

ZONING ORDINANCE
Of The
CITY OF ALBANY & DOUGHERTY COUNTY, GEORGIA

TITLE ONE

GENERAL PROVISIONS AND DEFINITIONS

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ARTICLE 1: PURPOSE

An ordinance to regulate and restrict the use of land and buildings by dividing the City/County into districts; defining certain terms used therein; imposing regulations, prohibitions and restrictions governing the erection, construction and reconstruction of structures and buildings and the use of lands for business, industry, residence, social and other specified purposes; regulating and limiting the height and bulk of buildings and open areas; regulating and limiting the density of population; limiting congestion on the public streets by providing for the off-street parking and loading of vehicles; providing for the gradual elimination of non-conforming uses of land, buildings and structures; and establishing the boundaries of districts.

In accordance with the authority and intent of the Georgia Zoning Act as amended, the City of Albany and Dougherty County, Georgia, desires to provide for the promotion of the health, safety, morals, convenience, order, prosperity and general welfare of the community, placing no undue burden upon developers, industry, commerce or residents. The City/County further desires to assure the provision of adequate sites for industry, commerce and residence, to provide for the free movement of vehicles upon the proper streets and

highways of the City/County; to protect agriculture, industry, commerce and residents against incongruous and incompatible use of land, to promote the most appropriate use of land and assure the provision of adequate space for the parking of vehicles of customers using commercial, retail and industrial areas; and that all uses of land and buildings within the City of Albany and Dougherty County be so related as to provide for economy in government and mutual support. The result of such purposes of this Ordinance, which relate to the City/County Comprehensive Development Plan will promote and protect the public health, safety, morals, convenience, order, prosperity and general welfare of the residents, shoppers, and workers in the City of Albany and Dougherty County.

ARTICLE 2: ENACTING CLAUSE

The City of Albany and Dougherty County, Georgia, Ordains:

This Ordinance shall be known as the
Zoning Ordinance of the City of Albany and Dougherty County, Georgia.

ARTICLE 3: ZONING DISTRICTS AND BOUNDARIES

Section 3.01. DISTRICTS.

The City of Albany and Dougherty County are hereby divided into nineteen (19) districts as defined in Title II Article 1: Definitions and Intent of Zoning Districts.

Section 3.02. ZONING MAP.

The boundaries of these districts are shown in the map attached hereto and made part of this Ordinance, which map is designated as the Zoning Map of the City and County. The Zoning Map is on file in the office of the Planning and Development Services Department. All notations, references and other information shown thereon are a part of this Ordinance and have the same force and effect as if said Zoning Map and all such notations, references and other information shown there were fully set forth or described herein.

Section 3.03. DISTRICT BOUNDARIES.

Except where reference on said Map to a street or other designated line is made by dimensions shown on said Map, the district boundary lines follow lot lines or the centerline of the streets or alleys or such lines extended and the corporate limits of the municipality as they existed at the time of adoption of this Ordinance.

Section 3.04. NEWLY ANNEXED AREAS.

All property shall be annexed with the same zoning classification as it carries in the County, no further

action is necessary.

ARTICLE 4: GENERAL REGULATIONS

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

Section 4.01. CONFLICTING REGULATIONS.

Whenever any provision of these regulations imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, the provisions of these regulations shall govern. Wherever the provisions of any other statute or local ordinance or regulation (including subdivision and deed restrictions) impose other higher standards than are required by the regulations made under authority of this ordinance, the provisions of such statute or local ordinance or regulation shall govern.

Section 4.02. USE OF LAND.

No use for any purpose or activity shall be located upon any land; nor shall any building or land be used for any purpose or activity, or designed or arranged for any purpose or activity; other than is permitted in the district in which the building or land is located.

Section 4.03. CONSTRUCTION OF STRUCTURES.

No structures, including buildings and parts thereof, shall be erected, converted, enlarged, constructed, re-constructed, structurally altered, or maintained on any land; and no 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 4.04. PERMITTED HEIGHT.

1. The height regulations are set forth in Title II Article 2. Table of Minimum Lot Area and Yard Requirements. These regulations will not apply to chimneys, smokestacks, water towers, radio, telephone and television antennas, church spires and steeples, domes, cooling towers, flag poles, theater stage lofts, public monuments, observation towers, electricity transmission towers, elevator bulkheads and similar structures, along with their necessary mechanical appurtenances. The previously mentioned structures may exceed 150 feet in height only with the expressed approval of the City/County Commission.
2. All buildings and structures that are constructed, re-constructed or altered are subject to provisions of the following additional Ordinances or Regulations:
 - a. City Ordinance No. 191, as amended by City Ordinance No. 278, relative to Turner

Field.

- b. City Ordinance No. 463 relative to the Southwest Georgia Regional Airport.
 - c. Provisions stated in Part 77 of the Federal Aviation Regulations.
3. All communication towers that are constructed in the City limits of Albany or Dougherty County shall conform to the requirements as found in Section 1.41 of III of this ordinance

Section 4.05. DIMENSIONAL REGULATIONS.

No building shall be erected, converted, enlarged, re-constructed or structurally altered, except in conformity with the area regulations of the district in which the building is located. (See Minimum Lot Area and Yard Requirements Table).

Section 4.06. STREETS, ALLEYS, RAILROAD RIGHTS-OF-WAY.

All streets, alleys and railroad rights-of-way, if not otherwise specifically designated, shall be regarded as in the same zoning district as the property immediately abutting upon such streets, alley or railroad rights-of-way. Where a street or alley serves as a district boundary, the center line of the street or alley shall be regarded as the district boundary, and the zoning of such street or alley shall be regarded as the same as that of the abutting property up to such center line, unless otherwise specifically designated.

Section 4.07. BUILDINGS WITH DWELLING UNITS.

Every building hereafter erected or structurally altered to provide dwelling units shall be located on a lot in a zoning district that permits such buildings and dwelling units and the number of such buildings and dwelling units shall be limited to the number permitted in the zoning district in which the lot is located.

In all single-family residential (R-E, R-G, R-1, R-2, R-3, R-MHS and R-MHP) districts, only one (1) principal building shall be placed on a lot, and principal buildings shall be limited to a single-family structure, except that in the RE, R-G, R-1, and R-2 districts the single family structure may include an accessory unit where permitted, and in the R-3 (single-family and duplex residential district) such principal building shall be limited to either a single-family structure, which may include an accessory unit where permitted, or a duplex residential structure. No duplex residential units or accessory dwelling units are permitted in R-MHS and R-MHP districts.

Section 4.08. LOT SIZE AND SHAPE LIMITATIONS.

Lots of record are permitted to be subdivided only when the land area allocated to each subdivided parcel is equal to or greater than the lot area, lot width and lot frontage required for the district in which the lot is located; and when the front, side and rear yards resulting from such subdivision meet the setback and buffering requirements of the district in which it is located; and when such parcels are recorded with the

County as new lots of record.

ARTICLE 5: DEFINITIONS

For the purpose of these regulations, certain words and tenses used herein shall be interpreted or defined as follows:

1. Words used in the present tense include the future tense.
2. The singular number includes the plural and the plural includes the singular.
3. The word "person" includes a corporation, partnership, association as well as an individual.
4. The term "shall" is always mandatory and not merely directory.
5. Terms not herein defined shall have the meaning customarily assigned to them.
6. The term "governing body" shall mean the Board of Commissioners of Dougherty County or Board of Commissioners, Albany, Georgia.

ACCESSORY BUILDING: A subordinate building or structure on the same lot, or part of the primary building, occupied by or devoted exclusively to an accessory use.

ACCESSORY DWELLING UNIT: An additional dwelling unit located on the same lot with, and subordinate to, a primary single-family use. Where permitted, the additional unit shall not exceed fifty (50) percent of the square footage of the principal residence or eight hundred (800) square feet, whichever is less. An ACCESSORY DWELLING UNIT shall be located either within the same structure as the primary single-family use, also known as an in-law suite, or shall be located to the rear of the primary single-family use, within an ACCESSORY BUILDING.

ACCESSORY USE: A use naturally and normally incidental to, subordinate to, and auxiliary to the permitted use of the premises.

ADULT ENTERTAINMENT ESTABLISHMENT:: A restaurant, nightclub, cabaret or other establishment, which features adult entertainment. Any commercial establishment that has, as its primary purpose or business or as a secondary use, the offer for sale of any book, publication or film that depicts nudity or sexual conduct or engages in services such as bath houses, massage parlors, wrestling parlors or like activity including a restaurant, nightclub, cabaret, lounge or other establishment that features adult entertainment.

AGRICULTURAL: The tilling of the soil, raising of crops or animals, horticulture, gardening, bee keeping and aquaculture, and storage and processing for distribution of the products of these activities produced on the lot or lots under one (1) ownership or lease control.

ALBANY DOUGHERTY PLANNING COMMISSION: (PLANNING COMMISSION) The City of Albany and Dougherty County Planning Commission, an appointed body.

ALLEY: Any dedicated public way providing a secondary means of ingress to or egress from land or structures thereon.

ALTERATION: Any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls, partitions, columns, beams, girders, or any change that may be referred to herein as "altered" or "reconstructed."

ALTERNATIVE TOWER STRUCTURE: Shall mean man-made structures such as clock towers, bell towers, church steeples, water towers, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antenna and towers.

ANTENNA: Any exterior apparatus designed for telephonic, radio or television communications through the sending and/or receiving of electromagnetic waves.

APARTMENT: A room or suite of rooms used as a dwelling for one (1) family, and which does its cooking therein.

APARTMENT HOUSE: A residential structure containing three (3) or more apartments.

AUTO DETAIL SHOP: An establishment for the cleaning of automobiles where all of the work is performed manually, without the use of mechanized car wash equipment, and where the work is performed by personnel on site. See MOTOR VEHICLE SERVICE.

BASEMENT: A portion of a building partly below grade and having less than five (5) feet above the finished grade level of the building.

BLOCK: The property abutting one (1) side of a street and lying between the two (2) nearest intersecting streets, or between the nearest such street and railroad right-of-way, unsubdivided acreage, river or live stream, or between any of the foregoing and any other barriers, to the continuity of development.

BOARDING HOUSE: See ROOMS FOR RENT, ROOMING HOUSE.

BOARD OF COMMISSIONERS: The City of Albany and Dougherty County Board of Commissioners, an elected legislative body, also called the City/County Commission

BUFFER: An area meeting specified widths and depths on the side or sides abutting, facing or confronting between uses. Where required under the conditions of these regulations, such area may be improved as specified.

BUILDABLE AREA: The buildable area of a lot is the space remaining after the minimum OPEN SPACE and YARD requirements of these regulations have been complied with.

BUILDING: Any structure having a roof, supported by columns or by walls and intended for the shelter, housing or enclosure of any person, animal or chattel.

BUILDING HEIGHT: The vertical distance measured from the curb level, or in the absence of a curb, the crown of a road, to the highest point of the roof surface if a flat roof; to the deck line of mansard roofs; and to the mean height level between eaves and ridge of gable, hip and gambrel roofs.

BUILDING LINE: A line that is generally parallel to a street, which defines the location of BUILDING STREET FACADES that line the street, and which is located at or behind the FRONTLOT LINE or side street LOT LINE or property line.

Where FRONT YARD minimum setback requirements apply, the BUILDING LINE shall be located at or behind the minimum FRONT YARD setback. Where SUPPLEMENTAL FRONT YARD maximum depth requirements apply, the BUILDING LINE shall be located at or in front of the maximum SUPPLEMENTAL FRONT YARD depth.

BUILDING, PRINCIPAL: A building in which is conducted the principal use of the lot on which it is located.

BUILDING STREET FACADE: The exterior wall of a building, not including permitted unenclosed extruding structures such as porches and stoops, which is located along the street BUILDING LINE without an intervening building or STREET WALL

BUILDING STREET FACADE REQUIREMENT: The minimum length of the BUILDING LINE that is required to have a BUILDING STREET FACADE, which is expressed as a percentage of the length of the BUILDING LINE

CLERK: The Clerk of the Governing Body.

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.

COMMISSION: The word "Commission" shall mean the City of Albany and Dougherty County Board of Commissioners, an elected legislative body, also called the City/County Commission.

CITY OF ALBANY AND DOUGHTERY COUNTY PLANNING COMMISSION: See PLANNING COMMISSION.

CONDOMINIMUM: A multifamily dwelling in which each residential unit is under private individual ownership and common areas are under joint ownership of all individual owners All multifamily regulations also apply to condominiums. By law, zoning can neither require home ownership, nor prohibit the rental of a permitted dwelling unit and, as such, condominiums have the same regulations and requirements as any other multifamily dwelling. See the definition of DWELLING, MULTIPLE-FAMILY.

CONVENIENCE STORE: A retail building that is generally located on the premises of a service station, and that sells small item convenience goods such as packaged food and drinks, magazines and toiletries.

COURT: An open, unoccupied, unobstructed space, other than a YARD, on the same lot as a building.

DAY CARE FACILITY: (See Personal Care Homes for extended care facilities) A Day Care Facility includes Nursery/Kindergarten Schools, and includes facilities whose primary purpose is the care and/or training of children or adults, regardless of age, outside of their home for less than twenty-four (24) hours a day, while parent or guardian is absent from home. Such facility may or may not be operated for profit.

Day Care Facilities also include Adult Day Care 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, and who may require daily medical supervision, nursing and other health care support, psychosocial assistance, or appropriate socialization stimuli or a combination of these.

The numbers of persons enrolled in a Day Care Facility define the type of facility. The following are types of DAY CARE FACILITIES.

FAMILY DAY CARE shall enroll six (6) or fewer persons.

GROUP DAY CARE CENTER shall enroll seven (7) through eighteen (18) persons.

GENERAL DAY CARE shall enroll more than eighteen (18) persons.

DENSITY: The number of dwelling units developed on an acre of land. As used in these regulations, all densities are stated in families per net acre, that is, per acre of land devoted to residential use, exclusive of land in streets, alleys, parks, playgrounds, school yards or other public lands and OPEN SPACES.

DIRECTOR: Shall mean the Director of the Department of Planning and Development Services, also called Director of Planning, or his or her designee.

DISTRICT: A portion of the geographic jurisdiction of the Governing Body within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain YARDS, OPEN SPACES, lot areas and other requirements are established.

DOMESTIC PETS: Domestic pets shall include dogs and cats, birds, small mammals and fish kept as accessory uses to a residence, not kept for commercial or breeding purposes, not as to create a nuisance, and not including pigs, cattle, fowl or other livestock larger than a dog.

DRIVE-IN ESTABLISHMENT/DRIVE-THROUGH: A drive-in restaurant or other drive-in establishment serving food and/or drink, or a bank or pharmacy or other establishment with a drive-through window, so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle.

DWELLING, SINGLE-FAMILY: A building or portion thereof used or designed for use as a residence for a single family

DWELLING, TWO-FAMILY: A building designed for two (2) dwelling units, also called a duplex.

DWELLING, MULTIPLE-FAMILY: A building or portion thereof used or designed as a residence for three (3) or more families living independently of each other and doing their own cooking in said building, also called a multi-family dwelling. This definition includes three-family houses, four-family houses and apartment houses, but does not include hotels, motels, trailer camps, mobile home parks, or similar uses.

EFFICIENCY UNIT: An efficiency unit is a dwelling unit consisting of one (1) room, exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off the principal room, providing not less than three hundred and fifty (350) square feet of floor area.

ERECTED: The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage and the like shall be considered a part of erection.

ESSENTIAL SERVICES: The erection, construction, alteration or maintenance by public utilities, governmental departments or commissions, of underground surface or overhead gas, communication, electrical, steam, fuel or water transmission or distribution systems, sewers, pipes, conduits, cable, fire alarm and police call boxes, traffic signals, hydrants and similar accessories in connection therewith, but not including buildings, which are necessary for the furnishing of adequate service by such utilities or governmental departments for the general public health, safety, convenience or welfare.

FAA: Means the Federal Aviation Administration.

FAMILY: One (1) or more persons related by blood or adoption and two (2) additional persons who are unrelated occupying a housing unit and using common kitchen facilities and entrances, as distinguished from a group occupying a boarding house, lodging house, hotel, fraternity house, sorority house or personal care home.

FARM: A platted or unplatted parcel of land of ten (10) acres or more in area that is used for the production of agricultural products.

FAST FOOD RESTAURANT: A fast food restaurant is defined to be a restaurant that has all of the following characteristics:

1. Its principal business is the sale of food items and beverages of the kind that can readily be taken out of the restaurant for consumption off the premises.
2. Utensils, if used at all, are made of plastic or other disposable materials. Food is packaged in paper, Styrofoam or other disposable containers.
3. Service is not customarily provided to customers at their tables by employees of the restaurant.

FCC: Means the Federal Communications Commission.

FILLING: Shall mean the depositing or dumping of any matter on or into the ground, except deposits resulting from common household gardening and general farm care.

FILLING STATION: See SERVICE STATION.

FLEA MARKET, OUTDOOR: See OUTDOOR FLEA MARKET.

FLOOR AREA, USABLE: Any covered floor area located within the outside walls of a building exclusive of open porches and terraces, and exclusive of unfinished and unheated or cooled areas in cellars, basements, utility areas, attics, parking garages and accessory buildings.

FOSTER FAMILY CARE: A service in a private home, offering care in a family setting to children in accordance with regulations of the Georgia Department of Human Resources.

FOSTER CHILD: A child unrelated to a family by blood or adoption with whom he or she lives for the purposes of care and/or education.

GARAGE, PRIVATE: An accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the building to which it is accessory for personal use only.

GARAGE, PUBLIC: Any premises used for the storage or care of motor-driven vehicles, or place where any such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale.

GOVERNING BODY: Means the Honorable Mayor and Board of Commissioners of the City of Albany, Georgia, and/or Chairman and Board of Commissioners of Dougherty County, Georgia.

GUY TOWER: A type of TOWER that is supported, in whole or in part, by guy wires and ground anchors.

HABITABLE SPACE: USABLEFLOORAREA except areas for power and relay equipment, digital switchboard, power generators and other relay equipment.

HARDSCAPE: An outdoor area covered with impervious paving materials such as concrete or pavers of masonry, brick or stone; including steps, walls and other landscape features of similar materials.

HISTORIC RESOURCE AREA: A parcel or group of parcels shown on the Zoning Map, which has specific requirements that supersede certain other requirements of the district as amended.

HOME OCCUPATION: Any occupation or activity carried on within a dwelling by a member of the family residing on the premises. All home occupations shall comply with the following performance standards:

1. There is no group instruction, assembly or activity of more than two (2) persons (except up to six (6) persons for a family day care operation).
2. No display is permitted, including merchandise commodity, other articles of any kind that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling or advertise services or merchandise.
3. No signage is permitted to identify the home occupation unless required by state or federal licensing requirements in which case the sign shall be limited to one (1) square foot in size.
4. No use of chemicals, matter or energy that may create or cause to be created noises, dust or noxious odors; or hazards beyond the immediate premises; or that endanger the health, safety or welfare of the community is permitted.
5. No person shall be employed other than a members of the immediate family residing on the premises.
6. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants. The floor area used in the conduct of the home occupation shall not exceed the lesser of either one-third (1/3) of the total square feet of floor area

of the dwelling unit, or two thousand (2,000) square feet.

7. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood (not to exceed ten (10) trips per day, or as defined in the latest edition of Trip Generation published by the Institute of Transportation Engineers).
8. Permitted home occupation uses include an office, studio or workshop. Uses shall not include catering services; morticians; schools such as a dance studio or nursery school; animal services such as an animal hospital or boarding kennel; any eating or drinking establishment including restaurants and tea rooms; medical services such as clinics, nursing homes and medical offices including the office of a physician, dentist or chiropractor; retail or trade business including displays or promotional events; or personal services such as barber shops and beauty shops.

HOSPITAL: An institution providing health services, primarily for in-patients and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patients department, training facilities, central service facilities and staff offices.

HOTEL-MOTEL: See ROOMS FOR RENT.

INSPECTOR: The Building Inspector of the Governing Body, or his authorized representative.

JUNK: Any motor vehicle, machine, appliance, scrap metal, or other scrap material that is in a condition which prevents its use for the purpose for which it was originally manufactured.

JUNKYARDS, SCRAP YARDS, USED AUTO PARTS YARDS, SALVAGE YARDS OR COAL YARDS: The use of an area of any lot for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition, abandonment of automobiles or other vehicles or machines or parts thereof, or for the storage of coal.

KENNEL: Any lot or premises on which three (3) or more dogs, four (4) months or more old, are kept either permanently or temporarily for commercial or breeding purposes.

LABORATORY: A place devoted to experimental study, such as testing and analyzing, which does not involve manufacturing of products.

LANDFILL: An outdoor waste disposal facility, which shall be one (1) of the following types:

"MUNICIPAL SOLID WASTE LANDFILL" (MSWLF): A type of landfill where any amount of municipal solid waste, whether or not mixed with or including commercial waste, industrial waste, non-hazardous sludge, or small quantity generator hazardous wastes, is disposed of by means of placing an approved cover thereon.

An existing MSWLF is any municipal solid waste landfill or landfill unit that is receiving solid waste as of October 9, 1993, and meets either of the two following conditions: (1) disposed of over 100 tons per day (TPD) of solid waste between October 9, 1991, and October 9, 1992, (or other dates consistent with Federal standards and as may be approved by the Director); or (2) is on the National Priorities List (NPL), as found in appendix B to 40 CFR, Part 300.

1. Any municipal solid waste landfill or landfill unit that is receiving solid waste as of April 9, 1994, and meets the following two conditions: (1) disposed of 100 tons or less per day of solid waste between October 9, 1991, and October 9, 1992, and disposes of no more than an average of 100 TPD of solid waste each month between October 9, 1993, and April 9, 1994, (or other dates consistent with Federal standards and as may be approved by the Director); and (2) is not on the National Priorities List (NPL), as found in appendix B to 40 CFR, Part 300.
2. Waste placement in existing units must be consistent with past operating practices or modified practices to ensure good management.

PRIVATE INDUSTRY SOLID WASTE DISPOSAL FACILITY: A disposal facility which is operated exclusively by private solid waste company.

INERT WASTE LANDFILL: A type of landfill accepting only wastes that will not cause production of leachate of environmental concern. Such wastes are limited to earth and earth-like products, concrete, cured asphalt, rock, bricks, grass trimmings, stumps, limbs, and leaves. This definition excludes industrial and demolition waste not specifically listed above.

CONSTRUCTION AND DEMOLITION LANDFILL: A type of landfill that accepts building materials and rubble resulting from construction, remodeling, repair and demolition operations of pavements, houses, commercial buildings, and/or other structures. Such wastes includes, but are not necessarily limited to wood, bricks, metal, concrete, wall board, paper or cardboard.

LATTICE OR SELF-SUPPORTING TOWER: A type of communications tower that has open-framed supports on three (3) or four (4) sides and is constructed without guy wires and ground anchors.

LOADING SPACE: An off-street space on the same parcel of property with building or group of buildings, used for temporary parking of a commercial vehicle while loading and unloading merchandise or materials

LODGING HOUSE: See ROOMS FOR RENT.

LOT: Land occupied or to be occupied by a use, building or structure and permitted accessory buildings together with such open areas, lot width and lot area as are required by these regulations and having its principal frontage upon a public street or upon a private way used for street purposes, and which is legally recorded with the County.

LOT AREA: The total square footage area within the lot lines, as defined, or a lot. For lots fronting or lying adjacent to private streets, lot area shall be interpreted to mean that area within lot lines separating the lot from the private street, and not the centerline of said street.

LOT COVERAGE: The part or percent of the lot occupied by buildings or structures, including accessory buildings or structures

LOT DEPTH: The mean horizontal distance from the front right-of-way line to the rear lot line.

LOT, FLAG: A lot shape with an extended "pole" portion of the lot providing frontage on a public or private street; the "pole" of which is generally of less width than the minimum width permitted for a lot in that zoning district.

LOT LINES: The property lines bounding the lot.

FRONT LOT LINE: In the case of a lot abutting upon one (1) public or private street, the front lot line shall mean the line separating such lot from such street right-of-way. In the case of abutting more than one (1) street, the owner shall, for the purpose of these regulations, have the privilege of electing any street lot line the front lot line, providing that such choice, in the opinion of the Director of Planning and Development Services, will not be injurious to the existing or the desirable future development of adjacent properties.

REAR LOT LINE: Ordinarily, the lot line that is opposite and most distant from the front lot line of the lot. In the case of an irregular, triangular or gore-shaped lot, a line ten (10) feet in length entirely within the lot parallel to and at the maximum distance from the front lot line of the lot shall be considered to be the rear lot line for the purpose of determining depth of REAR YARD. In cases where none of these definitions are applicable, the Director of Planning and Development Services shall designate the rear lot line.

SIDE LOT LINE: Any lot line not a front lot line or a rear lot line. A side lot separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

STREET OR ALLEY LOT LINE: A lot line separating the lot from the right-of-way of a street or an alley.

LOT WIDTH: The mean horizontal distance between lot side lines at the minimum BUILDING LINE measured along the BUILDING LINE except in the case of flag lots.

MAJOR THOROUGHFARE: The major streets which carry a relatively large amount of vehicular traffic and may connect to secondary or regional thoroughfares. The major thoroughfares are as delineated on the Dougherty Area Regional Transportation Study (DARTS) adopted by the Governing Body.

MEAN: That quantity or measurement having a value midway between two (2) extremes, and being near the average where more than two (2) quantities or measurements are involved. Example: The mean of the series of measurements or numbers 1, 3, 6, 10, and 11 is the number 6.

MIXED USE: A mix of various types of uses within one (1) parcel or within a single development on a contiguous group of parcels, where USABLE FLOOR AREA uses include a minimum of twenty (20) percent residential use and twenty (20) percent commercial use, and which commercial use shall include a minimum of five (5) percent restaurants and/or retail accessible directly from the public sidewalk.

MOBILE HOME: A structure designed as a movable dwelling; built upon its own permanent chassis; transported on its own chassis (normally by towing) in one or more sections; occupiable with or without a foundation; and contains all of the normal utility systems: plumbing, electrical, and heating and cooling. Mobile homes are a type of manufactured home. Mobile homes are not designed to be transported by personal vehicles and, as such, do not include house trailers.

SINGLEWIDE MOBILE HOME: A mobile home constructed and transported as a single unit.

DOUBLEWIDE MOBILE HOME: A mobile home constructed and transported in more than one unit which must be joined at the site of placement into a single whole.

MOBILE HOME PARK: Any premises occupied or designed to be occupied by more than one (1) family living in mobile homes.

MODULAR HOME: A single-family or two-family dwelling unit that is divided into multiple modules or sections that are manufactured in a remote facility and then delivered to their intended site of use. The modules are assembled into a single residential building on-site, where they are attached to a permanent foundation or base. Many modular homes, particularly those with multi-levels, are set in place using a crane.

MONOPOLE: A communications tower consisting of a single pole, constructed without any guy wires or ground anchors.

MOTOR VEHICLE REPAIR: General repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service such as body, frame or fender straightening and repair; overall painting; but not including undercoating of automobiles unless conducted in a completely enclosed spray booth.

MOTOR VEHICLE SERVICE: General routine service of motor vehicles including gasoline sales, vehicle wash, auto detail, motor oil and fluid change, lubrication, and tire change and rotation, but not including any repair work described under MOTOR VEHICLE REPAIR.

MOTOR VEHICLE WASH ESTABLISHMENT: A building, or portion thereof, the primary purpose of which is that of washing motor vehicles.

NON-CONFORMING USE: Any legal use of land or structures, which, by amendments to this zoning ordinance regarding the types and sizes of permitted uses, is caused to no longer conform to requirements regarding the types or sizes of permitted uses at the time of adoption of this zoning ordinance, or any amendment thereto.

NURSERY - TREE, SHRUBS AND PLANTS: An area or establishment devoted to the raising and care and sale of trees, shrubs and similar plant materials.

OFF-STREET PARKING LOT: A facility providing vehicular parking spaces, along with adequate drives and aisles for maneuvering, so as to provide access for entrance and exit for the parking of more than two (2) automobiles.

OFFICE SUPPORT USES: Those uses intended to provide services to commercial customers and to the public at large where most activity is conducted by orders placed and picked up at a later date. These uses would include, but are not limited to print shops, office supply and similar types of uses.

OPEN AIR BUSINESS USES: Open air business uses shall include non-enclosed displays and/or structure involving the following activities:

1. Retail sale of trees, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment.
2. Retail sale of fruits and vegetables, including produce stands and curb markets.

3. Tennis courts, archery courts, shuffleboard courts, horseshoe courts, miniature golf courses, golf driving ranges, children's amusement parks and similar recreation uses.
4. Bicycle, trailer, motor vehicle, boats or home equipment sales, service, rental services.
5. Outdoor display and sale of garages, swimming pools, satellite dish antenna, mini-storage building and similar uses.

Any building connected with or located on the same lot as an open air business use shall meet all applicable standards of the zoning regulations and building codes.

OUTDOOR FARM/CRAFT MARKET: A principal commercial retail activity that sells fresh farm produce; and small hand-crafted items; and which occurs at a fixed location and specified time; and where a proprietor, partnership or corporation leases or provides to vendors a booth or commercial stall, or truck parking space, from which the vendor markets his or her goods. Part or all of the market is conducted outside of an enclosed structure; sidewalk sales are not included under this definition. Each vending location shall have pedestrian access via an internal walkway, courtyard, path, foyer, or common area.

OUTDOOR FLEA MARKET: A principal commercial retail activity that occurs at a fixed location, where a proprietor, partnership or corporation leases to vendors a retail booth or stall from which the vendor markets his or her goods, not including fresh farm produce. Part or all of the flea market is conducted outside of an enclosed structure; sidewalk sales are not included under this definition. Each vending location shall have pedestrian access via an internal walkway, courtyard, path, foyer, or common area.

OPEN SPACE: PRIVATE OPEN SPACE and PUBLIC OPEN SPACE appropriately improved for pedestrian use and amenity and not including areas used for vehicles, except for incidental service, maintenance or emergency actions only. OPEN SPACE shall be exterior and computed as the total square footage of said spaces. OPEN SPACE shall meet the requirements of at least one of the following types:

PRIVATE OPEN SPACE: OPEN SPACE that is private courts, lawns, gardens, terraces or balconies, which restrict access to the public.

PUBLIC OPEN SPACE: A PARK, PLAZA OR HARD SURFACE TRAIL, which is open to the public during normal city park hours, and STREET MEDIANS and islands, and Public Sidewalks along public streets, provided that such public sidewalks meet SIDEWALK AREA requirements and are located entirely on private property.

PARK: A PUBLIC OPEN SPACE that provides recreation amenities and gathering places. A park shall have streets along a minimum of fifty (50) percent of its perimeter and shall have no more than twenty (20) percent of its area covered with impervious surfaces, with the exception of HARD SURFACE TRAILS.

PLAZA: A PUBLIC OPEN SPACE that is fronted by buildings, either civic or private, and is available for public activities, but may have public access limited for the purposes of providing outdoor dining areas. A PLAZA shall have streets along a minimum of fifty (50) percent of its perimeter and a landscape consisting of durable pavement, trees and other plant materials.

SQUARE: A PLAZA that has streets along 100 percent of its perimeter and may or may not consist of durable pavement.

STREET MEDIANS: A PUBLIC OPEN SPACE that is surrounded by a street and located entirely within a public right-of-way and not intended for active or passive use. Such area is landscaped and may contain sculpture, fountains, flags or similar features.

TRAIL, HARD SURFACE: Proposed new multi-use trails as indicated on the zoning map. Such trails shall be concrete or asphalt with a minimum width of twelve (12) feet with greenspace on either side for use by pedestrians and non-motorized vehicles. Boardwalks, bridges and pervious concrete are permitted within flood plains and stream buffers as approved by the City.

PARCEL: A legal lot of record.

PARKING SPACE: An area that is fully accessible for the parking or storage of one (1) permitted motor vehicle, such space being exclusive of necessary drives, aisles, entrances or exits. Parking space area for cars and trucks with no more than four (4) wheels shall be not less than nine (9) feet wide by twenty (20) feet long, except that the length of a parking space may be reduced to eighteen (18) feet where the entire end of the space abuts a fixed curb and a landscape area not less than six (6) feet deep and as wide as the space.

PATIO HOME: A patio home is a zero-lot-line, detached, single-family dwelling, which is placed on a side lot line such that there is a SIDE YARD on only one (1) side of the dwelling and the other side of the dwelling has a SIDE YARD setback of zero, or nearly zero. Patio homes do not include attached single-family dwellings such as townhouses. PATIO HOMES ARE not permitted within any district.

PERSONAL CARE HOME: A facility within which is provided two (2) or more beds and other facilities and services, including room, meals and personal care, for non-family ambulatory persons that require personal care. Care takers are on the premises on a twenty-four (24) hour basis. This term does not include facilities that are devoted to independent living units, boarding and lodging houses that do not provide personal care, or institutions devoted primarily to the provision of chronic or convalescent care including medical and nursing services. PERSONAL CARE HOMES shall be licensed and/or permitted by appropriate governmental regulatory agencies.

FAMILY PERSONAL CARE HOME: A home in a family type residence, non-institutional in character, which offers care to two (2) through six (6) persons and has house parent(s) who occupy and assume responsibility for the premises on a twenty-four (24) hour basis.

GROUP PERSONAL CARE HOME: A home in a residence, non-institutional in character, which offers care to seven (7) through fifteen (15) persons.

CONGREGATE PERSONAL CARE HOME: A home offering care to sixteen (16) or more persons.

PLANNED STREET: Proposed new streets as indicated on the Zoning Map

PLANNED UNIT DEVELOPMENT: A MIXED-USE development on a single parcel or contiguous parcels of land within which a number of buildings are located or intended to be located in accordance with an overall plan of design approved by the City/County Commission and not in relation to a prearranged

pattern of land subdivision.

PLANNING COMMISSION: The City of Albany and Dougherty County Planning Commission, an appointed body.

PRODUCE STAND/CURB MARKET: A permanent or semi-permanent building or stand not exceeding two hundred (200) square feet of floor area, intended to provide a place for retail-only sales of perishable farm and garden vegetables and orchard or grove fruits, but not including buildings or structures in an AG (Agricultural) Zoning District that are erected by bona fide farmers for the sale of seasonal produce grown on their own land.

RECREATIONAL VEHICLE: A vehicular unit primarily designated as temporary living quarters for recreational, camping or travel use, having its own motor power or designed to be mounted on or drawn by an automotive vehicle. Recreational vehicles include motor homes, truck campers, travel trailers, camping trailers and boats. A travel or camping trailer is a non-motorized vehicle designed to be drawn by a motor vehicle that is used for carrying of persons. A boat is a vehicle for traveling in or on water.

A recreational vehicle is not permitted as living quarters except as permitted in MOBILE HOMES PARKS in the R-MHP District.

REFERENCE LEVEL: The REFERENCE LEVEL for any building is seven (7) inches above the existing curb, or in the absence of any existing curb, above the crown of the adjacent public road.

RESIDENTIAL TREATMENT: An architectural treatment on a BUILDING STREET FACADE that consists of the following:

- a. USABLE FLOOR AREA for a minimum of the first ten (10) feet in depth of the entry level floor behind the BUILDING STREET FACADE.
- b. Equally sized vertical windows where the top of which and the bottom of which shall be no higher and no lower than the top of the door frame, including doorway transom, and the bottom of door frame.
- c. Windows for a minimum of thirty (30) percent and a maximum of sixty five (65) percent of the total BUILDING STREET FACADE area, with the facade of each unit and each floor of a unit, being calculated independently.
- d. An entry stoop or porch at a primary pedestrian BUILDING STREET FACADE entrance, when the RESIDENTIAL TREATMENT is provided on the street entry-level facade.

ROOMS FOR RENT: The following defines establishments whose primary function is to provide lodging rooms for sleeping. The various types are distinguished by the number of lodging rooms for rent, and the meals that may be provided to lodgers and other guests.

BED AND BREAKFAST/TOURIST HOME: A dwelling that rents a maximum of three (3) rooms for temporary lodging, and which provides breakfast as part of the lodging fee, and no other meals.

HOTEL/MOTEL: An establishment that provides more than five (5) rooms for temporary

lodging, and which may include meeting rooms and eating and drinking establishments when otherwise permitted in the district in which it is located.

INN: An establishment with a maximum of twenty (20) rooms for temporary lodging, and which may provide meals to the lodgers, but to no other guests. Adjunct eating and drinking establishments are permitted only when otherwise permitted in the district in which it is located.

ROOMING HOUSE/LODGING HOUSE/BOARDING HOUSE: An establishment, other than a hotel or motel, that rents rooms for a definite period of time, and a minimum stay of one (1) week, and which has between three (3) and twenty (20) lodging rooms, and may provide meals as part of the lodging fee. Meals shall not be provided to non-lodgers.

SALVAGE: Salvage refers to any motor vehicle, machine or appliance having sufficient value to justify its sale for recovery of parts. Vehicles intended for repair are not considered salvage. Outside storage of an inoperable vehicle for longer than thirty (30) days shall be considered salvage, and is not permitted within zoning districts where salvage is not permitted.

SERVICE STATION: A building or structure designed or used for the retail sale or supply of fuels, water, lubricants, air, and other operating commodities for motor vehicles, aircraft or boats; including customary space and facilities for the installation of such commodities on or in vehicles, and including space for facilities for the temporary storage of vehicles, minor repair or servicing, including washing of vehicles.

SIDEWALK AREA: Begins at the street curb, including intervening driveways, and consists of a contiguous SIDEWALK LANDSCAPE ZONE, SUPPLEMENTAL FRONT YARD and SIDEWALK CLEAR ZONE, as described below.

SIDEWALK LANDSCAPE ZONE: The portion of a SIDEWALK AREA adjacent to the street curb and reserved for the placement of trees, groundcover and street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, traffic control boxes, tree grates, newspaper boxes, bus shelters, Sandwich Boards as defined under the Sign Ordinance, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.

SIDEWALK CLEAR ZONE: The portion of a SIDEWALK AREA that is reserved for pedestrian passage, and is completely unobstructed up to a minimum height of eight (8) feet, and shall not include any permanent objects, including but not limited to such objects as steps and stoops, traffic control boxes and utility structures. The SIDEWALK CLEAR ZONE shall be adjacent to and between the SIDEWALK LANDSCAPE ZONE and the required FRONT YARD or the SUPPLEMENTAL FRONT YARD and shall have a consistent cross-slope not exceeding two (2) percent.

SUPPLEMENTAL FRONT YARD: The area between the back of the SIDEWALK CLEAR ZONE and the primary building or the BUILDING LINE. Whenever SUPPLEMENTAL FRONT YARD requirements apply, no parking, and no permanent structure is permitted between the edge of the nearest street and a primary structure or BUILDING LINE, including within both public and private property and within public rights-of-way.

Adjacent to STOREFRONT TREATMENT no structural element shall be attached to the SUPPLEMENTAL FRONT YARD in any way and SUPPLEMENTAL FRONT YARDS may be used for pedestrian amenity elements such as benches, merchandise display, potted plants and decorative

fountains. Outdoor dining areas are permitted only when adjacent to bars/eating premises and establishments. Public access may be restricted only for outdoor dining areas, which may be demarcated by moveable planters, moveable bollards and similar weighted decorative elements.

Adjacent to REDSIDENTIAL TREATMENT, SUPPLEMENTAL FRONT YARDS may include permitted fences, landscaping, walkways, porches, steps, stoops and similar elements; and public access may be restricted. Within C-R and C-5 districts SUPPLEMENTAL FRONT YARDS shall have a minimum depth of five (5) feet from the property line, in addition to other maximum SUPPLEMENTAL FRONT YARD requirements.

Elements that are prohibited in all SUPPLEMENTAL FRONT YARDS include all mechanical, service and parking features, and all permanent elements, which include recreational areas and facilities such as swimming pools and tennis courts; fences and walls greater than forty two (42) inches in height; service elements such as dumpsters, loading docks; and similar elements.

SIDEWALK CAFE: An outdoor dining area, usually located adjacent to the SIDEWALK AREA or within a SUPPLEMENTAL FRONT YARD. When located within a SUPPLEMENTAL FRONT YARD, sidewalk cafés are regulated as outdoor dining areas

SINGLE FAMILY RESIDENTIAL DISTRICTS: The group of seven (7) zoning districts that permit single-family, or single-and two-family residential uses, and that prohibit multifamily uses and non-residential uses. Single-family residential districts are made up of the R-E, R-G, R-1, R-2, R-3, R-MHS, and R-MHP Districts, which are described in Title II Article 1. Definitions and Intent of Zoning Districts.

STOREFRONT TREATMENT: An architectural treatment that is provided on the sidewalk entrance level of a BUILDING STREET FACADE and consists of the following.

1. HABITABLE SPACE for a minimum of the first twenty (20) feet in depth behind the BUILDING STREET FACADE.
2. A display window area consisting of:
 - a. A non-glass bulkhead or knee wall beginning at grade and extending to a point no less than eight (8) inches but not more than twenty-four (24) inches above the adjacent SIDEWALK AREA at the BUILDING LINE.
 - b. A glass display window a minimum of seventy-five (75) percent of the length of the built portion of the BUILDING LINE beginning at the top of the bulkhead or knee wall, to a height not less than ten (10) feet and not more than twelve (12) feet above said adjacent SIDEWALK AREA below the base of the display window. Such glass shall provide views into window display areas.
 - c. Primary pedestrian entrances on the BUILDING STREET FACADE, which shall be recessed a maximum of seven (7) feet from the exterior facade, remain unlocked during normal business hours, and have a minimum surface areas of seventy (70) percent glass.
 - d. A glass transom located along the BUILDING STREET FACADE of a structure above the glass display window and entry door shall have a minimum height of twenty-four (24)

inches and a maximum height of thirty-six (36) inches.

- e. A facade length that shall not exceed twenty (20) feet without intervening glass display windows or glass doors.
- f. A non-glass sign band located above the glass transom having a minimum height of thirty-six (36) inches.
- g. A cornice line area above the sign band having a minimum height of eight (8) inches.
- h. Street address numbers, a minimum of six (6) inches in height, located directly above the primary pedestrian entrances on the BUILDING STREET FACADE.
- i. Window display areas that are accessible from the building interior and have a minimum depth of two and one-half (2.5) feet from the display window glass to any interior structural element such as a drop ceiling.
- j. A finished floor to finished ceiling height that shall be a minimum of fourteen (14) feet. Finished ceiling slab height shall not be considered finished ceiling height.

SIGN: Any writing, pictorial presentation, illustration, decoration, flag, banner, pennant or device which:

- 1. Is used to announce, direct attention to, identify, advertise or other wise make anything known; and
- 2. Is designed to be visible from any street or adjoining property.

The term "sign" shall not include the terms building or landscaping, or any architectural embellishment of a building not designed to communicate information.

SOIL REMOVAL: The removal of any kind of soil or earth matter, which includes topsoil, sand, gravel, clay or similar materials or any combination thereof, except common household gardening and general farm care.

STORY: That portion of a building, other than a cellar or mezzanine, included between the surface of any floor and the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it.

MEZZANINE: Shall be regarded as a full STORY when it covers more than fifty (50) percent of the STORY underneath said MEZZANINE, or, if the vertical distance from the floor next below it to the floor next above it is twenty-four (24) feet or more. For the purpose of these regulations, a basement or cellar shall be counted as a STORY if over fifty (50) percent of its height is above the level from which the height of the building is measured, or if it is used for business purposes, or if it is used for dwelling purposes other than by a janitor or domestic servant employed in the same building including the family of the same.

GROUND STORY: The lowest STORY of a building, the floor of which is not more than twelve (12) inches below the elevation of the REFERENCE LEVEL STORY.

HALF-STORY: The part of a building between a pitched roof and the uppermost full STORY, said part having a finished floor area which does not exceed one-half (1/2) of the floor area of said full STORY.

STREET: A public right-of-way which affords traffic circulation and principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except an alley. A PUBLIC STREET is a street accepted by dedication or otherwise by the Governing Body. A PRIVATE STREET is a street not so accepted, but is duly approved pursuant to the provisions of the Subdivision Regulations and shown on a recorded plat. Arterial and Collector Streets shall be as defined in Title II Article 3. Table of Arterial and Collector Streets.

STREET, PRIVATE: A street or road duly approved by the Albany Dougherty Planning Commission pursuant to the provisions of the Subdivision Regulations and shown on a recorded plat, and privately maintained.

STREET WALL: A wall no less than seventy-five (75) percent opaque built along the street BUILDING LINE and co-planer with the BUILDING STREET FACADE, often for the purpose of masking a parking lot from the street. STREET WALLS shall be a minimum of three and one-half (3.5) feet in height, and consist of dense evergreen hedge or constructed of a material matching the adjacent BUILDING STREET FAÇADE. STREET WALLS shall be discontinued no more than necessary to allow automobile and pedestrian access. Any individual openings in the STREET WALL shall not exceed four (4) square feet in area when at height of less than three and one-half (3.5) feet from grade.

STRUCTURE: Anything constructed or erected which requires permanent location.

STRUCTURAL ALTERATION: Any change in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams or girders; or any change in the width or number of exits; or modification to the size or shape the footprint of a building or structure; or any structural change in the roof.

SUBDIVISION REGULATIONS: Regulations as adopted by the Governing Body governing the subdivision of land.

SWIMMING POOL: Any structure or container intended for swimming or bathing located either above or below grade designed to hold water to a depth of greater than twenty-four (24) inches.

TAX DEPARTMENT: The department of the political jurisdiction responsible for property evaluations and assessments for tax purposes.

TOURIST HOME: See ROOMS FOR RENT, BED AND BREAKFAST.

TOWER: A structure, such as a self-supporting lattice tower, guy tower or monopole tower, constructed as a free-standing structure or in association with a permanent building, structure or equipment.

TOWER, ANTENNA: An ANTENNA TOWER is a type of tower, on which is located one (1) or more antenna intended for transmitting or receiving television, AM/FM radio, digital microwave, cellular, telephone or similar forms of electronic communication. The term includes radio and television transmission towers, microwave towers, common carrier towers, and cellular telephone towers. The term excludes any tower and antenna under seventy feet (70) in total height and owned and operated by an

amateur radio operator licensed by the Federal Communications Commission, satellite earth station antenna one (1) meter in diameter or less, receive-only home television antenna, and satellite earth station antenna two (2) meters or less in diameter and located in a commercial or industrial zoning district.

TOWER HEIGHT: When referring to a tower, antenna or similar structure, means the distance measured vertically from the highest point when positioned for operation to the lowest point, which is defined as the bottom of the base of the structure being measured at either roof or ground level, whichever is applicable. The height of a tower shall include the height of any attached antenna positioned for operation that may be attached to the highest point on the tower.

TOWNHOUSE: One (1) single-family residence in a group of two (2) or more attached single family residences, in which no residence is located above or below another residence. Each Townhouse unit is separated from the adjoining unit or units by an approved fire wall or walls. Fire walls shall be located on the lot line. Each Townhouse shall have a front and a rear ground level entrance and shall not be permitted to have a garage or carport that extends in front of the front building facade, or BUILDING STREET FRONTAGE facade, of any of the living areas of the TOWNHOUSE. A TOWNHOUSE is located on its own approved, fee-simple, recorded lot.

TRUCK GARDENING: The use of land for growing edible vegetables, fruits and other crops for resale and commercial purposes. Household gardening by a property owner for a hobby or purely local consumption by himself and his family residing on the same premises shall not be construed to be truck gardening.

USE: The purpose for which land or premises or a building thereon is designed, arranged, or intended, or for which it is occupied or maintained, let or leased.

UTILITY ROOM: A room or space, located other than in the basement, specifically designed and constructed to house any home utilities, such as major home appliances (furnace, water heater, pump).

VETERINARY (animal) HOSPITAL (clinic): A facility operated by a licensed veterinarian specifically for the practice of veterinary medicine as defined in the Georgia Veterinary Practice Act of 1965, GA. 84-1502.

SMALL ANIMAL VETERINARY: A VETERINARY (animal) HOSPITAL (clinic), which has no outside kennels and primarily serves domestic household pets

WRECKED MOTOR VEHICLE COMPOUND: An area used to store wrecked motor vehicles until such time as their disposition (either by junk, salvage or repair) has been determined by the insurance company, the owner of the vehicle, or his legal representative.

YARD: An open area between a building or use and the adjoining lot lines, or SIDEWALK CLEAR ZONE, unoccupied and unobstructed by any structure or use from the ground upward, except as may otherwise be permitted herein.

Minimum required depth of SIDE YARD, FRONT YARD, or REAR YARDS: In measuring a YARD for the purpose of determining the minimum required depth of a SIDE YARD, FRONT YARD, or FRONT YARD, the minimum building setback shall be used, which is the required minimum distance between the lot line and the nearest primary or secondary building. A required YARD shall mean a YARD the minimum depth of which is specified Title II Article 2. Table of Minimum Lot Area and YARD Requirements, pertaining to the

district in which such YARD is required to be provided.

YARD, FRONT: A YARD extending across the front of a lot between the side lot lines. On corner lots the FRONT YARD shall be considered as parallel to the street upon which the lot has its least dimension.

YARD, REAR: A YARD extending across the rear of a lot between the side lot lines. On all lots the REAR YARD shall be in the rear of the FRONT YARD.

YARD, SIDE: A YARD between the primary building and the side lot line and extending from the FRONT YARD to the REAR YARD.

Maximum permitted depth of SUPPLEMENTAL FRONT YARD S: In measuring a SUPPLEMENTAL FRONT YARD for the purpose of determining the maximum permitted depth, the measurement shall be taken between the SIDEWALK CLEAR ZONE and the nearest BUILDING LINE. In certain cases, where the distance between the SIDEWALK CLEAR ZONE and the nearest LOT LINE is greater than the distance between the SIDEWALK CLEAR ZONE and the BUILDING LINE, the SUPPLEMENTAL FRONT YARD shall always extend to such LOT LINE, except that in C-R and C-5 districts, the SUPPLEMENTAL FRONT YARD shall always extend a minimum depth of five (5) feet behind the LOT LINE, in addition to other maximum depth requirements. A required SUPPLEMENTAL FRONT YARD shall mean a YARD the maximum depth of which is specified Title II Article 2. Table of Minimum Lot Area and Yard Requirements, pertaining to C-R, C-1, C-5, C-6, C-7, and other districts in which such SUPPLEMENTAL FRONT YARD is required, by zoning conditions, to be provided.

YARD, SUPPLEMENTAL FRONT: A required area between the primary building and the sidewalk. (See SIDEWALK AREA, SUPPLEMENTAL FRONT YARD.)

ZERO-LOT-LINE DEVELOPMENT: When a property lot line is located at the outside wall of a building, such that there is zero, or nearly zero, distance between such lot line and such building. A PATIO HOME is a certain type of zero-lot-line, detached, single-family development, which is prohibited in all districts. (See PATIO HOME.) A TOWNHOUSE is a certain type of zero-lot-line, attached unit, residential development that is permitted in certain districts. (See TOWNHOUSE.)

ZONING DECISION: Final legislative action by the City/County, which results in at least one of the following:

1. The adoption of a zoning ordinance;
2. The adoption of an amendment to a zoning ordinance, which changes the text of the zoning ordinance;
3. The adoption of an amendment to a zoning ordinance, which rezones property from one zoning classification to another;
4. The adoption of an amendment to a zoning ordinance by the city, which zones property to be annexed into the city; or
5. The grant of a permit relating to a special use of property.

ARTICLE 6: ILLUSTRATIONS OF DEFINITIONS

The following are illustrations of the Definitions related to the Traditional Mixed-Use Districts, C-R, C-1, C-5, C-6, and C-7. These are illustrations only and not intended to be used as regulatory requirements.