**

The following shall be allowed as in the Mixed Use District after a conditional use permit has been issued:

- One (1) manufactured home, per lot, for the care of another
- Home Businesses
- Churches
- Care Homes
- Day Care Facilities
- Commercial Recreational Areas
- Large scale poultry and swine production facilities
- Feedlots

## **Section 9.3 Setbacks**

All primary and accessory structures/uses shall be placed a minimum of twenty-five feet (25') away from all property lines.

## CHAPTER 10: PI- PUBLIC / INSTITUTIONAL

### Section 10.0 Purpose

The Public/Institutional District is established as a district in which the principal use of the land is for existing and future public, state, federal, and local government uses and/or institutional use, including facilities used for public purposes.

### Section 10.1 Permitted Uses

The following public or private uses shall be permitted within the Public/Institutional district without the issuance of a conditional use permit:

- Schools
- Hospitals or Clinics
- Prisons, Jails, or Other Detention Facilities
- Golf Courses
- Mental Health Facilities
- Local, state, or federal governmental facilities

**Accessory Uses-** Including, but not limited to, garages, detached workshops, swimming pools, greenhouses, all of which shall be incidental to the use of the property.

### Section 10.2 Conditional Use Permit

The following shall be allowed as in the Public/Institutional District after a conditional use permit has been issued:

- All the permitted uses in the R & MU Districts
- Home Businesses
- Churches
- Care Homes
- Day Care Facilities

- Commercial Recreational Areas
- Large scale poultry and swine production facilities
- Feedlots

### **Section 10.3 Setbacks**

All primary and accessory structures/uses shall be placed a minimum of twenty-five feet (25') away from all property lines.

## CHAPTER 11: PRC- PARK/RECREATION/CONSERVATION

### Section 11.0 Purpose

The Park/Recreation/Conservation District is established as a District in which the principal use of the land is for both publicly and privately owned lands and/or facilities including parks, playgrounds, golf courses, recreation centers, lands allocated primarily for fishing, hunting, forestry, and agriculture.

### Section 11.1 Permitted Uses

The following public or private uses shall be permitted within the Park/Recreational/Conservation district without the issuance of a conditional use permit:

- Campgrounds for tents and recreational vehicles
- Fishing
- Hunting

**Accessory Uses-** Including, but not limited to, garages, detached workshops, swimming pools, greenhouses, all of which shall be incidental to the use of the property.

### Section 11.2 Conditional Use Permit

The following shall be allowed after a conditional use permit has been issued:

- Churches

### Section 11.3 Setbacks

All primary and accessory structures/uses shall be placed a minimum of twenty-five feet (25') away from all property lines.

## **CHAPTER 12: NON-CONFORMING BUILDINGS AND USES**

Any lawful use of the land or buildings existing at the date of passage of these Regulations and located in a District in which it would not be permitted as a new use under these Regulations is hereby declared to be a non-conforming use and not in violation of these Regulations at the date of effectiveness; provided, however, that a non-conforming use shall be subject to, and the owner shall comply with, the following standards:

### **Section 12.0 Non-Conforming Residences**

A residence, which is determined to be non-conforming, that has become vacant or remains unoccupied owing to the abandonment or discontinuance for a period of twelve (12) months shall thereafter conform to the provisions of these Regulations.

### **Section 12.1 Non-Conforming Use of Land, Continuation of Use**

A non-conforming use of land, that exists when these Regulations become effective, may be continued provided that:

1. No such non-conforming use of land shall in any way be expanded or extended, unless otherwise stated within these Regulations.
2. If such non-conforming use of land or any portion thereof is discontinued or changed, any future use of such land shall be in conformity with the provisions of these Regulations.

### **Section 12.2 Restorations**

A building that houses a non-conforming use that has been destroyed or damaged by fire, explosion, or Act of God may be restored to that same non-conforming use as existed before such damage provided that the damage is confined to less than fifty percent (50%) of the structure. This restoration must be completed within twelve (12) months of the date of such damage.

### **Section 12.3 Discontinuation or Abandonment**

Any non-conforming use of land or building that has become vacant or remains unoccupied owing to abandonment or discontinuance for a period of twelve (12) months shall thereafter conform to the provisions of these Regulations.

### **Section 12.4 Change of Tenancy or Ownership**

There may be a change in tenancy, ownership, or management of an existing non-conforming use. If at any time the use of the non-conforming structure or parcel(s) of land is changed, the new use must conform to the provisions of these Regulations.

## **CHAPTER 13: INTERPRETATION, APPLICATION, VIOLATIONS, VALIDITY, CONFLICT, AND EFFECTIVE DATE**

### **Section 13.0 Interpretation, Purpose, and Conflict**

In interpreting and applying the provisions of these Regulations, they shall be held to the minimum requirements for the promotion of the public safety, health, convenience, comforts, prosperity, and general welfare.

It is not intended by these Regulations to interfere with, abrogate, or annul any ordinances, rules, regulations, or permits previously adopted or issued that are not in conflict with any of the provisions of these Regulations, or those that shall be adopted or issued pursuant to law relating to the use of buildings or premises, and likewise that are not in conflict with any of the provisions of these Regulations; nor is it intended by these Regulations to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties; provided however, that where these Regulations impose a greater restriction or require larger open spaces or lot areas than are imposed or required by such, these Regulations shall apply.

### **Section 13.1 Violations and Penalties**

Any person violating, neglecting, or refusing to comply with any of the provisions of these Regulations shall, upon conviction thereof, be deemed guilty of a misdemeanor and shall be punished by the imposition of the appropriate fine or by imprisonment in the discretion of the court. Each day a violation is permitted to exist shall constitute a separate offense.

### **Section 13.2 Validity**

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

### **Section 13.3 Conflicting Provisions**

All other regulations and parts of regulations in conflict with these Regulations, to the extent of such conflict and not further, are hereby repealed.

**Section 13.4 Effective Date**

These Regulations will take effect and be in force the 3rd day of July, 2006

BE IT ORDAINED, by the Sole Commissioner of Pulaski County that the foregoing Land Development Regulations be ordained, adopted, and enacted for the unincorporated areas of Pulaski County, Georgia, pursuant to the Home Rule Power of Pulaski County granted under the Laws and Constitution of Georgia.

ADOPTED this 3rd day of July, 2006.

ATTEST:

(contact Commissioner's Office for signed copy)  
Sole County Commissioner

7/3/06  
Date

(contact Commissioner's Office for signed copy)  
Pulaski County Clerk

7/3/06  
Date

**Section 13.4.1 Effective Date of the Official Zoning Map of Pulaski County**

The Official Zoning Map of Pulaski County will take effect and be in force the 3rd day of July, 2006.

BE IT ORDAINED, by the Sole Commissioner of Pulaski County that the Official Zoning Map of Pulaski County be ordained, adopted, and enacted for the unincorporated areas of Pulaski County, Georgia, pursuant to the Home Rule Power of Pulaski County granted under the Laws and Constitution of Georgia.

ADOPTED this 3rd day of July, 2006.

ATTEST:

(contact Commissioner's Office for signed copy)  
Sole County Commissioner

7/3/06  
Date

(contact Commissioner's Office for signed copy)  
Pulaski County Clerk

7/3/06  
Date

**Section 13.4.2 Amendment December 20, 2010**

The purpose of this amendment is to align this ordinance with requirements of the State of Georgia as related to manufactured homes.

Amendments approved by the Pulaski County Zoning Board have been recorded in a document titled “December 6, 2010 changes to the Land Development Ordinance of Pulaski County” and have been incorporated into this ordinance replacing obsolete sections and adding new sections as necessary.

BE IT ORDAINED, by the Sole Commissioner of Pulaski County that the foregoing Land Development Ordinance be amended for the unincorporated areas of Pulaski County, Georgia, pursuant to the Home Rule Power of Pulaski County granted under the Laws and Constitution of Georgia.

AMENDED this 20th day of December, 2010.

ATTEST:

(contact Commissioner’s Office for signed copy)  
Sole County Commissioner

12/20/10  
Date

(contact Commissioner’s Office for signed copy)  
Pulaski County Clerk

12/20/10  
Date