



# CITY OF KINGSLAND, GEORGIA

## PLANNING AND ZONING

AGENDA • JUNE 4, 2018

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Regular Meeting

City Council Chamber

6:00 PM

107 South Lee Street - City Hall, Kingsland, GA 31548

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### I. CALL TO ORDER

|                   |               |
|-------------------|---------------|
| CB Yadav          | Chairman      |
| Bryant Shepard    | Chairman      |
| Farran Fullilove  | Vice Chairman |
| Judy Smith-Burris | Board Member  |
| Fyrth Morris      | Board Member  |
| Lamar Stokes      | Board Member  |
| Daniel Wheeler    | Board Member  |
| C.B. Yadav        | Board Member  |

### II. APPROVE MINUTES FROM LAST MEETING

### III. AGENDA ITEMS

1. Hone Occupation Gatch Pressure Washing 205 Norwood Dr. - Supervisor Paul Speich
2. Annexation of Walkabout Campground 093 042A - Supervisor Paul Speich  
Request for annexation of parcel 093 042A 31.56 ac. Doing business as Walkabout Campground
3. Preliminary Plat for Lake Manor West Parcel 107 005 (In Part) - Supervisor Paul Speich
4. Preliminary Plat Waters Edge III - Supervisor Paul Speich
5. Kingsland Land Development Code Text Amendment - Supervisor Paul Speich  
Correct conflicting terminology in sec. 61.2.3 and sec. 70.2.2.
6. Zoning Text Ammendment Tiny/Small House - Supervisor Paul Speich  
Discussion and comment on zoning text amendment for Tiny/Small District R-8 and definitions.

### IV. ADJOURNMENT





**CITY OF KINGSLAND**  
**APPLICATION FOR HOME OCCUPATION PERMIT**

*This application is based on the requirements of Section 110 of the KLADO and must be filed with the planning and Zoning Administrator at least 4 weeks before the Planning Commission meeting at which it will be heard. Your presence or that of your representative is encouraged at the Planning Commission public hearing.*

APPLICANT: Dustin Gatch PHONE: 912 464 4561

ADDRESS: 205 Norwood Drive

FAX: NA E-MAIL: dwgatch@yahoo.com

Type of use you are requesting:

( ) **Home Office:** (requires planning commission recommendation & city council approval. Permit is valid for as long as the Home Office is located at the address stated herein.)

(X) **Home Occupation:** (requires planning commission recommendation & city council approval. Renewal maybe required if complaints are filed.)

( ) **Residential Business:** (requires planning commission recommendation & city council approval. Renewal maybe required if complaints are filed.)

GROUP/BUSINESS YOU REPRESENT: Gatch's Pressure Washing

STREET ADDRESS WHERE THIS USE IS TO BE LOCATED: 205 Norwood Drive

TAX MAP & PARCEL NUMBER: 0826050 ZONING: R-1

OWNER OF SITE, IF NOT APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

**PLEASE COMPLETE AND ATTACH THE REQUIRED AFFIDAVIT FOR THE PARTICULAR TYPE HOME OCCUPATION YOU ARE APPLYING FOR. (THIS WILL BE FURNISHED BY THE PLANNING & ZONING DEPARTMENT.)**

**ATTACH REQUIRED HOME OCCUPATION PERMIT FEE TO THIS APPLICATION:**

|                        |                |
|------------------------|----------------|
| HOME OFFICE            | \$50.00        |
| <u>HOME OCCUPATION</u> | <u>\$50.00</u> |
| RESIDENTIAL BUSINESS   | \$50.00        |

**I UNDERSTAND THAT I AND/OR THE GROUP I REPRESENT CARRY THE BURDEN OF PROVING THE NEED FOR THIS PERMIT. FURTHER, I/WE AM/ARE RESPONSIBLE FOR THE CONDITION OF THE SITE WHILE THE PERMIT IS IN EFFECT.**

SIGNED: Dustin Gatch DATE: 4/6/18



**CITY OF KINGSLAND**  
**APPLICATION FOR HOME OCCUPATION PERMIT**

**TO BE COMPLETED BY PLANNING & ZONING ADMINISTRATOR**

1. DATE COMPLETE APPLICATION FILED: 4-6-18
2. DATE APPLICANT NOTIFIED THAT COMPLETE APPLICATION HAD BEEN RECEIVED: April 6, 2018
3. DATE PERMIT FEE PAID: \_\_\_\_\_ AMOUNT PAID: \$ 50.00
4. PLANNING COMMISSION REVIEW:  
 ( ) APPROVAL RECOMMENDED ( ) DENIAL RECOMMENDED  
 DATE THIS APPLICATION WAS REVIEWED BY THE PLANNING COMMISSION: \_\_\_\_\_  
 CONDITIONS OF APPROVAL/REASONS FOR DENIAL: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
5. CITY COUNCIL ACTION:  
 ( ) APPROVED ( ) DENIED  
 DATE THIS APPLICATION WAS REVIEWED BY CITY COUNCIL: \_\_\_\_\_  
 CONDITIONS OF APPROVAL/REASONS FOR DENIAL: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
6. DATE APPLICANT NOTIFIED OF FINAL ACTION: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

THIS APPLICATION FOR HOME OCCUPATION HAS BEEN APPROVED AND A BUSINESS LICENSE (WHEN COMPLETED APPLICATION HAS BEEN RECEIVED BY THE CITY) MAY BE ISSUED SHOWING A \_\_\_\_\_ PERMIT HAS BEEN ISSUED.

\_\_\_\_\_  
 PLANNING & ZONING ADMINISTRATOR  
 CITY OF KINGSLAND

\_\_\_\_\_  
 DATE

**CITY OF KINGSLAND**  
**AFFIDAVIT FOR A HOME OCCUPATION**

3.1.a



APPLICANT: Dustin Gatch  
ADDRESS: 205 Norwood Drive  
CITY: Kingsland STATE: Ga ZIP: 31548  
PHONE: (912) 464 4561 FAX: ( ) NA E-MAIL: dwgatch@yahoo.com  
PROPOSED BUSINESS: Gatch's Pressure Washing LOCATION: \_\_\_\_\_  
TAX PARCEL: 082 6050 ZONING: R-1

*A Home Occupation Business is a conditional use that can only be approved subject to the recommendation of the Planning Commission and approval by the City Council. The Planning Commission can recommend approval and the City Council can approve your application subject to it meeting the specific conditions listed below. Either, or both the Planning Commission and City Council may also add any reasonable conditions they deem necessary to insure the orderly operation of the proposed business and its compatibility with the surrounding properties.*

**HOME OCCUPATION:** *An occupation or profession conducted entirely within a dwelling and which is carried on by an occupant thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. There is no access by the public. A Home Occupation is designed to be less restrictive than a Home Office but more than a Residential Business in regard to access by the public, size, visibility, number of employees and types of business.*

**HOME OCCUPATION SHALL MEET THE FOLLOWING CONDITIONS:**

- If the applicant is not the owner of the property, a letter from the property owner must be attached to the application giving permission for the applicant to conduct a home occupation in the premises.
- Home occupations shall not include the repair and/or maintenance of motor vehicles or boats, nor shall it allow manufacturing or any other use which will create noise, noxious odors, or any other hazard that may endanger the health, safety, or welfare of the neighborhood.
- Home occupations shall not allow customers or the public to come to the premises.
- The occupation or profession must be conducted entirely within the dwelling.
- The dwelling must be the bona fide residence of the principal practitioner at the time of the application and the home occupation shall be valid only as long as the original principal practitioner resides in the dwelling, is conducting the business and has a current business license.
- Home occupations shall be limited to no more than twenty-five percent (25%) of the total heated floor area of the residence, or five hundred (500) square feet, whichever is less. The size of the home occupation shall be specified at the time of the application. Please complete: 12420 Sq. Ft. of business area
- \_\_\_\_\_ Sq. Ft. of heated floor area of home
- The portion of the residence in which the business is conducted shall be completely enclosed in a manner that the business is not visible from the surrounding property.
- No other employees other than family members residing on the premises shall be permitted.
- There shall be no exterior evidence of a business being conducted on the premises. No outside storage or display shall be allowed.
- No more than one home occupation or residential business is allowed in a residence at one time.
- One business vehicle used exclusively by the resident is permitted. The vehicle shall be no larger in size than a pick-up truck, panel truck, or van and is limited in size to a one-ton carrying capacity. The vehicle may have reasonable business identification (signs) on it when it is parked at the premises and will not have any equipment used in the business left on the vehicle in a manner that can be seen from the surrounding property.
- Any pickups from and deliveries to the site in regard to the business shall be restricted to vehicles having no more than two axles and shall be restricted to no more than two pickups or deliveries per day. Such pickups and/or deliveries, if any, are to be during daylight hours.

**I HEREBY CERTIFY THAT I HAVE READ THE ABOVE CONDITIONS AND AGREE TO COMPLY WITH EACH REQUIREMENT AS LONG AS THE BUSINESS IS CONDUCTED AT THIS LOCATION.**

Dustin Gatch  
SIGNATURE OF APPLICANT

4/6/18  
DATE

Application for license

April 3, 2018

Dustin Gatch  
DG Pressure Washing  
205 Norwood Drive  
Kingsland, Georgia 31548

Dear City of Kingsland,

I, Dustin Gatch, do hereby apply for a license to conduct services through DG Pressure Washing. I keep all my equipment and supplies at my home at 205 Norwood Drive Kingsland, Georgia and travel to my customer's homes to complete the services. Please consider my request.

Very Respectfully,  
Dustin Gatch

Attachment: Gatch Home Occupation (2160 : Home Occupation Gatch Pressure Washing)

## APPLICATION FOR PRELIMINARY SUBDIVISION PLAT—KINGSLAND, GA



APPLICANT: Read **Part A** completely, then answer each item in **Part B**. Please print or type. Do not write in **Part C**. The Planning Department will help you, if necessary. Failure to supply complete information will result in plat disapproval. You must file this application and all required materials with the Planning Department at least 26 days before the Planning Commission meeting at which it will be considered.

**Part A—General Information**

You are encouraged to read articles XII through XIV of the Kingsland Zoning and Land Development Ordinance. These articles describe the standards each subdivision must meet and explain the procedures the City will follow to review your proposed plat. The sketch below shows these steps for a typical plat. See Section 122 for filing fees and Section 129 for exceptions.

Application, fee, and required materials filed with Planning Department

Planning Commission Reviews Preliminary Plat (recommends action)

City Council Reviews Preliminary Plat (approves/disapproves)

Planning Commission Reviews Final Plat (recommends action)

City Council Reviews Final Plat (approves/disapproves)

Mayor/Commission Chairman Sign Approved Final Plat

Superior Court Clerk Records Approved Final Plat

You should be aware of these important requirements:

- No work may begin on the proposed subdivision (with the exception of clearing underbrush for surveying or engineering purposes) until the preliminary plat has been approved and any required permits obtained.
- No lots shall be sold until the final plat has been approved.
- The final plat shall be approved only after all applicable requirements of the subdivision regulations and other regulations have been met.

**Part B — Applicant Only**

1. Your Name: BERNETT SURVEYING, INC Phone: 912-673-8940  
Address: 102 MARSH HARBOUR PKWY, UNIT 103
2. Owner, if not same: KINGSLAND, GA. 31548  
Name: SONCEC, INC.  
Address: 140 LAKES BVD, KINGSLAND GA. 31548
3. What is your interest if you are not the owner?  
AGENT
4. Name of proposed subdivision: LAKE MANOR WEST
5. Location of subdivision: Neighborhood: THE LAKES  
Street: THE LAKES BOULEVARD  
Parcel Number: 107 005 (PORTION OF) Lot Number: \_\_\_\_\_
6. Present zoning: PD (R-1 USAGE)
7. Number of proposed lots: 24 LOTS, 2 TRACTS
8. Area of proposed subdivision: THE LAKES NEAR COASTAL COLLEGE
9. Please attach the following items to this application. This application will NOT be considered complete and cannot be processed until you have done so.
  - ☒ - Preliminary Plat (Original and 9 copies)
  - ☒ - Vicinity Map
  - PD (if applicable)
  - Proof of ownership

**Part C - Planning Official Only**

1. Date application was filed: 5/9/2018
  2. Was this at least 26 days before the Planning Commission meeting at which it will be reviewed? ☒ Yes ☐ No
  3. Checked by: A. Speich
  4. Are Preliminary Plat and application complete? ☒ Yes ☐ No
  5. Correct fee paid? ☒ Yes ☐ No ☐ Not applicable
  6. Date preliminary plat reviewed by Planning Commission: \_\_\_\_\_  
( ) Approved ( ) Disapproved
- Conditions of approval or reasons for disapproval: \_\_\_\_\_

Project Management - (Edit)

3.3.a

FileEditOptionsFunctionsHelp

Project #180164Next Project #

Property000LAKE MANOR W

DescriptionPRELIMINARY PLAT

Issued toSONCEL CONSTRUCTION INC

GeneralSegmentsFinancialProperty InfoInformationCommentsHistoryFootprintConditionsDescription

Segments

PD - PLANNED DEVELOPMENT

PD - PLANNED DEVELOPMENT - Not Started

StatusNot Started

Issued5/09/2018Expiration11/09/2018

Estimated Value.00

Building Code441OTHER

Type Code

Financial

| Fees   | Payments | Balance |
|--------|----------|---------|
| 390.00 | 0.00     | 390.00  |

Contractor

SONCEL INC

Print PermitPrint CertificateAdd SegmentRemove SegmentAdd PhaseRemove Phase

☒ Edit This Record

Ok Cancel

Edit

igorge

PAID  
MAY 09 2018  
City of Kingsland

Attachment: Lake Manor West (2155 : Preliminary Plat for Lake Manor West Parcel 107 005 (In Part))

Packet Pg. 8

## APPLICATION FOR PRELIMINARY SUBDIVISION PLAT—KINGSLAND, GA



APPLICANT: Read **Part A** completely, then answer each item in **Part B**. Please print or type. Do not write in **Part C**. The Planning Department will help you, if necessary. Failure to supply complete information will result in plat disapproval. You must file this application and all required materials with the Planning Department at least 26 days before the Planning Commission meeting at which it will be considered.

**Part A—General Information**

You are encouraged to read articles XII through XIV of the Kingsland Zoning and Land Development Ordinance. These articles describe the standards each subdivision must meet and explain the procedures the City will follow to review your proposed plat. The sketch below shows these steps for a typical plat. See Section 122 for filing fees and Section 129 for exceptions.

Application, fee, and required materials filed with Planning Department

Planning Commission Reviews Preliminary Plat (recommends action)

City Council Reviews Preliminary Plat (approves/disapproves)

Planning Commission Reviews Final Plat (recommends action)

City Council Reviews Final Plat (approves/disapproves)

Mayor/Commission Chairman Sign Approved Final Plat

Superior Court Clerk Records Approved Final Plat

You should be aware of these important requirements:

- No work may begin on the proposed subdivision (with the exception of clearing underbrush for surveying or engineering purposes) until the preliminary plat has been approved and any required permits obtained.
- No lots shall be sold until the final plat has been approved.
- The final plat shall be approved only after all applicable requirements of the subdivision regulations and other regulations have been met.

**Part B — Applicant Only**

1. Your Name: William H. Gross Phone: 322-1148  
Address: P.O. Box 365 Kingsland, GA 31548
2. Owner, if not same:  
Name: Waters Edge Kingsland Holdings, LLC  
Address: P.O. Box 365 Kingsland, GA 31548
3. What is your interest if you are not the owner?  
\_\_\_\_\_
4. Name of proposed subdivision: Waters Edge, Phase III
5. Location of subdivision: Neighborhood: Waters Edge SD  
Street: Cedar Breeze + Hayworth Court  
Parcel Number: 108 073 Lot Number: undeveloped Waters Edge
6. Present zoning: PUD R-1
7. Number of proposed lots: 22
8. Area of proposed subdivision: 6.25 Acres
9. Please attach the following items to this application. This application will NOT be considered complete and cannot be processed until you have done so.
  - Preliminary Plat (Original and 9 copies)
  - Vicinity Map
  - PD (if applicable)
  - Proof of ownership

**Part C - Planning Official Only**

1. Date application was filed: \_\_\_\_\_
2. Was this at least 26 days before the Planning Commission meeting at which it will be reviewed? ( ) Yes ( ) No
3. Checked by: \_\_\_\_\_
4. Are Preliminary Plat and application complete? ( ) Yes ( ) No
5. Correct fee paid? ( ) Yes ( ) No ( ) Not applicable
6. Date preliminary plat reviewed by Planning Commission: \_\_\_\_\_  
( ) Approved ( ) Disapproved

Conditions of approval or reasons for disapproval: \_\_\_\_\_

PAID  
MAY 14 2018  
City of Kingsland

Attachment: Waters Edge III (2161 : Preliminary Plat Waters Edge III)

4/16/18  
 CAMDEN CO. CLERK'S OFFICE

2015 DEC 29 AM 11:15

Prepared By/Return to:  
 Blair C. Strain, P.C.  
 202 Arnow Drive  
 St. Marys, Georgia 31558  
 File No: 151053

CAMDEN COUNTY, GEORGIA  
 REAL ESTATE TRANSFER TAX  
 PAID \$ 980.00  
 This 29th day of December 2015

BOOK PAGE

1787 00274

008305

*Joy Lynn Turner*  
 Clerk of Superior Court  
 Joy Lynn Turner

## LIMITED WARRANTY DEED

STATE OF GEORGIA  
 COUNTY OF CAMDEN

THIS INDENTURE, made the 21<sup>st</sup> day of December, two thousand fifteen, by and between

**WATERS EDGE HADDOCK ROAD, LLC,**

as party or parties of the first part, hereinafter called Grantor(s), and

**WATERS EDGE KINGSLAND HOLDINGS, LLC,**

as party or parties of the second part, hereinafter called Grantee(s) (words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That said Grantor(s), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained and sold, conveyed and transferred and by these presents does hereby grant, bargain and sell, convey, transfer and set over unto said party of the second part, his/her heirs and assigns.

SEE EXHIBIT A

SUBJECT TO: Conditions, restrictions limitations, easements, zoning ordinances of record, if any, and taxes for 2016 and subsequent years.

TO HAVE AND HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee(s) forever in FEE SIMPLE.

AND THE SAID Grantor(s) will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through and under the Grantor, but not further or otherwise.

IN WITNESS WHEREOF, Grantor(s) has/ have signed and sealed this deed, the day and year first above written.

LIMITED WARRANTY DEED  
 PAGE 1 OF 2

Attachment: Waters Edge III (2161 : Preliminary Plat Waters Edge III)

BOOK PAGE  
1787 00275

Signed, sealed and delivered in the presence of

Stella E. Lyman  
WitnessJ. Hall (L.S.)  
BY:  
ITS: Managing MemberKimberly A. Gernich  
Notary Public, State of  
My Commission Expires: Feb 13, 2017  
State of Florida  
Clay County  
Personally KnownKIMBERLY A. GERNICH  
Notary Public, State of Florida  
My Comm. Expires Feb. 13, 2017  
Commission No. EE 863131

CLERK'S NOTE CONTINUE NEXT PAGE

LIMITED WARRANTY DEED  
PAGE 2 OF 2

Attachment: Waters Edge III (2161 : Preliminary Plat Waters Edge III)

File No. 151053  
Waters Edge Haddock Road / Gross  
Multiple Lots Waters Edge  
Kingsland, Georgia 31548

BOOK PAGE  
1787 00276

#### Exhibit A

All those lots, tracts or parcels of land lying and being in the City of Kingsland, 1606<sup>th</sup> G.M. District, Camden County, Georgia, more particularly described as follows:

##### PHASE I LOTS:

Lots 7-12, 14-17, 19, 21-25, 27, 90, 91, 93-95, 97, 98, 130, 136, and 142 of Water's Edge ~ Phase I Subdivision, as more fully and accurately shown and described on that certain plat of survey by Ernest R. Bennett, Jr., Georgia Registered Land Surveyor No. 2893, dated September 7, 2007, recorded in Plat Drawer No. 23, Page No. 60, of the public records of Camden County, Georgia.

##### PHASE II LOTS:

Lots 103-107, 110, 113-115, 117, 118, and 121-124 of Water's Edge ~ Phase II Subdivision, as more fully and accurately shown and described on that certain plat of survey by Ernest R. Bennett, Jr., Georgia Registered Land Surveyor No. 2893, dated June 10, 2008, recorded in Plat Drawer No. 24, Page No. 32, of the public records of Camden County, Georgia.

##### PHASE III LOTS:

Proposed Lots 28-46 Water's Edge ~ Phase III Subdivision, and the proposed road lying between them, more particularly described as follows:

BEGINNING at the northwesterly corner of Lot 27 of Water's Edge ~ Phase I Subdivision, as more fully and accurately shown and described on that certain plat of survey by Ernest R. Bennett, Jr., Georgia Registered Land Surveyor No. 2893, dated September 7, 2007, recorded in Plat Drawer No. 23, Page No. 60, of the public records of Camden County, Georgia, and FROM SAID POINT OF BEGINNING, running North 18° 36' 39" East 291.79 feet, along the westerly line of Lots 28 and 29, across an unnamed 60-foot road and its 25-foot cut-outs, and along the westerly line of Lot 46, to the northwesterly corner of Lot 46; thence, running South 72° 23' 31" East

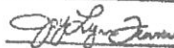
110.02 feet along the northeasterly line of Lot 46 to the northwesterly line of Lot 45; thence, running North 18° 36' 39" East 30.00 feet along the northwesterly line of Lot 45 to said Lot's northwesterly corner and the northeasterly line of Water's Edge ~ Phase III Subdivision; thence, running South 72° 23' 31" East 556.20 feet along said northeasterly line to a point of intersection with the northwesterly right-of-way line of Haddock Road; thence, running South 22° 38' 57" West 291.12 feet along the southeasterly line of Water's Edge ~ Phase III Subdivision and the northwesterly right-of-way line of Haddock Road to a point of intersection with the northeasterly line of Water's Edge ~ Phase I Subdivision; thence, running North 72° 23' 31" West along the northeasterly line of Water's Edge ~ Phase I Subdivision 545.60 feet to the northwesterly corner of Lot 26 of Water's Edge ~ Phase I Subdivision; thence, running South 18° 36' 39" West along the northwesterly line of the said lot 31.76 feet to the northeasterly corner of Lot 27 of Water's Edge ~ Phase I Subdivision; thence, running North 72° 23' 31" West 100.01 feet to the Point of Beginning.

Proposed Lots 143-145 of Water's Edge ~ Phase III Subdivision, and adjacent proposed roads, more particularly described as follows:

BEGINNING at the northwesterly corner of Lot 90 of Water's Edge ~ Phase I Subdivision, as more fully and accurately shown and described on that certain plat of survey by Ernest R. Bennett, Jr., Georgia Registered Land Surveyor No. 2893, dated September 7, 2007, recorded in Plat Drawer No. 23, Page No. 60, of the public records of Camden County, Georgia; thence, running North 18° 36' 39" East 60 feet across a proposed road to the southwesterly corner of Lot 143; thence, running North 18° 36' 39" East 240.00 feet along the northwesterly line of Lots 143, 144, and 145 to the northwesterly corner of Lot 145; thence, running South 71° 23' 21" East 85.00 feet to the point in the northeasterly line of Lot 145 where it intersects a proposed road cut-out; thence, running South 70° 32' 39" East 85.11 feet across a 25-foot cut-out and a 60-foot proposed road to a point; thence, running South 18° 36' 39" West 300.00 feet to the northerly line of Water's Edge ~ Phase I Subdivision; thence, running North 70° 32' 39" West 85.11 feet to a point in the northeasterly line of Lot 90; thence, running North 71° 23' 21" West 85.00 feet along the northeasterly line of Lot 90 to the point of beginning.

All of the property conveyed herein is subject to the Declaration of Covenants, Conditions, and Restrictions for Water's Edge - Phase I Subdivision, dated April 21, 2008, as recorded in Record Book 1423, Page 541.

Recorded DEC 29 2015

  
Clerk of Court

General | Segments | Financial | Property Info | Information | Comments | History | Footprint | Conditions | Description

|                  |        |                                                                                     |
|------------------|--------|-------------------------------------------------------------------------------------|
| Balance          | 370.00 |                                                                                     |
| Pending Activity | 0.00   |  |
| Securities       | 0.00   |  |

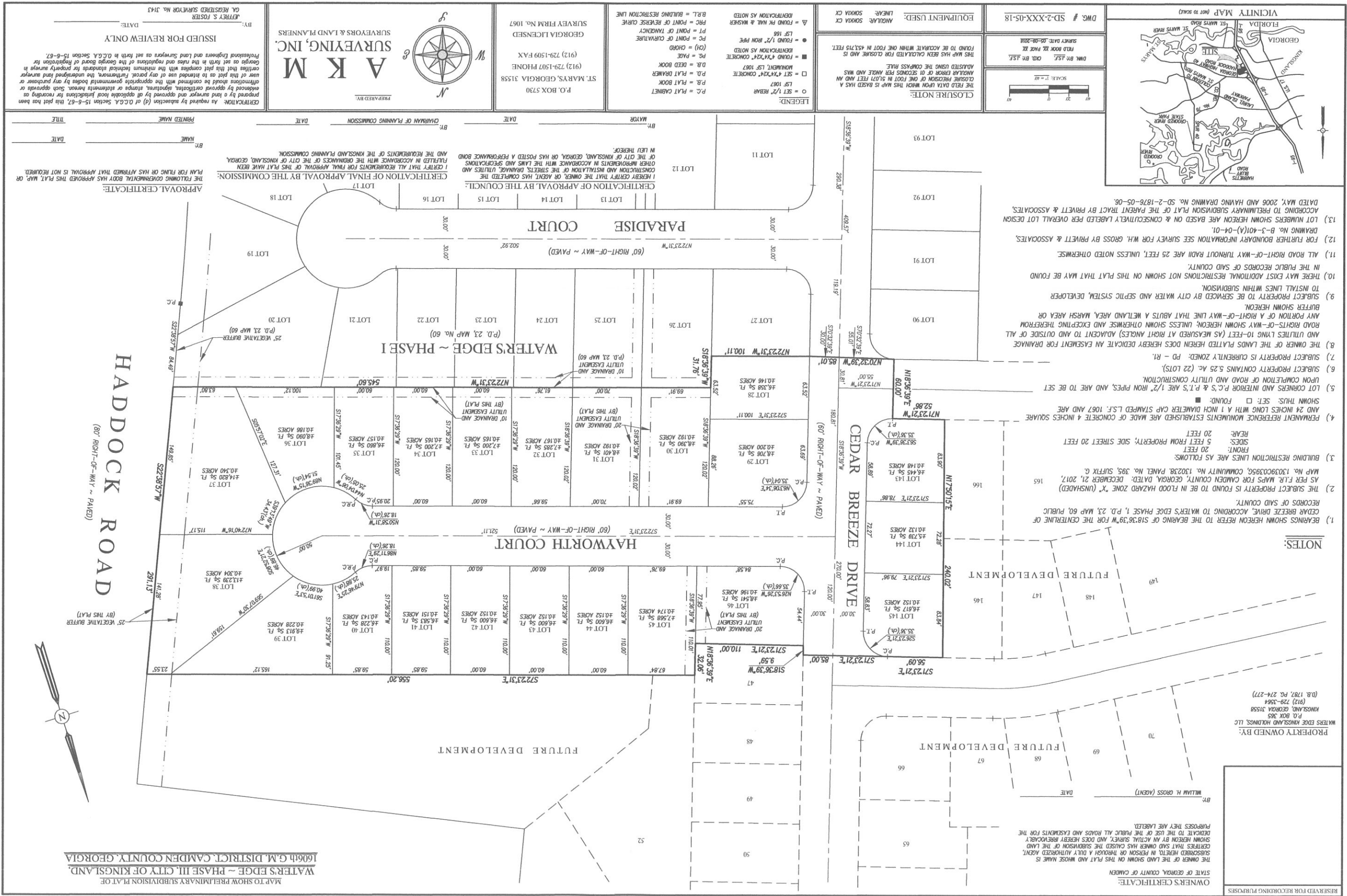
[Edit This Record](#)

 Clear

View

jgeorge

**PAID**  
MAY 14 2018  
City of Kingsland



Sec. 61. - Commercial districts.

61.1. C-1, Central Business District (CBD).

61.1.1. *Intent of District.* The intent of this district is to allow a more intense use of land within the Downtown Section of the City of Kingsland.

61.1.2. *Required Conditions.* All business, servicing, storage or processing shall be conducted within a completely enclosed building except where the nature of the activity makes it impossible, as for example, off-street loading, automobile parking for customers while on the premises, and the sale of automobile fuel at service stations. Uses, processes or equipment employed shall be limited to those which are not objectionable by reason of odor, dust, bright lights, smoke, noise or vibration.

(1) Any retail business or commercial use in which there is no processing or treatment of material goods, or products except as provided for, including:

- (a) Appliance stores, including radio and television service.
- (b) Art and antique shops.
- (c) Bakeries employing not more than ten (10) persons.
- (d) Banks and drive-in banks.
- (e) Bicycle stores.
- (f) Book, stationery, camera or photographic supply stores.
- (g) Confectionery stores.
- (h) Clothing, shoes, millinery, drygoods and notions.
- (i) Ice Cream Parlors.
- (j) Drug stores.
- (k) Furniture, home furnishings, including office furniture and equipment.
- (l) Florist, nursery and gift shop.
- (m) Grocery, fruit, vegetable, meat market, delicatessen, catering and super markets.
- (n) Hardware and paint stores.
- (o) Jewelry stores.

(2) Any of the following service businesses:

- (a) Barber and beauty shops.
- (b) Cafes, grills, lunch counters, and restaurants.
- (c) Dress making and tailoring shops.
- (d) Dry cleaning and laundry establishments, including pick-up stations but not including self-service laundry.
- (e) Shoe repair shops.

- (f) Brewpubs and beer/wine pubs.
- (3) Office Building.
- (4) Fall-out shelters provided the requirements in Section 83 are met.
- (5) Signs as provided in Section 120.
- (6) Automobile service stations provided the requirements in Section 111 are met.
- (7) Theaters, but not including drive-in theaters.
- (8) Public utility structures and buildings, including electric and natural gas, substations, telephone exchanges, radio and television stations, and similar structures for the storage of supplies, equipment or service operations when properly screened as required in Section 59.
- (9) Churches and other places of worship with attendant education and recreational buildings.
- (10) Private clubs, fraternal orders or lodges.
- (11) Commercial parking garages or lots provided no entrance or exit be on the same side of the street and within the same block as a school and the curb breaks be limited to two for each 100 feet of street frontage, each not to exceed 30 feet in width and not located closer than 20 feet to a street intersection.
- (12) Multi-family dwellings provided the requirements in the R-3 Residential District are met.
- (13) All uses of a predominantly retail nature, including:
  - (14) Electrical supplies.
  - (15) Heating and plumbing equipment.
  - (16) Dairy products.
  - (17) Bakeries.
  - (18) Tires, batteries, and other automotive accessories.
  - (19) Sporting goods.
  - (20) Farm and garden supplies.
  - (21) Finance, insurance, and real estate office.
  - (22) Public and private schools and libraries.
  - (23) Hotels and motels.
  - (24) Automobile sales (new and used), which need not be enclosed, but any mechanical or body repair must be conducted entirely within a structure which shall not have any openings, other than windows, when facing a residential district or within 100 feet of a said district and provided that all vehicles on a used car lot be in operating condition at all times.
  - (25) Amusement enterprises including the provision of stage entertainment.

(26) Places of assembly including auditoriums, stadiums, coliseums and dance halls.

(27) Temporary uses, including sale of Christmas trees, carnival, church bazaars; but not including seasonal sale of fruits and vegetables from roadside stands, but such uses shall not be permitted for a period to exceed two months in any calendar year.

(28) Open air markets.

(29) Breweries limited to the manufacture of 10,000 barrels of malt beverage per year.

61.1.3. The following uses may be permitted as special exceptions by the City Council in accordance with the provisions of Article XXIV:

(1) Printing, blue printing, book binding, photostating, lithography and publishing establishments.

(2) Satellite Dish Antennas, provided that the requirements in Section 130.2 are met.

61.1.4. Prohibited Uses

(1) Manufactured Housing

61.2. C-2, *General Commercial District*.

61.2.1. *Intent of District*. Within a C-2 General Commercial District, uses are restricted to those which are designed to serve the automobile, its passengers and highway users and to provide community shopping facilities consisting of a wide variety of sales and service facilities.

61.2.2. *Required Conditions*. All businesses servicing, storage or processing shall be conducted within a completely enclosed building except where the nature of the activity makes it impossible, as for example, off-street loading, automobile parking for customers while on the premises, miniature golf courses, and the sale of automobiles or equipment employed shall be limited to those which are not objectionable by reason of odor, dust, bright lights, smoke, noise or vibration.

61.2.3. *Within C-2 Highway Commercial District*, the following uses are permitted:

(1) All uses permitted in a C-1 District.

(2) Amusement enterprises, such as Miniature and Par-3 golf, golf driving ranges, skating rinks and similar enterprises but excluding "go-kart" type miniature auto racing track.

(3) Automobile laundry or car wash provided that a paved area shall be located on the same lot for the storage of vehicles awaiting entrance to the washing process sufficient to contain a number of vehicles (at 200 square feet per vehicle) equal to one-third of the practical hourly capacity of the washing machine and in addition that curb breaks be limited to two (2) each, not to exceed 20 feet to a street intersection.

(4) Signs as provided in Section 120.

(5) Bus stations.

(6) Automobiles, travel trailers, and mobile home sales, automobile repair garages, mechanical and body, provided all operations are conducted in a building which shall not have any openings, other than a stationary window, within 100 feet of a residential district and which shall not store or otherwise maintain any parts or waste material outside such building.

(7) Restaurants, including drive-in establishments, provided that such a drive-in establishment abuts a residential district by a six (6) foot high masonry wall and having no light shining directly into residential district.

(8) Travel Trailer Parks, provided the requirements in Section 80 are met.

(9) Truck Terminals, provided that acceleration and deceleration lanes of at least 200 feet are provided for trucks entering and leaving the site and that the truck traffic so generated will not create a safety hazard or unduly impede traffic movement.

(10) Theaters, including drive-in theaters, provided acceleration and deceleration lanes of at least 200 feet are provided for the use of vehicles entering or leaving the theater and the volume of concentration of traffic will not constitute a safety hazard or unduly impede highway traffic movements, and provided the screen is not visible from any expressway, freeway, arterial or collector street located within 2,000 feet of such screen.

(11) Accessory buildings and uses when located on the same lot or parcel of land as the main structure and customarily incidental thereto, provided the requirements in Section 82 are met.

(12) Sale of souvenirs, gifts, novelties, pottery and sundries tailored to the tourist business.

(13) Temporary use, including the sale of Christmas trees, carnivals, church bazaars, sale of seasonal fruit and vegetables from roadside stands, but such uses not permitted for a period to exceed four months in any calendar year.

(14) Veterinary hospitals or clinics, provided any structure of open area used for such purpose shall be a minimum of one hundred (100) feet from a residential district.

(15) Ambulance service.

(16) Boat sales, indoor and outdoor.

(17) Bowling alleys.

(18) Self-service laundry.

(19) Shopping centers and/or malls.

(20) Supermarkets, grocery stores.

(21) Department and clothing stores.

(22) Bicycle and motorcycle stores.

(23) Hospitals, sanitariums, clinics, convalescent, funeral homes, or nursing homes.

(24) A zoning text amendment to add tattoo parlor as a permitted use within the C-2 General Commercial District.

61.2.4. The following uses may be permitted as special exceptions by the City Council in accordance with the provisions of Article XXIV:

1. Mini-warehouse storage provided the following requirements are met:

a) No wholesale warehouse storage use or retail merchandise storage use shall be permitted.

b) Site will be buffered form view along public highways and right-of-ways and where abutting residential area.

c) General provisions of this Ordinance are met as specified in Article.

d) Care facilities, to include (but not limited to) child day care, family day care, group day care, group day care, and similar care facilities. This use is conditioned upon (1) the property being properly fenced for the safety of those being cared for, and (2) there is suitable access in and out of the facility so as not to cause a traffic and/or safety hazard.

2. Columbariums as an accessory use for fee simple churches.

3. Turkey shoots when conducted from the last weekend in September through the last Saturday before Thanksgiving and firing only between 10:00 a.m. and 10:00 p.m. at most. No alcohol sales or possession is allowed on the site during shoots. The site will be inspected for appropriateness by the Kingsland police before Planning Commission recommendation. Items to be considered include but shall not be limited to distance to roads, residences, and churches; and presence of berms or other barriers. Shorter allowed times and other conditions may be attached by the Planning Commission or City Council as part of the special exception. No firing will be permitted except on Fridays and Saturdays.

61.3. *C-3, deleted and merged with C-2*

61.4. *C-4, Interchange Commercial.*

61.4.1. *Intent of the District.* The intent of this district is to allow more intense use of land within the I-95 Interchange areas of the City of Kingsland and is created to serve predominantly the needs of inter-regional traffic at interchanges on limited access thoroughfares. The uses allowed in this district should be limited to the needs of truckers and travelers, which are food, service, fuel and lodging.

61.4.2. *Permitted Uses.*

A. Property and buildings in C-4, Interchange Commercial District shall be used for the following purposes:

- (1) Filling stations
- (2) Auto or truck repair shops
- (3) Restaurants and lounges
- (4) Hotels and motels
- (5) Gift shops
- (6) Tent and Trailer campgrounds
- (7) Accessory uses and structures incidental to the above uses.
- (8) Truck terminals as provided in Section 61.2.3 (13).
- (9) Satellite Dish Antennas, provided that the requirements in Section 130.2 are met.

B. *Special Permit Uses.* The following uses may be permitted in accordance with provisions contained in 61.2.2., and if additional conditions which may be required are met:

- (1) Churches
- (2) Banks
- (3) Professional and business offices
- (4) Plant nurseries

C. Reserved

D. *Other Requirements*

- (1) Uses permitted in C-4 Districts shall meet the standards set forth in pertaining to off-street parking, loading requirements.
- (2) Signs permitted in C-4 Zoning Districts shall meet the requirements set forth in Sign Ordinance and Regulations, Section 120.

61.5. *C-5, Neighborhood Convenience Center District*

61.5.1. *Intent of District.* The purpose of the C-5 Neighborhood Convenience Center District is to provide locations for small convenience shopping facilities. These facilities are intended to serve the daily or frequent trade or service needs of immediate surrounding populations.

61.5.2. *Required Condition.* Retail sales, displays of merchandise, and storage must be within a completely enclosed building except that the Planning Commission may grant an exception to this requirement (as a conditional use) where it finds that enforcement would create an unreasonable hardship. This district shall be limited to developments not exceeding ten thousand (10,000) square feet of gross leasable floor area and no single usage exceeding four thousand (4,000) square feet. No two developments may be collocated.

61.5.3 *Permitted uses.*

- (1) All uses permitted in a C-1 District.
- (2) Self-service laundry.
- (3) Signs as provided in Section 120.

61.6. *C-ED, Commercial-Entertainment District.*

61.6.1. *Intent of the District.* The intent of this district is to allow more intense use of land within the I-95 Interchange proximity areas of the City of Kingsland and is created to serve predominantly the needs of inter-regional destination attractions. The uses allowed in this district should be directed to the needs of tourists, travelers, convention attendees and others attracted to a destination entertainment, amusement, or sports venue.

61.6.2. *Permitted Uses.*

A. Property and buildings in C-ED, Commercial Entertainment District shall be used for the following purposes:

- (1) Amusement centers
- (2) Sports centers
- (3) Other commercial recreation, including but not limited to zip lines, climbing walls, ropes courses, go carts, skating rinks, and miniature golf courses

- (4) Theaters, including outdoor theaters and stages
- (5) Event arenas and staging areas
- (6) Arcades/amusements
- (7) Food service establishments, including but not limited to full service establishments, fast food, and vending carts
- (8) Hotels and motels
- (9) Tent, trailer and recreation vehicle campgrounds for short term occupancy (less than 30 days)
- (10) Other tourist oriented lodging
- (11) Timeshare/fractional ownership units not intended for permanent housing
- (12) Convention, conference and banquet facilities
- (13) Bowling centers
- (14) Passenger carrying tethered helium balloons
- (15) Spas and wellness centers
- (16) Zoos, aviaries and other animal attractions
- (17) Art galleries and museums
- (18) Child care targeted for district visitor/employee families
- (19) Professional and business offices in support of operations within the district or adjacent districts
- (20) Maintenance and repair facilities in support of operations within the district or adjacent districts
- (21) Plant nurseries in support of operations within the district or adjacent districts
- (22) Retail and service shops that are ancillary to a hotel or motel or other amusement or sports center or campground
- (23) Retail establishments (book stores, clothing, specialty retail, confectionary, bakery, etc.) that are part of a planned and designated retail area within the district
- (24) Gift and souvenir shops
- (25) Sporting goods shops and stores
- (26) Farmers markets
- (27) Artisan shops and events
- (28) Media production and broadcast facilities
- (29) Accessory uses and structures incidental to the above uses.

*61.7. C-PLMU, Commercial-Planned Large Multi-Use District.*

*61.7.1. Intent of the District.* The intent of this district is to allow more intense use of land within the I-95 Interchange proximity areas of the City of Kingsland and is created to serve the needs of inter-regional destination attractions mixed with more local uses usually associated with metropolitan cities. The uses allowed in this district should be directed to the needs of tourists, travelers, convention attendees and others attracted to a destination entertainment, amusement, or sports venue or suburban metropolitan centers. Development should be planned in large units, not haphazardly.

*61.7.2. Permitted Uses.*

A. Property and buildings in C-PLMU, Commercial Planned Large Multi-Use District shall be used for the following purposes:

- (1) Amusement centers.
- (2) Sports centers.
- (3) Other commercial recreation, including but not limited to zip lines, climbing walls, ropes courses, go carts, skating rinks, and miniature golf courses.
- (4) Theaters, including outdoor theaters and stages.
- (5) Event arenas and staging areas.
- (6) Arcades/amusements.
- (7) Food service establishments, including but not limited to full service establishments, fast food, and vending carts.
- (8) Convention, conference and banquet facilities.
- (9) Bowling centers.
- (10) Spas and wellness centers.
- (11) Zoos, aviaries and other animal attractions, but not standalone petting zoos.
- (12) Art galleries and museums.
- (13) Arboreta.
- (14) Child care.
- (15) Professional and business offices.
- (16) Maintenance and repair facilities in support of operations within the district or adjacent districts.
- (17) Plant nurseries in support of operations within the district or adjacent districts.
- (18) Shopping centers and/or malls.
- (19) Retail and service establishments (book stores, clothing, specialty retail, confectionary, bakery, etc.) that are part of a planned and designated retail area within the district.
- (20) Gift and souvenir shops.
- (21) Sporting goods shops and stores.

- (22) Farmers markets.
- (23) Artisan shops and events.
- (24) Media production and broadcast facilities.
- (25) Convenience stores and service stations.
- (26) Tires, batteries, and other automotive accessories.
- (27) Automated automobile carwashes.
- (28) Public utility structures and buildings.
- (29) Churches and other places of worship.
- (30) Public and private educational facilities.
- (31) Hotels and motels.
- (32) Tent, trailer and recreation vehicle campgrounds for short term occupancy (less than 30 days).
- (33) Other tourist oriented lodging.
- (34) Timeshare/fractional ownership units not intended for permanent housing.
- (35) Multifamily housing.
- (36) Hospitals and clinics including veterinary hospitals and clinics.
- (37) Assisted living centers, nursing homes, and convalescent centers.
- (38) Parking structures.
- (39) Accessory uses and structures incidental and secondary to the above uses.

(Amend. of 7-23-2007; Ord. No. 2009-3, 4-27-2009; Amend. of 7-26-2010; Ord. No. 2014-03, 3-31-2014; [Ord. No. 2015-16, 10-26-2015](#); [Ord. No. 2015-19, 12-28-2015](#); Ord. No. [2017-08](#), 8-28-17; Ord. No. [2017-09](#), 10-23-2017)

Sec. 70. - Minimum lot area, lot width, required yards, maximum building height and maximum lot coverage.

Within each district the following minimum lot areas, minimum lot widths, minimum yard requirements, maximum height requirements, and maximum lot coverages shall apply unless otherwise specified in this Ordinance:

*70.1. Residential Districts.*

*70.1.1. R-1 Single Family Residential*

- 1 Minimum lot area: 10,000 square feet
- 2 Minimum lot width at the building line: 75 feet
- 3 Minimum front yard setback from street: 25 feet
- 4 Minimum side yard setback from street: 25 feet setback from other property line: 10 feet
- 5 Minimum rear yard setback from street: 25 feet setback from other property line: 15 feet
- 6 Maximum building height: 35 feet

*70.1.2. R-2 Low Density Residential*

1. Minimum lot area:
  - a. Single-family dwellings: 10,000 square feet
  - b. Two and three family dwellings: 4,000 square feet per dwelling unit
  - c. Townhouses: 10,000 square feet for the first three units, plus 4,000 square feet for each additional unit.
    - 1 Minimum lot width at building line: 70 feet
    - 2 Minimum front yard setback from street: 25 feet
    - 3 Minimum side yard setback from street: 25 feet setback from other property line: 10 feet
    - 4 Minimum rear yard setback from other property line: 15 feet
    - 5 Maximum percentage of lot coverage 35 feet
    - 6 Maximum building height: 35 feet
    - 7 Minimum dwelling unit size (heated area):
      - a. Single-family dwellings: None
      - b. Two and three family dwellings: 600 square feet per unit
      - c. Townhouses: None

*70.1.3 R-3, Medium and High Density Multi-Family Residential District*

- (1) Minimum lot area:

(a) Two and three family dwellings: 4,000 square feet per unit.

(b) Multi-family dwellings of more than three units:

8,000 square feet for the first two units; plus 2,000 square feet for each additional unit.

(2) Minimum lot width at building line:

(a) Condominium and Apartment Developments: 70 feet

(b) Townhouses: 60 feet

(3) Minimum front yard setback from street: 25 feet

(4) Minimum side yard:

(a) Apartments/ condominiums, setback from street: 25 feet Setback from other property line: 10 feet

(b) Townhouses, setback from street: 25 feet

Setback from other property not a part of the townhouse building: 10 feet

(5) Minimum rear yard setback from street: 25 feet Setback from other property line: 15 feet

(6) Maximum percentage of lot coverage: 35%

(7) Maximum building height: 45 feet or 3 stories

(8) Minimum dwelling unit size:

(a) Two and three family dwellings: 600 square feet per unit

(b) Multi-family dwelling of more than three units: 600 square feet for the first six (6) units; 500 square feet for the next six (6) units; and 400 square feet per unit in addition to the first twelve (12) units.

#### 70.1.4. *R-4, Single-Family Mobile Home District*

(1) Minimum lot area: 7,500 square feet

(2) Minimum lot width at the building line: 50 feet

(3) Minimum front yard setback from street: 25 feet

(4) Minimum side yard setback from street: 25 feet Setback from other property line: 10 feet

(5) Minimum rear yard setback from street: 25 feet Setback from other property line: 15 feet

(6) Maximum percentage of lot coverage: 30%

(7) Maximum building height: 20 feet

#### 70.1.5 *R-5, Mobile Home Park District*

1 Minimum lot area: Five (5) acres

2 Maximum density: Seven (7) mobile homes per acre.

3 Minimum space area: Each mobile home shall be located on a lot or space having an area of at least 4,000 square feet.

4. Mobile Home Placement and Separation. The minimum distance required for the separation of a mobile home shall be:

20 feet from side to side; 20 feet from side to rear; 15 feet from rear to rear; setback from interior driveways shall be at least 15 feet. Mobile home placement for sale centers on Highway 40 E. shall have a minimum setback of 25' from the front property line.

5 No mobile home shall be located closer than 30 feet from street right-of-way lines and not closer than 20 feet from property line.

#### 70.1.6. *R-6 Single-Family Large Tract Residential District*

1 Minimum lot area: 1.5 Acres

2 Minimum lot width at the building line: 100 feet

3 Minimum front yard setback from property line: 30 feet

4 Minimum side yard setback from property line: 20 feet setback from corner street property line: 25 feet

5. Minimum rear yard setback from property line: 30 feet setback from rear street property line: 20 feet

6 Maximum building height: 35 feet

7 Maximum percentage of lot coverage: 40 percent

8 Minimum subdivision size: 100 Acres

#### 70.1.7. *R-7 Townhouse Residential District*

1 Minimum lot area: 1600 square feet

2 Minimum lot width at the building line: 16 feet

3 Minimum front yard setback from property line: 15 feet

4 Minimum side yard setback from property line: 0 feet setback from corner street property line: 25 feet

5. Minimum rear yard setback from property line: 25 feet setback from rear street (not alley) property line: 30 feet

6 Maximum building height: 35 feet

7 Maximum percentage of lot coverage: 60 percent

#### 70.2. *Commercial Districts.*

##### 70.2.1. *C-1, Central Business District*

- ### 70.2.2. C-2, *Highway Commercial District*

- 70.2.3. C-3, General Commercial District - removed

#### 70.2.4. C-4, Interchange Commercial District

- (1) Minimum lot width at building line: 100 feet
- (2) Minimum front yard setback from street: 50 feet
- (3) Minimum side yard setback from property line: 10 feet Minimum side yard setback if corner lot: 35 feet
- (4) Minimum rear yard setback from property line: 15 feet
- (5) Maximum building height: 35 feet

#### 70.2.5. C-5, Neighborhood Convenience Center District

- (1) Minimum lot width at building line: 75 feet

- (2) Minimum front yard setback: 25 feet
- (3) Minimum side yard setback from property line: 15 feet

From street rights-of-way: 25 feet

- (4) Minimum rear yard setback: 15 feet
- (5) Maximum building height: 35 feet

*70.2.6. C-ED, Commercial Entertainment District*

- (1) Minimum district area: 10 acres
- (2) Minimum lot area: 7,500 square feet
- (3) Minimum lot width at building line: 75 feet
- (4) Minimum front yard setback from King Avenue (S.R. 40): 40 feet {from right-of-way};

From other public rights-of-way: 25 feet

- (5) Minimum side yard setback from property line of similar uses: 0 feet

From street rights-of-way: 25 feet

From property lines abutting existing residential uses: 25 feet

- (6) Minimum rear yard setback abutting similar uses: 0 feet

Abutting residential use: 25 feet

- (7) Maximum building height: 50 feet, higher with approval of Fire Chief except that no height shall exceed the distance to the adjacent zoning district boundary

- (8) Maximum percentage of lot coverage by buildings: 35%

- (9) Minimum district buffer: A full year-round visual buffer shall separate all developed parts of the district from surrounding residential zones. The buffer may be a fence or vegetated berm with a vertical visual buffering of at least 20 feet and be at least 25 feet wide, or a vegetative only buffer of at least 15 feet height and 50 feet wide.

*70.2.7. C-PLMU, Commercial Planned Large Multi-Use District*

- (1) Minimum district area: 100 acres
- (2) Minimum lot area: 20,000 square feet
- (3) Minimum lot width at building line: 75 feet
- (4) Minimum front yard setback from King Avenue (S.R. 40) and Laurel Island Parkway: 40 feet {from right-of-way};

From other public rights-of-way: 25 feet

- (5) Minimum side yard setback from property line of similar uses: 0 feet

From street rights-of-way: 25 feet

From property lines abutting existing residential uses: 25 feet (6) Minimum rear yard setback abutting similar uses: 0 feet

Abutting residential use: 25 feet

(7) Maximum building height: 50 feet, higher with approval of Fire Chief except that no height shall exceed the distance to the adjacent zoning district boundary

(8) Maximum percentage of lot coverage by buildings: 35%

(9) Minimum district buffer: A full year-round visual buffer shall separate all developed parts of the district from surrounding residential zones. The buffer may be a fence or vegetated berm with a vertical visual buffering of at least 20-feet and be at least 25-feet wide, or a vegetative only buffer of at least 15-feet height and 50-foot wide.

### 70.3. Wholesale and Industrial Districts

#### 70.3.1. I-L, Light Industrial District

(1) Minimum lot area: As required to meet district's area regulations and intent.

(2) Minimum lot width at building line: 100 feet

(3) Minimum front yard setback from street: 30 feet

(4) Minimum side yard setback from property line or street: 30 feet

(5) Minimum rear yard setback from property line: 20 feet From street: 30 feet

(6) Maximum building height: 45 feet

#### 70.3.2 I-G, General Industrial District

(1) Minimum lot area: As required to meet district's regulations and intent.

(2) Minimum lot width at building line: 200 feet

(3) Minimum front yard setback from street: 50 feet

(4) Minimum side yard setback from property line: 40 feet From street: 50 feet

(5) Minimum rear yard setback from property line: 40 feet

(6) Maximum building height: 85 feet

### 70.4 MU, Multi-Use District:

(1) Minimum Lot Area: 5,000 square feet for up to four (4) units (2 bottom, 2 top), 1,000 square feet for each additional unit

(2) Minimum Lot Width: Forty (40) feet

(3) Minimum Front Yard Setback: From King Avenue (State Route 40) - Forty (40) feet All other areas restricted to twenty (20) feet

(4) Minimum Side Yard: Twenty (20) feet side yard setback from street right-of-way Seven (7) feet for side yard setback from property line of similar usage,

(5) Minimum Rear Yard: Fifteen (15) feet setback from street right-of-way or residential zonings district Seven (7) feet from similar commercial uses

(6) Maximum Building Height: Forty-five (45) feet

**70.5 Minimum Setbacks.** Within the zoning districts herein defined, the following minimum setback requirements shall apply:

### MINIMUM SETBACKS

| <i>Zoning District</i>      | <i>Front Yard</i>                       |                      | <i>Rear Yard</i> | <i>Interior Lot</i> | <i>Side Yard and Corner Lot</i>         |                      |
|-----------------------------|-----------------------------------------|----------------------|------------------|---------------------|-----------------------------------------|----------------------|
|                             | <i>Arterial &amp; Collector Streets</i> | <i>Minor Streets</i> |                  |                     | <i>Arterial &amp; Collector Streets</i> | <i>Minor Streets</i> |
| R-1 Residential             | 40'                                     | 25'                  | 25'              | 10'                 | 40'                                     | 30'                  |
| R-2 Residential             | 40'                                     | 25'                  | 25'              | 8'                  | 40'                                     | 25'                  |
| R-3 Residential             | 40'                                     | 25'                  | 25'              | 8'                  | 40'                                     | 25'                  |
| R-4 Residential             | 40'                                     | 25'                  | 25'              | 8'                  | 40'                                     | 25'                  |
| One & Two Family            | 40'                                     | 25'                  | 25'              | 8'                  | 40'                                     | 25'                  |
| Multi-Family                | 40'                                     | 25'                  | 25'              | a                   | 40'                                     | 25'                  |
| C-2 General Commercial      |                                         |                      |                  |                     |                                         |                      |
| Multi-Family                | 40'                                     | 25'                  | 25'              | a                   | 40'                                     | 25'                  |
| Commercial                  | 40'                                     | 25'                  | b                | c                   | 40'                                     | 25'                  |
| C-5 Neighborhood Commercial | 40'                                     | 25'                  | 20'              | 20'                 | 40'                                     | 25'                  |
| C-1 (CBD Central Business   |                                         |                      |                  |                     |                                         |                      |
| Multi-Family                | 10'                                     | 10'                  | b                | c                   | 10'                                     | 10'                  |
| Commercial                  | None                                    | None                 | b                | c                   | 35'                                     | 25'                  |

|                                  |                                  |     |   |   |     |     |
|----------------------------------|----------------------------------|-----|---|---|-----|-----|
| C-4 Interchange Commercial       | See Page Number 103-Section 92.4 |     |   |   |     |     |
| I-L Wholesale & Light Industrial | 50'                              | 30' | b | c | 50' | 30' |
| I-G Industrial                   | 50'                              | 30' | b | c | 50' | 30' |

{Definitions of a, b, c above}

a Eight (8) feet plus two (2) additional feet for each story (floor) above two stores, but not exceeding twenty (20) feet; and when dwelling unit faces side yard, the dwelling [nit] shall not be less than twenty (20) feet from the side

;le=2q en;**None, except when abutting residential district and then not less than twenty (20) feet.**

;le=2q

en;None, except when abutting residential district and then not less than twenty (20) feet.

(Amend. of 7-23-2007; Ord. No. 2009-3, 4-27-2009; Ord. No. 2014-03, 3-31-2014; Ord. No. [2017-09](#), 10-23-2017)

## ARTICLE III. - DEFINITION OF TERMS USED IN THIS ORDINANCE

## Sec. 30. - General.

Except as otherwise provided herein, all words shall have the customary dictionary meaning. The present tense includes the future tense and the future tense includes the present. The singular number includes the plural and the plural includes the singular. The word "person" includes a firm, corporation, association, organization, trust, limited liability companies, or partnership. The word "lot" includes "plot" or "parcel". The word "shall" is always mandatory. 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 "zoning map" means the "Official Zoning Districts Map for the City of Kingsland, Georgia."

(Amend. of 7-23-2007)

## Sec. 31. - Specific definitions.

When used in this Ordinance, the following words and phrases shall have the meaning given in this Section.

- (1) *ACCESSORY USE*: A use customarily incidental to the principal use of land.
- (2) *AIRPORT*: A transportation terminal facility where aircraft take-off and land.
- (3) *AIRPORT LANDING AREA*: The area of an airport used for landing, taking off or taxing the aircraft.
- (4) *ALLEY*: A platted service way providing a secondary means of access to abutting properties.
- (4a) *AMUSEMENT CENTER*: means any freestanding privately owned and operated commercial recreational area containing an assortment of rides, games, arcades, attractions, water slides, and tracks for amusement vehicles.
- (5) *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, hand cleaning and washing, or otherwise servicing automobiles, but excluding painting, major repair, or automatic washing.
- (6) *BASE FLOOD ELEVATION*: The crest elevation in relation to mean sea level expected to be reached by the one percent annual chance flood, i.e., the 100-Year Flood.
- (7) *BED AND BREAKFAST INN*: Any owner-occupied building or portion thereof offering transient lodging accommodations and breakfast to not more than 12 guests where compensation is received.
- (8) *BLOCK*: A piece or parcel of land entirely surrounded by public highways or streets, other than alleys.
- (9) *BOARDING HOUSE*: A building other than a hotel where, for compensation and/or by pre-arrangement, meals or lodging and meals are provided for three (3) or more persons, but not exceeding twenty (20) persons.
- (10) *BOOKSTORE, ADULT*: A regulated use which contains or is used for the display or sale of books, magazines, movie films, still pictures and any and all other written materials, photographic material, novelties, devices, and related sundry items, which are distinguished or characterized by their emphases on matters depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", as defined herein, or an establishment with a segment or section devoted to the sale or display

of such material constituting a majority of its retail value of stock displayed for sale, or a majority of monthly gross receipts of the business.

- (11) *BUILDING*: A structure, either temporary or permanent, having a roof impervious to weather and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This definition shall not include tents, cabanas, truck bodies, school buses and vehicles of any kind situated on private property and serving in any way the function of a building.
- (12) *BUILDING ACCESSORY*: A subordinate building, the use of which is incidental to that of the dominant use of the main building.
- (13) *BUILDING, ALTERATION OF*: Any change in the supporting members of a building (such as bearing walls, beams, columns, and girders) except such change as may be required for its safety; any addition to a building; any change in use resulting from moving a building from one location to another.
- (14) *BUILDING, HEIGHT OF*: The vertical distance measured from the average elevation of the proposed finished grade at the front to the height level between the eaves and ridge for gable, hip, and gambrel roofs and to the deck line of a mansard roof.
- (15) *BUILDING MAIN*: A building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be a main building on which it is situated.
- (16) *BUILDING OFFICIAL OR INSPECTOR*: The Director of Community Planning and Development.
- (17) *CLINIC*: An establishment where patients, who are not lodged overnight, are admitted for examination and treatment.
- (18) *CLUB*: Building and facilities owned or operated by a corporation, association, person or persons for social, educational or recreational purposes, but not primarily for profit or to render a service to the general public.
- (19) *COMMISSION*: "The Kingsland Planning Commission".
- (20) *CONDOMINIUM*: A form of individual ownership of a unit, combined with joint ownership of common areas of the building and grounds in a development. (Georgia Condominium Act, Official Code of Georgia Annotated 44-3-70 et seq.
- (21) *CONVENTIONAL CONSTRUCTION*: A building constructed on the building site from basic materials delivered to the site. A conventional building is subject to local codes and ordinances.
- (22) *COUNCIL*: "The Mayor and Council for the City of Kingsland, Georgia."
- (23) *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.
- (24) *DAY-CARE CENTER*: Any place operated by a person, society, agency, corporation, or institution, or any other group wherein are received for pay seven (7) or more children under 17 years of age for group care, without transfer or custody, for more than four (4) hours and less than 24 hours per day.
- (25) *DAY-CARE HOME*: Any place operated by any person who received for pay three (3) to six (6) children under 17 years of age for group care, without transfer or custody, for more than four (4) hours and less than 24 hours per day.
- (26) *DEVELOPMENT*: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations.

- (27) *DIRECTOR*: The Director of the Community Planning and Development of the City of Kingsland.
- (28) *DISTRICT*: A section of the City of Kingsland within which the zoning regulations are uniform.
- (29) *DWELLING*: Any building or portion thereof which is designed for or used for residential purposes.
- (30) *DWELLING, MULTI-FAMILY*: A building designed for or occupied exclusively by three (3) or more families living independently of each other.
- (31) *DWELLING, SINGLE-FAMILY*: A building designed for or occupied exclusively by one (1) family.
- (32) *DWELLING, TWO-FAMILY (DUPLEX)*: A building designed for or occupied exclusively by two (2) families living independently of each other.
- (33) *EASEMENT*: A grant by a property owner for the use of land for a specific purpose or purposes by the general public, or a corporation or a certain person or persons.
- (34) *ENTERTAINMENT ESTABLISHMENT, ADULT*: A regulated use which contains, or is used for commercial entertainment where the patron directly or indirectly is charged a fee to engage in person contact by employees, devices, equipment, or by personnel provided by the establishment; or where the patron views a series of dance routines, strip performances, or other gyrational choreography provided by the establishment which appeals to the prurient interest of the patron of an establishment where the majority of the annual gross receipts are derived from such uses as herein defined.
- (35) *EROSION AND SEDIMENTATION CONTROL PLAT*: A plan for the control of soil erosion and sediment resulting from a land-disturbing activity.
- (36) *EXISTING GRADE*: The vertical location of the existing ground surface prior to cutting or filling.
- (37) *FALL-OUT SHELTER*: A structure or portion of a structure intended to provide protection to human life during periods of danger to human life from nuclear fall-out, air raids, storms or other emergencies.
- (38) *FAMILY*: One or more persons occupying a dwelling and living as a single house keeping unit, as distinguished from persons occupying a boarding house, lodging house, or hotel, as herein defined.
- (39) *FILLING*: The placement of any soil or other solid material either organic or inorganic on a natural ground surface or an excavation.
- (40) *FINISHED GRADE*: The final grade or elevation of the ground surface forming the proposed design.
- (41) *FLOOD OR FLOODING*: A general and temporary condition of partial or complete inundation of normally dry land areas from: (a) the overflow of inland waters; (b) the unusual and rapid accumulations or run off of surface waters from any source.
- (42) *FLOOD FRINGE AREA*: That area of the flood plain lying outside the floodway but still within the area of special flood hazard, i.e., within the 100-Year Flood Plain.
- (43) *FLOOD INSURANCE STUDY*: The official report provided by the Federal Emergency Management Agency. The report may contain flood profiles as well as the Flood Hazard Boundary Flood-way Map and the water surface elevation of the base flood.
- (44) *FLOOD PLAIN*: Any normally dry land area that is susceptible to being inundated by waters of the one percent (1%) annual chance flood, i.e., the 100-Year Flood.

- (45) *FLOODWAY*: The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the velocity waters of the regulatory flood.
- (46) *FLOOR AREA*: The sum of the gross horizontal areas of the total number of floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two building, but not including the attic space providing headroom of less than seven (7) feet; unusable basement or cellar space not used for retailing; uncovered steps or fire escape; open porches; accessory water or cooling towers; accessory off-street parking spaces; and accessory off-street loading berths.
- (47) *FRONTAGE LOT*: The distance for which the front boundary line of the lot and the street line are coincident.
- (48) *FRONTAGE STREET*: All the property on the side of a street between two intersecting streets (crossing or terminating), or if the street is dead ended, then all the property abutting on one side between an intersection street and the dead end of the street.
- (49) *GARAGE, PARKING*: A building or portion thereof designed or used for storage of motor-driven vehicles, and at which motor fuels and oils may be sold, and in connection with may be performed general automotive servicing as distinguished from automotive repair.
- (50) *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 would be considered as a private garage.
- (51) *GARAGE, REPAIR*: 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.
- (52) *GRADING*: Altering surfaces to specified elevations, dimensions, and/or slopes; this includes stripping, cutting, filling, stockpiling, and shaping or any combination thereof and shall include the land in its cut or filled combination.
- (53) *HOME OCCUPATION*: An occupation for gain or support conducted only by members of a family residing on the premises and entirely within the main dwelling.
- (54) *HOTEL*: A building in which lodging or board are provided for more than twenty (20) persons and 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.
- (55) *INDUSTRIALIZED BUILDING (ALSO FACTORY-BUILT HOUSING)*: A building or building component manufactured in accordance with the Georgia Industrialized Building Act and the Rules of the Commissioner of Community Affairs issued pursuant thereof.
- (56) *INSTITUTION*: A non-profit corporation or a non-profit establishment.
- (57) *JUNK YARD*: A lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of waste paper, rags, scrap metal, or discarded materials; or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running condition, or for the sale of parts thereof.
- (58) *KENNELS*: Any location where raising, grooming, caring for or boarding of dogs, cats, or other small animals for commercial purposes is carried on.
- (59) *KINDERGARTEN*: A school for pre-elementary school children ranging in age from four (4) through six (6) years; which operates for less than four (4) hours per day.
- (60) *LAND-DISTURBING ACTIVITY*: Any land change which may result in soil erosion from water or wind and the movement of sediments into state water or onto lands

within the state, including but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land.

- (61) *LAUNDROMAT*: A business that provides home type washing, drying and/or ironing machines for hire.
- (62) *LAUNDRY AND DRY CLEANING, PICK UP*: A business that provides only for the convenience of taking and picking up of laundry, such as establishments not having any equipment for processing of the laundry.
- (63) *LOADING SPACE*: A space within the main building or on the same lot, providing for the standing, loading or unloading of trucks, and other carriers.
- (64) *LOT*: A parcel of land occupied or to be occupied by one or more main buildings and its accessory buildings with such open parking spaces as are required by the provisions in this ordinance and having its frontage upon a public street or streets.
- (65) *LOT OF RECORD*: A lot or parcel of land whose existence and location and dimensions have been recorded in the office of the Clerk of the Superior Court of Camden County.
- (66) *LOT, CORNER*: A lot having a frontage of two (2) or more streets at their intersection.
- (67) *LOT, DOUBLE FRONTAGE*: A lot having a frontage of two (2) streets and distinguished from a corner lot.
- (68) *LOT, INTERIOR*: A lot other than a corner lot.
- (69) *LOWEST FLOOR*: The floor, including basement, in a building which is the lowest elevation above mean sea level.
- (70) *MEAN SEA LEVEL*: The average height of the sea for all stages of the tide. It is used as a reference for establishing varying elevations within the flood plain. For purposes of this Ordinance the term is synonymous with National Geodetic Vertical Datum (NGVD).
- (71) *MOBILE HOME* (Also known as Manufactured Housing): A detached single-family dwelling unit designed for long-term occupancy and constructed originally with wheels for movement (removal of wheels and placement on a foundation does not change its classification) and which has plumbing and electrical connections provided for attachment to outside systems.
- (72) *MOBILE HOME PARK*: Any tract of land that is approved by the Planning Commission for the renting of spaces for sleeping purposes or where spaces are set aside and offered for rent or use by mobile homes for living or sleeping purposes including any land, building, structure, or facility used by occupants of mobile homes on such premises.
- (73) *MOBILE HOME SUBDIVISION*: A subdivision designed and intended for residential use where residence is in mobile homes exclusively.
- (74) *MOTEL*: A building or group of buildings containing sleeping accommodations for rental primarily to automobile transients and in which ingress and egress to and from each sleeping room is generally to the outside of the building.
- (75) *NATIONAL GEODETIC VERTICAL DATUM (NGVD)*: As corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the flood plain.
- (76) *NATURAL GROUND SURFACE*: The ground surface in its original state before any grading, excavation or filling.

- (77) *NON-CONFORMING USE*: A use of land existing at the time of the enactment of this Ordinance, or at the time of a Zoning Amendment and which does not conform with the regulations of the use district in which it is located.
- (78) *NURSING HOME (REST HOME, CONVALESCENT)*: An establishment which provides full-time convalescent or chronic care or both for three (3) or more individuals who are not related by blood or marriage to the operator and who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill, or surgical or obstetrical services, shall be provided in such home; a hospital or sanitarium shall not be construed to be included in this definition.
- (79) *OPEN SPACE*: A yard area which is not used for or occupied by a driveway, off street parking, loading space, drying yard or refuse storage space.
- (80) *PERMIT, LAND DISTURBING*: The authorization necessary to begin a land-disturbing activity under the provisions of this Ordinance.
- (81) *PERSONAL CARE HOME*: A building, group of buildings, facility, or place in which are provided two or more beds and other facilities and services, including room, meals, and personal care, for non-family ambulatory adults. For the purposes of these regulations, personal care homes shall be classified as family personal care homes, group personal care homes, and congregate personal care homes.
- (82) *PERSONAL CARE HOMES, CONGREGATE*: A personal care home which offers care to sixteen or more persons.
- (83) *PERSONAL CARE HOMES, FAMILY*: A personal care home in a family type residence, non-institutional in character, which offers care to two through six persons.
- (84) *PERSONAL CARE HOMES, GROUP*: A personal care home in a residence or other type building or buildings, non-institutional in character, which offers care to seven through fifteen persons.
- (85) *PLANNED UNIT DEVELOPMENT (PUD)*: A parcel of land which is developed as an integrated unit under single ownership or control, which includes two or more main buildings and where the specific requirements of a given district may be modified and where the minimum area is fixed.
- (86) *PLAT*: A map, plan or layout of a county, city, town, section or subdivision indicating the location and boundaries of properties.
- (87) *PLAY SCHOOL*: A school for pre-kindergarten children ranging in age from three (3) to four (4) years and which operates for less than four (4) hours a day.
- (88) *PRINCIPAL USE*: The primary purpose for which land or a building is used.
- (89) *PROFESSIONAL*: When used in connection with "use" and "occupancy" a use or occupancy by persons generally engaged in rendering personal, executive, sales, or administrative services or activities, including accountants, architects, professional engineers and land surveyors, doctors, lawyers, insurance offices, real estate offices, religious organizations, stock brokers and administrative agencies considered professional in character. The term, however, does not include repairs or sales of tangible personal property stored or located within the structure nor any use which would create loud noise or noxious odors.
- (90) *REGULATED ADULT BUSINESS*: Any building or structure or portion of any building or structure used or proposed to be used for an adult bookstore, adult entertainment establishment, or adult theater.
- (91) *REGULATORY FLOOD ELEVATION*: For purposes of this Ordinance, the crest elevation in relation to mean sea level expected to be reached by the one percent (1%) flood (base flood elevation) plus two feet.

- (92) *RESTAURANT, DRIVE-IN*: An eating and/or drinking establishment which caters to motor-driven vehicle business where the person being served consumes his food and/or drink while sitting in a motor-driven vehicle, as opposed to a restaurant serving exclusively inside an enclosed building.
- (93) *RIGHT-OF-WAY*: Access over or across particularly described property for a specific purpose or purposes.
- (94) *RIGHT-OF-WAY LINE*: The dividing line between a lot, tract or parcel of land and a continuous street, railroad, or other public utility right-of-way.
- (95) *ROOMING HOUSE*: A building other than a hotel where lodging for three (3) but not more than twenty (20) persons is provided with no meals served.
- (96) *SEDIMENT*: Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, ice, or gravity, as a product of erosion.
- (97) *SHOPPING CENTER*: A group of commercial establishments, planned, and developed as a unit, with common off-street parking provided on the property.
- (98) *SIGN*: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or combinations thereof, by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity, or product which are visible from any public way and used as an outdoor display.
- (99) *SIGN AREA*: The smallest square, rectangle, triangle, circle, or combination thereof encompassing the entire advertising area, excluding architectural trim and structural supports.
- (100) *SIGN, OUTDOOR ADVERTISING*: A structural poster panel or painted sign, either free-standing or attached to a building, for the purpose of conveying information, knowledge, or ideas to the public about a subject unrelated to the premises upon which it is located.
- (101) *SIGN STRUCTURE*: A structure composed of a single pole or multiple poles which is located on the ground on top of another structure and which supports no more than two (2) signs.
- (102) *SIGN STRUCTURE FACING*: The surface of the sign upon, against, or through which the message of the sign is exhibited, not including architectural trim and structural supports.
- (103) *SITE PLAN*: Drawing which puts forth the pattern in these dimensions of the activity, circulation and visual form to take place on a particular piece of land.
- (104) *SLOPE*: Degree of deviation of a surface from the horizontal, usually expressed in percent or degree.
- (104.5) *SMALL HOUSE*: A primary fixed foundation dwelling with a heated and cooled floor area of 700 – 1000 square feet, having a connection to water and sewer service on an independent lot.
- (105) *SPECIFIED ANATOMICAL AREAS*:
- (a) Less than completely and opaquely covered: (i) human genitals, public region, (ii) buttocks and (iii) female breasts below a point immediately above the top of the areola; and (b) human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- (106) *SPECIFIED SEXUAL ACTIVITIES*:

- (a) Acts of human masturbation, sexual intercourse, sodomy, or any acts of bestiality;
  - (b) fondling or other erotic touching of human genitals, pubic region, buttocks, or breasts of either male or female
  - (c) human genitals in a state of sexual stimulation or arousal.
- (106a) *SPORTS CENTER*: means any freestanding privately owned and operated commercial recreational area containing ball fields, tennis courts, and/or other sports venues.
- (107) *STABILIZATION*: The process of establishing an enduring soil cover of vegetation and/or mulch or other ground cover and/or in combination with installing temporary or permanent structures for the purpose of reducing to a minimum the transport of sediment by wind, water, ice or gravity.
- (108) *STORY*: That portion of a building, other than a cellar, included between the surface of the floor and the ceiling above it.
- (109) *STREET*: A public or private thoroughfare which affords the principal means of access to abutting property.
- (110) *STREET, HALF*: A street which does not meet the minimum right-of-way widths as set forth in this Ordinance.
- (111) *STREET LINE*: The legal line between street right-of-way and abutting property.
- (112) *STRUCTURE*: Anything constructed or erected, the use of which requires a location on the ground, or attached to something having a location on the ground.
- (113) *STRUCTURAL PRACTICES*: Soil and water conservation measures, other than vegetation, 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. Including but not limited to riprap, sediment basin, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures, sediment traps, land grading, etc.
- (114) *SUBDIVIDER*: Any person who undertakes the subdivision of land as herein defined.
- (115) *SUBDIVISION*: Any division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development. This includes any division of land involving a new street or a change in existing streets, and includes resubdivision 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: The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the municipality.
- (116) *SUBSTANTIAL IMPROVEMENT*: For a structure built prior to the enactment of this Ordinance, any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any projects for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary.

(117) *THEATER, ADULT*: A regulated use for the viewing of performances or activities by others, whether such performances are in the form of live shows, motion pictures, slide shows, or other forms of photographic or visual display, which are distinguished or characterized by their emphasis on matters depicting, describing, or relating to "Specified Sexual Activity" or "Specified Anatomical Areas", as defined herein, or any establishment with a segment or section devoted to the sale or display of such material constituting a majority of the annual gross receipts of the business.

(117.25) *TINY HOUSE*: A fixed foundation primary dwelling with a heated and cooled floor area of 400 -700 square feet, having a connection to water and sewer service on an independent lot.

(117.5) *TINY HOUSE on WHEELS (THOW)*: A vehicular portable structure designed as a temporary dwelling for travel, recreational and vacation uses which is not more than eight feet six inches in body width and is of any weight provided its body length does not exceed 32 feet

(118) *TOWNHOUSE*: A single-family dwelling unit which is erected in a row as part of a single building, on adjoining lots, each being separated from the adjoining unit or units by an approved fire resistant party wall or walls extending from the basement or cellar floor to the roof along the dividing lot line.

(119) *TRAVEL TRAILER*: A vehicular portable structure designed as a temporary dwelling for travel, recreational and vacation uses which is not more than eight feet in body width and is of any weight provided its body length does not exceed 32 feet.

(119.5) *TURKEY SHOOT*: A marksmanship contest using shotguns with a barrel length of 30 inches or less offering prizes and conducted as a charity fundraiser.

(120) *VEGETATIVE PRACTICES*: Measures for the stabilization of erosive or sediment producing areas by covering soil with: (a) Permanent seeding, sprigging, or planting producing long-term vegetative cover, or (b) short-term seeding, producing temporary vegetative cover, or (c) sodding, covering areas with a turf or perennial sod-farming grass.

(121) *WATERCOURSE*: Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto, subject to inundation by reason of overflow or floodwater.

(122) *YARD*: A space on the same lot with a main building, such space being open, unoccupied and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings are expressly permitted.

(123) *YARD, FRONT*: An open, unoccupied space on the same lot with the main building, extending the full width of the lot and situated between the right-of-way line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the right-of-way line. Covered porches, whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into a required front yard. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

(124) *YARD, REAR*: An open space on the same lot with the main building, such space being unoccupied except possibly by an accessory building and extending the full width of the lot and situated between the rear line of the lot and the rear line of the main building projected to the side lines of the lot. On all corner lots the rear yard shall be at the opposite end of the lot from the front yard.

(125) *YARD, SIDE*: An open, unoccupied space on the same lot with a main building, situated between the side line of the building and the adjacent side line of the lot extending from the rear line of the front yard to the front line of the rear yard. If no front yard is required, the front boundary of the side yard shall be the front line of the lot and if no rear yard is required, the rear boundary of the side yard shall be considered as parallel to the street upon which the lot has its greatest dimension.

(126) *ZONING ORDINANCE*: The Zoning and Land Development Ordinance of the City of Kingsland.

(Amend. of 7-23-2007; Ord. No. 2014-03, 3-31-2014; [Ord. No. 2015-16, 10-26-2015](#); [Ord. No. 2015-19, 12-28-2015](#); Ord. No. [2017-09](#), 10-23-2017)

## ARTICLE VI. - USE REQUIREMENTS BY ZONING DISTRICTS

### Sec. 60. - Residential districts.

#### 60.1. *R-1, Single-Family Residential Districts.*

60.1.1. *Intent of District.* This district is intended to be used for single-family residential areas with low population density. Additional permitted uses, by special exception, include related noncommercial, recreational, religious, and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from encroachment of uses not performing a function necessary to the residential environment.

60.1.2. Within R-1 Single-Family Residential Districts, the following uses are permitted:

- (1) Single-family dwelling.
- (2) Accessory building and uses when located on the same lot or parcel of land as the main structure and customarily incidental thereto and provided the requirements in Section 82 are met.
- (3) Fall-out shelters provided the requirements in Section 83 are met.
- (4) Home swimming pool provided the location is not closer than ten (10) feet to any property line and the pool is enclosed by a wall or fence of at least four (4) feet in height and provided approval from the Camden County Health Department has been obtained.
- (5) Public utility structures and building provided that the installation is properly screened. No office shall be permitted and no equipment shall be stored on the site.
- (6) Dogs, cats and other common pets provided the requirements in Section 107 are met.

60.1.3. The following uses may be permitted as special exceptions by the City Council in accordance with Section 60.1:

- (1) Churches and related accessory building, provided they are located on a lot fronting on an arterial or collector street and are placed not less than 50 feet from any property line.
- (2) Home occupations provided the requirements in Article XI are met.
- (3) Kindergarten, playschools and day care centers and homes.
- (4) Public and private schools, libraries, excluding business and trade schools.
- (5) Golf, swimming, tennis, or country clubs, privately owned and operated community clubs or associations, athletic fields, parks, and recreation areas, provided that no building for such purposes is located within 100 feet of any property line.
- (6) Horses, ponies, and fowl provided the requirements in Section 107.1 are met.
- (7) Agriculture, forestry, livestock and poultry production, provided that the area available for said operation is not less than ten (10) acres, and that no structure containing poultry or livestock and no storage of manure or odor or dust producing substance or use shall be located within 200 feet of a property line, provided any such structure existing at the time of passage of this Ordinance shall be allowed to extend to existing building line but no nearer the property line than any existing portion of such structure. All animals (except domestic animals, i.e. dog, cat) shall be kept in a structure or corral.

(8) Satellite Dish Antennas provided the requirements in Section 130.2 are met.

(9) Bed and Breakfast Inns provided the requirements of Section 130.3 are met.

#### 60.1.4. Prohibited Uses

(1) Manufactured Housing

#### 60.2. *R-2, Low Density Residential Districts.*

60.2.1 *Intent of District.* This is a residential district to provide for a medium population district. The district permits a mixture of dwelling types; and to situate these uses where they are well served by public and commercial services.

60.2.2. Within the R-2 Low Density Residential Districts, the following uses are permitted:

- (1) Any use permitted in an R-1 District.
- (2) Two-family dwelling (duplex).
- (3) Townhouses, provided the requirements in Section 81 are met.
- (4) Three family dwelling (triplex).

60.2.3. The following uses may be permitted as special exceptions by the City Council in accordance with the provisions of Article XXIV:

- (1) Any use permitted by special exception in an R-1 District.
- (2) Family personal care homes subject to the rules of the Georgia Department of Human Resources governing personal care comes.

#### 60.2.4. Prohibited Uses

(1) Manufactured Housing

#### 60.3. *R-3, Medium & High Residential District.*

60.3.1. *Intent of District.* This is a residential district to provide for high population density. The principal use of land may range from four family dwelling units to high density multiple family apartment uses. Certain uses which are more compatible functionally with intensive residential uses than with commercial uses are permitted.

60.3.2. Within the R-3 Medium-High Density Residential District, the following uses are permitted:

- (1) Any use permitted in R-2 except Single-Family Residences.
- (2) Multi-family dwellings including townhouses and apartments
- (3) Office buildings exclusively used for professional occupancy and of such character and nature that such use will not adversely affect adjacent and nearby residential properties.
- (4) Accessory uses and structures

60.3.3. The following uses may be permitted as special exceptions by the City Council in accordance with the provisions of Article XXIV:

- (1) Home Occupations provided the requirements in Section 110 are met.

(2) Hospitals, sanitariums, clinics, convalescent or nursing homes, including assisted living facilities.

(3) Clubs and lodges, provided that food service facilities are limited to their members and guests.

(4) Churches and related accessory buildings, provided they are located on a lot fronting an arterial or collector street and are placed not less than 50 feet from any property line.

(5) Kindergartens, playschools, and day care centers and homes.

(6) Golf, swimming, tennis, or country clubs, privately owned and operated community clubs or associations, athletic fields, parks and recreation areas, provided that no building for such purpose is located within 100 feet of any property line.

(7) Public and private schools and libraries.

(8) Family personal care homes subject to the rules of the Georgia Department of Human Resources governing personal care homes.

(9) Group personal care homes subject to the rules of the Georgia Department of Human Resources governing personal care homes.

(10) Agriculture, forestry, livestock and poultry production, provided that the area available for said operation is not less than ten (10) acres, and that no structure containing poultry or livestock and no storage of manure or odor or dust producing substance or use shall be located within 200 feet of a property line, provided any such structure existing at the time of passage of this Ordinance shall be allowed to extend to existing portion of such structure. All animals (except domestic animals, i.e. dog, cat) shall be kept in a structure or corral.

(11) Bed and Breakfast Inns provided the requirements in Section 130.3 are met.

#### 60.3.4. Prohibited Uses

(1) Manufactured Housing

#### 60.4. R-4, Single Family - Mobile Home.

60.4.1 *Intent of District.* The intent of this district is to provide permanent areas in the City exclusively for single-family residential mobile homes.

60.4.2 *Uses Permitted.* Property and buildings in R-4, Single-Family Mobile Home Districts, shall be used for the following purposes:

(1) Conventional single-family homes.

(2) Single-family mobile homes on individual lots.

(3) Parks and playgrounds.

(4) General purpose farm or garden, but not the keeping of poultry or non-domestic animals.

(5) Accessory uses and structures.

60.4.3 *Special Permit Uses.* The following uses may be permitted in accordance with provisions contained in Article XXIV and if additional conditions which may be required are met:

(1) Any special use permitted in the R-1, Single-Family Residential District.

60.5. *R-5, Mobile Home Park.*

60.5.1 *District Intent.* The intent of this district is to provide sound and healthy residential areas to meet the unique needs of mobile home residents; to encourage the consolidation of mobile homes into parks; to protect mobile home residential areas from encroachment by incompatible uses; and to enhance property values in the community by providing distinctive areas for mobile homes in parks.

60.5.2 *Uses Permitted*

(1) Mobile Home Parks

(2) Accessory uses and structures, including community centers and club house facilities, swimming pools, tennis courts, picnic areas, bike paths and other recreational facilities used to meet the needs of park residents.

60.5.3 *Special Permit Uses.* The following uses may be permitted in accordance with the provisions contained in Article VIII and Article XXIV, and if additional conditions which may be required are met.

(1) Uses in keeping with the intent of district and which serve exclusively the residents of a particular mobile home park.

60.6 *R-6, Single-Family Large Tract Residential.*

60.6.1 *Intent of District.* It is the intent of this section that the R-6 large tract residential be developed for low density population. The regulations which apply within this district are designed to encourage the formation and continuance of a quiet, compatible and un-congested environment. Commercial, industrial and small lot residential uses are prohibited in order to protect the natural amenities of the area, as well as suppress urban sprawl. It is the purpose of this R-6 district to promote a compatibility between uses and to encourage and provide an orderly transition from agricultural to urban uses.

60.6.2. Within R-6 Single-Family Large Tract Residential District, the following uses are permitted:

(1) Single-family dwelling.

(2) Accessory building and uses when located on the same lot or parcel of land as the main structure and customarily incidental thereto and provided the requirements in Section 82 are met.

(3) Fall-out shelters provided the requirements in Section 83 are met.

(4) Home swimming pool provided the location is not closer than ten (10) feet to any property line and the pool is enclosed by a wall or fence of at least four (4) feet in height and provided approval from the Camden County Health Department has been obtained.

(5) Public utility structures and building provided that the installation is properly screened. No office shall be permitted and no equipment shall be stored on the site.

(6) Dogs and cats provided the requirements in Section 107 are met.

(7) Horses, ponies, and fowl provided the requirements in Section 107.1 are met.

(8) Agriculture, forestry, livestock and poultry production, provided that the area available for said operation is not less than ten (10) acres, and that no structure containing poultry or livestock and no storage of manure or odor or dust producing substance or use shall be

located within 200 feet of a property line, provided any such structure existing at the time of passage of this Ordinance shall be allowed to extend to existing building line but no nearer the property line than any existing portion of such structure. All animals (except domestic animals, i.e. dog, cat) shall be kept in a structure or corral.

60.6.3. The following uses may be permitted as special exceptions by the City Council in accordance with Section 60.1:

- (1) Churches and related accessory building, provided they are located on a lot fronting on an arterial or collector street and are placed not less than 50 feet from any property line.
- (2) Home occupations provided the requirements in Article XI are met.
- (3) Kindergarten, playschools and day care centers and homes.
- (4) Public and private schools, libraries, excluding business and trade schools.
- (5) Golf, swimming, tennis, or country clubs, privately owned and operated community clubs or associations, athletic fields, parks, and recreation areas, provided that no building for such purposes is located within 100 feet of any property line.
- (6) Satellite Dish Antennas provided the requirements in Section 130.2 are met.
- (7) Bed and Breakfast Inns provided the requirements of Section 130.3 are met.
- (8) All other uses may be permitted as a special use approved by the City Council in accordance with the provisions of Article XXVI.

60.6.4 *Prohibited Uses.*

- (1) Manufactured Housing.

60.6.5 *Conditional Uses.* The following use may be permitted on a conditional basis in any R-6 Zoning District with approval by City Council. The applicant for R-6 zoning when requesting conditional uses shall submit a written report which shall explain the type, nature, intent and characteristics of the proposed development, and shall include, where applicable:

- (1) A general description of the proposal.
- (2) A legal description of the site.
- (3) Proposed standards for development, including:
  - (a) Restrictions on the use of property.
  - (b) Density, yard, and height requirement.
  - (c) Restrictive covenants.
- (4) Proposed dedication or reservation of land for public use, including streets, easements, parks and school sites.
- (5) Exceptions or variations from the requirements of the Zoning and Land Development Ordinance if any are being requested.
- (6) Plans for the provision of utilities, including water, sewer, and storm drainage facilities.
- (7) Descriptions of percentage of land within the development to be provided for various uses:

- a) Residential
- b) Commercial
- c) Industrial
- d) Open space
- e) Utilities
- f) Parking and storage
- g) Others

60.6.6 Other requests: If any of the following three (3) exemptions are requested a written report must be submitted with reasoning for these exemptions:

- 1) Exemption from connecting to sewer provided extenuating circumstances are existing.
- 2) Exemption from paving of roads provided extenuating circumstances exist and provided the following conditions are met:
  - a. Swales must be engineered.
  - b. Right-of-Way shall be a minimum of 60 feet
  - c. Road width shall be no less than 20'
  - d. Canopy height shall be a minimum of 15 feet high.
  - e. Notes in the preliminary plat and final plat absolve the City of Kingsland from any maintenance of the roadways, ditches and/or swales and that they shall be maintained by the Home Owner's Association.
  - f. Covenants and Restrictions are submitted with the plat and are reviewed but not adopted by Kingsland.
- 3) Other conditions as the developer or Kingsland City Council deem relevant.

60.7. *R-7, Townhouse Residential District.*

60.7.1. *Intent of District.* This is a residential district to provide for high population density. The principal use of land may range from four family dwelling units to high density multiple family townhouses uses. Certain uses which are more compatible functionally with intensive residential uses than with commercial uses are permitted.

60.7.2. Within the R-7 Townhouse Residential District, the following uses are permitted:

- (1) Condominiums.
- (2) Townhouses.
- (3) Office buildings exclusively used for professional occupancy and of such character and nature that such use will not adversely affect adjacent and nearby residential properties.

60.7.3. The following uses may be permitted as special exceptions by the City Council in accordance with the provisions of Article XXIV:

- (1) Home Occupations provided the requirements in Section 110 are met.

(2) Golf, swimming, tennis, or country clubs, privately owned and operated community clubs or associations, athletic fields, parks and recreation areas, provided that no building for such purpose is located within 100 feet of any property line.

#### 60.7.4. Prohibited Uses

(1) Manufactured Housing

(Amend. of 7-23-2007; Ord. No. 2008-28, 12-12-2008; Ord. No. 2009-09, 9-28-2009)

#### 60.8. *R-8, Tiny/Small Home District.*

60.8.1 *District Intent.* The intent of this district is to provide sound and healthy residential areas to meet the unique needs of tiny/small home residents; to encourage the consolidation of tiny/small homes into parks; to protect tiny/small home residential areas from encroachment by incompatible uses; and to enhance property values in the community by providing distinctive areas for tiny/small homes in parks.

#### 60.8.2 *Uses Permitted*

(1) Tiny/Small Home Parks

(2) Accessory uses and structures, including community centers and club house facilities, swimming pools, tennis courts, picnic areas, bike paths and other recreational facilities used to meet the needs of park residents.

60.8.3 *Special Permit Uses.* The following uses may be permitted in accordance with the provisions contained in Article VIII and Article XXIV, and if additional conditions which may be required are met.

(1) Uses in keeping with the intent of district and which serve exclusively the residents of a particular tiny/small home park.

#### 60.8.4. *Prohibited Uses*

(1) Manufactured Housing, Townhomes, Duplexes, Apartment Buildings, dwellings greater than 1000 sq. ft.

60.8.5. The following uses may be permitted as special exceptions by the City Council in accordance with the provisions of Article XXIV:

(1) Home Office provided the requirements in Section 110 are met.

### Sec. 61. - Commercial districts.

#### 61.1. *C-1, Central Business District (CBD).*

61.1.1. *Intent of District.* The intent of this district is to allow a more intense use of land within the Downtown Section of the City of Kingsland.

61.1.2. *Required Conditions.* All business, servicing, storage or processing shall be conducted within a completely enclosed building except where the nature of the activity makes it impossible, as for example, off-street loading, automobile parking for customers while on the premises, and the sale of automobile fuel at service stations. Uses, processes or equipment

employed shall be limited to those which are not objectionable by reason of odor, dust, bright lights, smoke, noise or vibration.

(1) Any retail business or commercial use in which there is no processing or treatment of material goods, or products except as provided for, including:

- (a) Appliance stores, including radio and television service.
- (b) Art and antique shops.
- (c) Bakeries employing not more than ten (10) persons.
- (d) Banks and drive-in banks.
- (e) Bicycle stores.
- (f) Book, stationery, camera or photographic supply stores.
- (g) Confectionery stores.
- (h) Clothing, shoes, millinery, drygoods and notions.
- (i) Ice Cream Parlors.
- (j) Drug stores.
- (k) Furniture, home furnishings, including office furniture and equipment.
- (l) Florist, nursery and gift shop.
- (m) Grocery, fruit, vegetable, meat market, delicatessen, catering and super markets.
- (n) Hardware and paint stores.
- (o) Jewelry stores.

(2) Any of the following service businesses:

- (a) Barber and beauty shops.
- (b) Cafes, grills, lunch counters, and restaurants.
- (c) Dress making and tailoring shops.
- (d) Dry cleaning and laundry establishments, including pick-up stations but not including self-service laundry.
- (e) Shoe repair shops.
- (f) Brewpubs and beer/wine pubs.

(3) Office Building.

(4) Fall-out shelters provided the requirements in Section 83 are met.

(5) Signs as provided in Section 120.

(6) Automobile service stations provided the requirements in Section 111 are met.

(7) Theaters, but not including drive-in theaters.

(8) Public utility structures and buildings, including electric and natural gas, substations, telephone exchanges, radio and television stations, and similar structures for the storage of supplies, equipment or service operations when properly screened as required in Section 59.

(9) Churches and other places of worship with attendant education and recreational buildings.

(10) Private clubs, fraternal orders or lodges.

(11) Commercial parking garages or lots provided no entrance or exit be on the same side of the street and within the same block as a school and the curb breaks be limited to two for each 100 feet of street frontage, each not to exceed 30 feet in width and not located closer than 20 feet to a street intersection.

(12) Multi-family dwellings provided the requirements in the R-3 Residential District are met.

(13) All uses of a predominantly retail nature, including:

(14) Electrical supplies.

(15) Heating and plumbing equipment.

(16) Dairy products.

(17) Bakeries.

(18) Tires, batteries, and other automotive accessories.

(19) Sporting goods.

(20) Farm and garden supplies.

(21) Finance, insurance, and real estate office.

(22) Public and private schools and libraries.

(23) Hotels and motels.

(24) Automobile sales (new and used), which need not be enclosed, but any mechanical or body repair must be conducted entirely within a structure which shall not have any openings, other than windows, when facing a residential district or within 100 feet of a said district and provided that all vehicles on a used car lot be in operating condition at all times.

(25) Amusement enterprises including the provision of stage entertainment.

(26) Places of assembly including auditoriums, stadiums, coliseums and dance halls.

(27) Temporary uses, including sale of Christmas trees, carnival, church bazaars; but not including seasonal sale of fruits and vegetables from roadside stands, but such uses shall not be permitted for a period to exceed two months in any calendar year.

(28) Open air markets.

(29) Breweries limited to the manufacture of 10,000 barrels of malt beverage per year.

61.1.3. The following uses may be permitted as special exceptions by the City Council in accordance with the provisions of Article XXIV:

(1) Printing, blue printing, book binding, photostating, lithography and publishing establishments.

(2) Satellite Dish Antennas, provided that the requirements in Section 130.2 are met.

#### 61.1.4. Prohibited Uses

(1) Manufactured Housing

#### 61.2. C-2, General Commercial District.

61.2.1. *Intent of District.* Within a C-2 General Commercial District, uses are restricted to those which are designed to serve the automobile, its passengers and highway users and to provide community shopping facilities consisting of a wide variety of sales and service facilities.

61.2.2. *Required Conditions.* All businesses servicing, storage or processing shall be conducted within a completely enclosed building except where the nature of the activity makes it impossible, as for example, off-street loading, automobile parking for customers while on the premises, miniature golf courses, and the sale of automobiles or equipment employed shall be limited to those which are not objectionable by reason of odor, dust, bright lights, smoke, noise or vibration.

61.2.3. *Within C-2 Highway Commercial District,* the following uses are permitted:

(1) All uses permitted in a C-1 District.

(2) Amusement enterprises, such as Miniature and Par-3 golf, golf driving ranges, skating rinks and similar enterprises but excluding "go-kart" type miniature auto racing track.

(3) Automobile laundry or car wash provided that a paved area shall be located on the same lot for the storage of vehicles awaiting entrance to the washing process sufficient to contain a number of vehicles (at 200 square feet per vehicle) equal to one-third of the practical hourly capacity of the washing machine and in addition that curb breaks be limited to two (2) each, not to exceed 20 feet to a street intersection.

(4) Signs as provided in Section 120.

(5) Bus stations.

(6) Automobiles, travel trailers, and mobile home sales, automobile repair garages, mechanical and body, provided all operations are conducted in a building which shall not have any openings, other than a stationary window, within 100 feet of a residential district and which shall not store or otherwise maintain any parts or waste material outside such building.

(7) Restaurants, including drive-in establishments, provided that such a drive-in establishment abuts a residential district by a six (6) foot high masonry wall and having no light shining directly into residential district.

(8) Travel Trailer Parks, provided the requirements in Section 80 are met.

(9) Truck Terminals, provided that acceleration and deceleration lanes of at least 200 feet are provided for trucks entering and leaving the site and that the truck traffic so generated will not create a safety hazard or unduly impede traffic movement.

(10) Theaters, including drive-in theaters, provided acceleration and deceleration lanes of at least 200 feet are provided for the use of vehicles entering or leaving the theater and the volume of concentration of traffic will not constitute a safety hazard or unduly impede

highway traffic movements, and provided the screen is not visible from any expressway, freeway, arterial or collector street located within 2,000 feet of such screen.

(11) Accessory buildings and uses when located on the same lot or parcel of land as the main structure and customarily incidental thereto, provided the requirements in Section 82 are met.

(12) Sale of souvenirs, gifts, novelties, pottery and sundries tailored to the tourist business.

(13) Temporary use, including the sale of Christmas trees, carnivals, church bazaars, sale of seasonal fruit and vegetables from roadside stands, but such uses not permitted for a period to exceed four months in any calendar year.

(14) Veterinary hospitals or clinics, provided any structure of open area used for such purpose shall be a minimum of one hundred (100) feet from a residential district.

(15) Ambulance service.

(16) Boat sales, indoor and outdoor.

(17) Bowling alleys.

(18) Self-service laundry.

(19) Shopping centers and/or malls.

(20) Supermarkets, grocery stores.

(21) Department and clothing stores.

(22) Bicycle and motorcycle stores.

(23) Hospitals, sanitariums, clinics, convalescent, funeral homes, or nursing homes.

(24) A zoning text amendment to add tattoo parlor as a permitted use within the C-2 General Commercial District.

61.2.4. The following uses may be permitted as special exceptions by the City Council in accordance with the provisions of Article XXIV:

1. Mini-warehouse storage provided the following requirements are met:

a) No wholesale warehouse storage use or retail merchandise storage use shall be permitted.

b) Site will be buffered from view along public highways and right-of-ways and where abutting residential area.

c) General provisions of this Ordinance are met as specified in Article.

d) Care facilities, to include (but not limited to) child day care, family day care, group day care, group day care, and similar care facilities. This use is conditioned upon (1) the property being properly fenced for the safety of those being cared for, and (2) there is suitable access in and out of the facility so as not to cause a traffic and/or safety hazard.

2. Columbariums as an accessory use for fee simple churches.

3. Turkey shoots when conducted from the last weekend in September through the last Saturday before Thanksgiving and firing only between 10:00 a.m. and 10:00 p.m. at most. No alcohol sales or possession is allowed on the site during shoots. The site will be inspected for appropriateness by the Kingsland police before Planning Commission recommendation. Items to be considered include but shall not be limited to distance to roads, residences, and churches; and presence of berms or other barriers. Shorter allowed times and other conditions may be attached by the Planning Commission or City Council as part of the special exception. No firing will be permitted except on Fridays and Saturdays.

61.3. *C-3, deleted and merged with C-2*

61.4. *C-4, Interchange Commercial.*

61.4.1. *Intent of the District.* The intent of this district is to allow more intense use of land within the I-95 Interchange areas of the City of Kingsland and is created to serve predominantly the needs of inter-regional traffic at interchanges on limited access thoroughfares. The uses allowed in this district should be limited to the needs of truckers and travelers, which are food, service, fuel and lodging.

61.4.2. *Permitted Uses.*

A. Property and buildings in C-4, Interchange Commercial District shall be used for the following purposes:

- (1) Filling stations
- (2) Auto or truck repair shops
- (3) Restaurants and lounges
- (4) Hotels and motels
- (5) Gift shops
- (6) Tent and Trailer campgrounds
- (7) Accessory uses and structures incidental to the above uses.
- (8) Truck terminals as provided in Section 61.2.3 (13).
- (9) Satellite Dish Antennas, provided that the requirements in Section 130.2 are met.

B. *Special Permit Uses.* The following uses may be permitted in accordance with provisions contained in 61.2.2., and if additional conditions which may be required are met:

- (1) Churches
- (2) Banks
- (3) Professional and business offices
- (4) Plant nurseries

C. Reserved

D. *Other Requirements*

(1) Uses permitted in C-4 Districts shall meet the standards set forth in pertaining to off-street parking, loading requirements.

(2) Signs permitted in C-4 Zoning Districts shall meet the requirements set forth in Sign Ordinance and Regulations, Section 120.

#### 61.5. C-5, *Neighborhood Convenience Center District*

61.5.1. *Intent of District.* The purpose of the C-5 Neighborhood Convenience Center District is to provide locations for small convenience shopping facilities. These facilities are intended to serve the daily or frequent trade or service needs of immediate surrounding populations.

61.5.2. *Required Condition.* Retail sales, displays of merchandise, and storage must be within a completely enclosed building except that the Planning Commission may grant an exception to this requirement (as a conditional use) where it finds that enforcement would create an unreasonable hardship. This district shall be limited to developments not exceeding ten thousand (10,000) square feet of gross leasable floor area and no single usage exceeding four thousand (4,000) square feet. No two developments may be collocated.

#### 61.5.3 *Permitted uses.*

- (1) All uses permitted in a C-1 District.
- (2) Self-service laundry.
- (3) Signs as provided in Section 120.

#### 61.6. C-ED, *Commercial-Entertainment District.*

61.6.1. *Intent of the District.* The intent of this district is to allow more intense use of land within the I-95 Interchange proximity areas of the City of Kingsland and is created to serve predominantly the needs of inter-regional destination attractions. The uses allowed in this district should be directed to the needs of tourists, travelers, convention attendees and others attracted to a destination entertainment, amusement, or sports venue.

#### 61.6.2. *Permitted Uses.*

A. Property and buildings in C-ED, Commercial Entertainment District shall be used for the following purposes:

- (1) Amusement centers
- (2) Sports centers
- (3) Other commercial recreation, including but not limited to zip lines, climbing walls, ropes courses, go carts, skating rinks, and miniature golf courses
- (4) Theaters, including outdoor theaters and stages
- (5) Event arenas and staging areas
- (6) Arcades/amusements
- (7) Food service establishments, including but not limited to full service establishments, fast food, and vending carts
- (8) Hotels and motels

- (9) Tent, trailer and recreation vehicle campgrounds for short term occupancy (less than 30 days)
- (10) Other tourist oriented lodging
- (11) Timeshare/fractional ownership units not intended for permanent housing
- (12) Convention, conference and banquet facilities
- (13) Bowling centers
- (14) Passenger carrying tethered helium balloons
- (15) Spas and wellness centers
- (16) Zoos, aviaries and other animal attractions
- (17) Art galleries and museums
- (18) Child care targeted for district visitor/employee families
- (19) Professional and business offices in support of operations within the district or adjacent districts
- (20) Maintenance and repair facilities in support of operations within the district or adjacent districts
- (21) Plant nurseries in support of operations within the district or adjacent districts
- (22) Retail and service shops that are ancillary to a hotel or motel or other amusement or sports center or campground
- (23) Retail establishments (book stores, clothing, specialty retail, confectionary, bakery, etc.) that are part of a planned and designated retail area within the district
- (24) Gift and souvenir shops
- (25) Sporting goods shops and stores
- (26) Farmers markets
- (27) Artisan shops and events
- (28) Media production and broadcast facilities
- (29) Accessory uses and structures incidental to the above uses.

**61.7. C-PLMU, Commercial-Planned Large Multi-Use District.**

**61.7.1. Intent of the District.** The intent of this district is to allow more intense use of land within the I-95 Interchange proximity areas of the City of Kingsland and is created to serve the needs of inter-regional destination attractions mixed with more local uses usually associated with metropolitan cities. The uses allowed in this district should be directed to the needs of tourists, travelers, convention attendees and others attracted to a destination entertainment, amusement, or sports venue or suburban metropolitan centers. Development should be planned in large units, not haphazardly.

**61.7.2. Permitted Uses.**

A. Property and buildings in C-PLMU, Commercial Planned Large Multi-Use District shall be used for the following purposes:

- (1) Amusement centers.
- (2) Sports centers.
- (3) Other commercial recreation, including but not limited to zip lines, climbing walls, ropes courses, go carts, skating rinks, and miniature golf courses.
- (4) Theaters, including outdoor theaters and stages.
- (5) Event arenas and staging areas.
- (6) Arcades/amusements.
- (7) Food service establishments, including but not limited to full service establishments, fast food, and vending carts.
- (8) Convention, conference and banquet facilities.
- (9) Bowling centers.
- (10) Spas and wellness centers.
- (11) Zoos, aviaries and other animal attractions, but not standalone petting zoos.
- (12) Art galleries and museums.
- (13) Arboreta.
- (14) Child care.
- (15) Professional and business offices.
- (16) Maintenance and repair facilities in support of operations within the district or adjacent districts.
- (17) Plant nurseries in support of operations within the district or adjacent districts.
- (18) Shopping centers and/or malls.
- (19) Retail and service establishments (book stores, clothing, specialty retail, confectionary, bakery, etc.) that are part of a planned and designated retail area within the district.
- (20) Gift and souvenir shops.
- (21) Sporting goods shops and stores.
- (22) Farmers markets.
- (23) Artisan shops and events.
- (24) Media production and broadcast facilities.
- (25) Convenience stores and service stations.
- (26) Tires, batteries, and other automotive accessories.

- (27) Automated automobile carwashes.
- (28) Public utility structures and buildings.
- (29) Churches and other places of worship.
- (30) Public and private educational facilities.
- (31) Hotels and motels.
- (32) Tent, trailer and recreation vehicle campgrounds for short term occupancy (less than 30 days).
- (33) Other tourist oriented lodging.
- (34) Timeshare/fractional ownership units not intended for permanent housing.
- (35) Multifamily housing.
- (36) Hospitals and clinics including veterinary hospitals and clinics.
- (37) Assisted living centers, nursing homes, and convalescent centers.
- (38) Parking structures.
- (39) Accessory uses and structures incidental and secondary to the above uses.

(Amend. of 7-23-2007; Ord. No. 2009-3, 4-27-2009; Amend. of 7-26-2010; Ord. No. 2014-03, 3-31-2014; [Ord. No. 2015-16, 10-26-2015](#); [Ord. No. 2015-19, 12-28-2015](#); Ord. No. [2017-08](#), 8-28-17; Ord. No. [2017-09](#), 10-23-2017)

## Sec. 62. - Wholesale and industrial districts.

### 62.1. I-L, Wholesale and Light Industrial District.

62.1.1. *Intent of District.* The I-L district is intended for wholesale and light industrial uses where resultant noise, odors, pollution, and congestion are minimized. Residential development is prohibited. This district is not suitable for heavy industrial uses.

62.1.2. Within the I-L district, the following uses are permitted:

- (1) All permitted uses in any City commercial district except that all new dwellings are prohibited and all existing dwellings shall be a conforming use.
- (2) Adult bookstores, explicit media outlets, adult movie houses, adult entertainment.
- (3) Ice Plants.
- (4) Automobile, laundry or car washes provided that a paved area shall be located on the same lot for the storage of vehicles awaiting entrance to the washing process sufficient to contain a number of vehicles (at 200 square feet per vehicle) equal to one-third of the practical hourly capacity of the washing machine and in addition that curb breaks be limited to two, each not to exceed 300 feet in width, and located not closer than 20 feet to an intersection.
- (5) Contractors storage and equipment yards when located entirely within a building or fenced area as required in Section 59.

(6) Building and lumber supply establishments provided entire storage areas are properly screened as required in Section 59, or of greater height as required to adequately screen such areas, and that any machine operations be conducted entirely within a building which shall not have any openings, other than windows, when facing a residential district or within 100 feet of said district.

(7) Establishments for manufacturing, repair, assembly or processing, including:

- a. Confectionary and bakery.
- b. Clothing and garment manufacturing.
- c. Laboratories for testing materials, chemical analysis and photography processing.
- d. Manufacture and assembly of scientific, optical and electronic equipment.
- e. Manufacture of musical instruments and parts.
- f. Manufacture of souvenirs and novelties.
- g. Manufacture of toys, sporting and athletic goods.

(8) Wholesale warehouses.

(9) Drive-in theaters provided acceleration and deceleration lanes of at least 200 feet in length are provided for the use of vehicles entering or leaving the theater and the volume in concentration of traffic will not constitute a safety hazard or unduly impede highway traffic, and provided that the screen is not visible from any expressway, freeway, arterial or collector street located within 2,000 feet of such screen.

(10) Truck terminals provided that acceleration and deceleration lanes of at least 200 feet are provided for trucks entering or leaving the site and that the truck traffic so generated will not create a safety hazard or unduly impede traffic movement.

(11) Auto auctions.

(12) Development of natural resources including the removal of minerals and natural materials together with necessary building, machinery and appurtenances related thereto, provided:

- (a) Quarry areas being excavated shall be entirely enclosed within a fence of a minimum height of three (3) feet located at least ten (10) feet back from the edge of any excavation.
- (b) The operators or owners of a new operation of the quarry shall present to the Director of Community Planning and Development comprehensive plans and proposals for the re-use of the property at the cessation of the quarry operation. Any extension of quarrying operations beyond the property lines actually being quarried at the effective date of this Ordinance shall be considered as a new operation.

(13) Frozen dessert and milk processing plants.

(14) Bottling works for soft drinks.

(15) Any other establishments for the manufacture, repair, assembly, or processing materials similar in nature to those listed in Section 62.1.2 (6) which are not objectionable by reason of smoke, dust, odors, bright lights, noise or vibrations, or which will not contribute to the congestion of traffic.

(16) Special recreational facilities.

(17) Satellite Dish Antennas, provided that the requirements in Section 130.2 are met

62.2 I-G, General Industrial District.

62.2.1. *Intent of District.* The intent of this district shall be to create and protect areas for industrial uses.

62.2.2. Within the I-G, General Industrial District, the following uses are permitted:

(1) All permitted uses in I-L Wholesale and Light Industrial District.

(2) Agriculture, forestry, livestock and poultry production, provided that the available area for said operation is not less than ten (10) acres in area, and that no structure containing poultry or livestock and no storage of manure or odor or dust producing substances or use shall be located within 200 feet of a property line. All animals (except domestic animals, i.e. dog, cat) shall be kept in a structure or corral.

(3) Dwellings, including a mobile home, for the exclusive use of a watchman or caretaker when located on the same tract as the industrial use and subject to all dimensional and area requirements of the R-3 Multi-Family Residential District.

(4) Outside above ground tanks for the storage of gasoline, liquefied petroleum gas, oil or other inflammable liquids or gases but not when located within 500 feet of any residential district.

(5) Food processing plants such as meat packing, fish and poultry houses.

(6) Munitions manufacturing and storage thereof.

(7) Satellite Dish Antennas, provided that the requirements in Section 130.2 are met

62.2.3. The following uses may be permitted as special exceptions by the Mayor and Council upon recommendation by the Planning Commission in accordance with Section 201 and Article XXIV:

(1) Manufacturing, processing, fabrication, repair and servicing of any following commodity or product:

(a) Manufacture of acetylene or storage thereof, acid, asbestos, ammonia, bleaching powder, or chlorine asphalt or products thereof, cement, lime gypsum or plaster of paris, coal tar or derivatives thereof, creosote or creosote treatment, clay, tile of verified products, emery cloth or sandpaper, fire works or storage thereof, fertilizer, glue, size or gelatine, linoleum, matches, paint, oil, shellac, turpentine or varnish, rubber and gutta percha products, soda compounds.

(b) Petroleum refining, tanning, curing storage of hides and skins; boiler works, foundry or forge operations; incineration, reduction or dumping of offal, dead animals, garbage or refuse; fat rendering; junk, iron, rags, storage and baling; distillation of bones, coal or wood.

(c) Any use that may be obnoxious or offensive by reason of emission of odors, dust, smoke, gas, noise or vibration.

(2) Junk yards provided the following provisions are met:

(a) No such operation shall be permitted to locate closer than 300 feet to a residential district and no closer than 50 feet to any property line.

(b) No such operation shall be permitted to locate on a State or Federal Highway.

(c) All such operations shall be completely enclosed by an opaque fence or wall, except driveway areas, having a minimum height of six (6) feet, but in no case less than such a height as will effectively screen all operations from view.

(d) The number of vehicular driveways permitted on any single street frontage shall be limited to one (1) per 500 feet with a maximum of 20 feet driveway width.

(3) Sanitary landfills subject to the provisions of the Georgia Solid Waste Management Act and the rules of the Georgia Department of Natural Resources governing solid waste management.

(Amend. of 7-23-2007)

#### Sec. 63. - Special districts.

##### 63.1. FT, FOREST TRANSITION DISTRICT.

63.1.1. *Intent of District.* This district is a large lot district intended for maintenance of existing primarily forestry and agricultural uses during their planning for transition to mixed urban uses.

63.1.2. Within the FT, Forestry Transition District, the following uses are permitted:

- (1) All forestry land uses, buildings and activities
- (2) Tree farms
- (3) Hunting, fishing clubs or lodges
- (4) Nurseries
- (5) Accessory buildings and structures
- (6) All other uses existing at time of rezoning provided none of these uses may be expanded.

##### 63.2. F. H. FLOOD HAZARD DISTRICT (OVERLAY DISTRICT)

63.2.1. *Statement of Purpose:* The purpose of the Flood Hazard District is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood at the time of initial construction;
- (3) Control the alteration of natural flood plains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

(4) Control filling, grading, dredging, and other development which may increase erosion of flood damage;

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands; and

(6) Protect the water quality of streams, rivers, other bodies of water.

64.2.2. *Objectives.* The objectives of the Flood Hazard District are:

(1) To promote human life and health;

(2) To minimize the expenditure of public money for costly flood control;

(3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(4) To minimize prolonged business interruptions;

(5) To minimize damage to public facilities and utilities such as water and gas mains, electric lines, telephone lines, sewer lines, streets and bridges located in the flood plain;

(6) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas; and

(7) To insure that potential purchasers are notified that property is in a flood area.

63.2.3. *Lands to Which Flood Hazard District Regulations Apply.* These regulations shall apply to all lands within the jurisdiction of the City of Kingsland, Georgia that lie within the boundaries of a Flood Hazard District. A Flood Hazard District shall be considered an overlay district to existing zoning districts. Uses allowed within the underlying zoning district shall be governed by these Flood Hazard District regulations.

63.2.4. *Interpretation of District Boundaries.* The boundaries of Flood Hazard Districts located within the City of Kingsland, Georgia shall be determined by reference to the National Flood Insurance Program Flood Boundary and Floodway Map for the City of Kingsland, Georgia and the Flood Insurance Study for the City of Kingsland, Georgia, prepared by the U. S. Department of Housing and Urban Development, Federal Insurance Administration, March 1977. Boundaries for construction or use restrictions set forth within the Flood Hazard District regulations shall be determined by scaling distances on the Flood Boundary and Floodway Map. Where interpretation is needed in order to allow a surveyor to locate the exact boundaries of the district as shown on the map, the Zoning Enforcement Officer shall initially make the necessary interpretation based on flood profile information, as contained in the Flood Insurance Study.

63.2.5. *Adoption of Flood Hazard Reports and Maps.* The National Flood Insurance Program Flood Boundary and Floodway Map for the City of Kingsland, Georgia and the Flood Insurance Study for the City of Kingsland, Georgia, prepared by HUD, FIA, and dated June 1984 are hereby adopted by reference and declared to be a part of the Kingsland Development Ordinance.

63.2.6. *Application of Flood Hazard District Regulations.* Within the boundaries of any Flood Hazard District, no land may be used, cleared, filled or converted and no building or structure, or any part thereof, shall be constructed, moved, altered, used or occupied without full compliance with these regulations, except as provided herein, and/or the obtaining of a Zoning Compliance Permit as applicable.

63.2.7. *Warning and Disclaimer of Liability.* The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes.

These regulations do not imply that land outside the Flood Hazard District boundaries or uses permitted within such districts will be free from flooding or flood damages. These regulations shall not create liability on the part of the City of Kingsland or any officer or employee thereof on these regulations or any administrative decision lawfully made there under.

63.2.8. *Establishment of Flood Hazard Districts.* Those areas of the City of Kingsland, Georgia which have been designated as special Flood Hazard areas are the boundaries designated on the Flood Insurance Rate Map (FIRM) dated June 1984.

63.2.9. *General Requirements for Flood Hard District.* The provisions of this section shall apply to all Flood Hazard Districts.

- (1) All new construction and substantial improvements shall be anchored to prevent floatation, collapse or lateral movement of structure;
- (2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
- (3) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (4) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (5) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges of the systems into flood waters;
- (6) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
- (7) Any alteration, repair, reconstruction, or improvements to a structure which is in compliance with the provisions of this Ordinance shall meet the requirements of "new construction" as contained in these regulations.

#### 63.2.10 *Flood Hazard District (FHD).*

63.2.10.1. *General.* Within a designated Flood Hazard District encroachment, new construction or substantial improvements shall be prohibited except as allowed in these regulations as a permitted use or a use by special exception. No fill shall be allowed.

63.2.10.2. *Permitted Uses.* The following and other similar uses having a low flood damage potential and not obstructing flood flows shall be permitted within the FHD, subject to the use regulation of the underlying district and provided they do not require structures, fill, dumping of materials or waste, or storage of materials or equipment. However, no use shall be permitted which would result in an increase in the regulatory flood elevation.

- (1) Agricultural uses, including general farming, pasture grazing, outdoor plant nurseries, horticulture, viticulture, truck farming, forestry, sod farming, and wild crop harvesting.
- (2) Non-structural, industrial and commercial uses, including loading areas, parking areas, and private airport landing strips.

(3) Private and public recreational uses, including golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries for native species, shooting preserves, target ranges, trap and skeet ranges, hunting and fishing areas, and hiking and horseback riding trails.

(4) Residential uses such as lawns, gardens, parking areas, and play areas.

63.2.10.3. *Uses Permitted by Special Exception.* When, after review of the application and hearing thereon, the Council finds that the proposed use is consistent with the general plan and these flood plain regulations and in the public interest, the following may be permitted by special exception provided they are not prohibited by any other provision of this Ordinance.

(1) Uses accessory to permitted uses of uses by special exception.

(2) Circuses, carnivals and similar transient amusement or entertainment.

(3) Drive-in Theaters and parking areas.

(4) Railroads, streets, bridges, utility transmission lines, and pipelines.

(5) Extraction of sand, gravel and other materials.

(6) Marinas, boat rentals, docks, piers, and wharves, exclusive of any structures connected with any of the above mentioned uses.

(7) Other uses similar in nature.

(8) New construction or substantial improvement of any residential structure within the FHD shall have the lowest floor, including the basement, elevated to no lower than one (1) foot above the base flood elevation.

(9) Prior to the framing of any structure allowed in the FHD, a certificate by a registered Civil Engineer certifying that the lowest floor elevation, including basements, has been constructed at an elevation at or above the regulatory flood elevation shall be submitted to the Zoning Enforcement Officer.

(10) New construction or substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement, elevated to no less than one (1) foot above the base flood elevation.

(11) Whenever it is proposed to raise the elevation of any parcel of land within a FHD by the use of fill, only fill from land lying totally within the FHD may be used. Any application submitted pursuant to this section shall be treated as an application for a special exception.

(12) No new fill may be introduced onto any parcel of land lying within the FHD except as provided for in Section 63.2.11. The Commission, prior to approving any development in a FHD requiring fill, may require the developer to submit acceptable hydraulic studies, prepared by a Georgia State Registered Civil Engineer, indicating that the proposed fill would not overload the capacity of the channel downstream or increase flood elevations on adjoining or adjacent properties (to include equivalent flow) and storage capacity can be replaced and maintained by the applicant, within the flood plain, as that term is defined in this Ordinance. Prior approval, where applicable, must be obtained from the Environmental Protection Division of the Georgia Department of Natural Resources or the U. S. Army Corps of Engineers before any Zoning Compliance Permit allowing fill may be issued.

63.2.11. *Procedures for Application for Flood Hazard District Uses and Approval By Commission.*

63.2.11.1. In addition to the requirements set out in Section 63.2.9 to obtain a Zoning Compliance Permit for a special exception, the Zoning Enforcement Officer of the Commission may require the applicant to furnish some of the following for determining the suitability of the particular site for the proposed use:

- (1) A map, in duplicate, drawn to scale, showing the curvilinear line representing the base flood elevation and the regulatory flood elevation, dimensions of the lot, existing structures and uses on the lot and adjacent lots, soil type, natural protective barriers and, if applicable, existing flood control and erosion control works, existing drainage elevations and ground contours, location and elevation of existing streets, water supply and sanitary facilities, and other pertinent information.
- (2) A preliminary plan showing the approximate dimensions, elevation and nature of the proposed use, amount, area and type of proposed fill, area and nature of proposed grading or dredging, proposed alteration of natural protective barriers and, if applicable, proposed drainage facilities, proposed road, sewers, water, and other utilities, specifications for building construction, and materials included for flood proofing.
- (3) Complete hydraulic studies prepared by a currently licensed Georgia State Registered Civil Engineer evaluating, among other things, the total impact of the proposed development upon flood heights and velocities, threatened erosion, the adequacy of the flood and erosion, the adequacy of plans for flood and erosion protection, and the adequacy of drainage facilities.

63.2.11.2. The Director of Community Planning and Development shall advise each applicant for a permit under the Flood Hazard District Regulations that, if required, the applicant will have to obtain same, prior to the issuance of a permit by the Director of Community Planning and Development.

63.2.11.3. The Commission shall determine the specific flood or erosion hazard at the site and shall elevate the suitability of the proposed use in relation to the flood hazard and, if a permit is to be issued, may attach appropriate conditions. In passing upon such application, the Commission shall consider the technical evaluation of the engineer, all factors relevant and standards specified in other sections of this Ordinance, and:

- (1) The damage to life and property due to flooding or erosion damage;
- (2) The proposed water supply and sanitation systems and the prevention of disease, contamination and unsanitary conditions;
- (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (4) The importance of the services provided by the proposed facility to the community;
- (5) The necessity of the facility to a waterfront location;
- (6) The availability of alternative locations not subject to flooding or erosion damage;
- (7) The compatibility of the proposed use with existing development and that anticipated in the foreseeable future;
- (8) The relationship of the proposed use to the comprehensive plan;

(9) The safety of access to and from the property in times of flooding for ordinary and emergency vehicles; and

(10) The expected height, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.

63.2.11.4. After consideration of the factors listed above and for the purpose of these regulations, if the Commission approves the application it may attach such conditions as it deems necessary to further the purposes of these regulations.

63.2.12. *Notification.* If a watercourse is to be altered or relocated, adjacent communities and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia shall be notified by the Zoning Enforcement Officer prior to any such alteration or relocation. Evidence of such notification shall be submitted to the Federal Emergency Management Agency.

63.2.13. *Small Streams and Shallow Flooding Provision.* Where small streams exist but where no base flood data has been provided or where no floodways have been provided, the following provisions apply:

(1) No encroachments, including fill material or structures shall be located within a distance of the stream bank equal to five (5) times the width of the stream at the top of the bank or twenty (20) feet on each side from the top of the bank, whichever is greater, unless certification by a licensed Georgia State Registered Civil Engineer is provided demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(2) The lowest floor, including basement, of all structures shall be at least two (2) feet above the highest adjacent grade or at the elevation required by the Zoning Enforcement Officer after obtaining base flood data from a Federal, State, or local agency or engineer. All attendant utility and sanitary facilities shall be flood proofed to the required elevation.

63.2.14. *Variances.* No variances for construction below the regulatory flood elevation (two feet above base flood elevation) shall be granted. The Commission may, upon appeal in a specific case, grant a variance to Section 63.2.10.3.(12), which provides that no new fill is to be placed onto any parcel of land lying within the Flood Fringe District, provided the following conditions are found to exist:

(1) A literal enforcement of the provisions of these regulations will, in an individual case, result in unnecessary hardship, and compliance with Section 63.2.10.3(12) would not be feasible;

(2) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question which requires that fill be brought in from outside the Flood Fringe District in order to develop the subject property;

(3) A variance, if granted, would not cause substantial detriment to the public welfare and safety or impair the purposes of intent of these Flood Hazard District regulations; and

(4) Base Flood data shall be provided on both the preliminary and final plats.

### 63.3. *Downtown development district.*

63.3.1. *Intent of District.* The intent of the Downtown Development District is to preserve the historical and architectural character of the downtown development area within the jurisdiction of the Architectural and Sign Control Board of Review.

63.3.2. *Superimposed District.* This district is superimposed over other existing districts, and the special requirements of this district shall apply in addition to the requirements of the use district within which a specific property is located. Whenever there is a conflict between the regulations of the underlying zoning district and the regulations of the Downtown Development District, the more restrictive regulations shall apply.

63.3.3. *District Boundaries.* The boundaries of the Downtown Development District shall be identical to the boundaries of the geographical area described in the resolution creating the Downtown Development Authority of the City of Kingsland.

63.3.4. *Permitted Uses.* Any uses permitted within the underlying district shall be permitted within the Downtown Development District provided that a certificate of appropriateness has been issued for that use by the City Council.

63.4. *P D, planned unit development district.*

63.4.1. *Intent of District.* The purpose of a Planned Unit Development District is to offer developers the benefits of efficiency, economy, and flexibility by encouraging unified development of large sites, while deriving for the city the advantages of improved appearance, compatibility of uses, optimum service by community facilities and better handling of vehicular access and circulation. Review of development plan by the Planning Commission shall be in accordance with Section 71 of these regulations and shall assure that such large-scale developments are consistent with the objectives of the community's Comprehensive Plan.

63.4.2. Within the P D, Planned Unit Development District, the following uses are permitted:

- (1) Any use permitted in the R-1 Residential District except that any public uses shall serve only the residents of the P D District.
- (2) Two-family dwellings (duplex).
- (3) Townhouses, provided that such uses comply with the requirements for townhouses as set forth in Section 81.
- (4) Multi-family dwellings.
- (5) Accessory uses, such as private garages and parking areas.
- (6) Retail and services uses limited to the following:

Grocery, confectionary, bakery, newspaper, drug or hardware stores, barber, beauty, radio - T.V. repair, laundry pick-up or laundromat, watch repair or shoe repair establishment, or dentist, or similar professional office, provided that:

- (a) Only business signs are to be used. No neon or directly illuminated sign shall be used either on the exterior or in windows.

All signs shall be attached flat to the face of the building.

- (b) Off-street parking and loading requirements as indicated in Article VII are met.
  - (a) Retail and service users are designed for the service and convenience of the population living within the P. D. No more than five (5) percent of the total floor space of the project shall be used for retail or service establishments.

(Amend. of 7-23-2007)

Sec. 64. - MU/mixed-used.

64.1 *Intent of District.* It is the intent of this section that the MU Zoning District be developed and reserved for business, office, institutional, specified public, semi-public, and residential purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a quiet, compatible and un-congested environment for office type business or professional firms intermingled with dwellings and certain public or semi-public uses; and to discourage any encroachment by unrestricted retail and/or wholesale business establishments, industrial concerns, or other uses capable of adversely affecting the specialized commercial, institutional and housing character of the district.

64.2 *Permitted Uses.* The following uses shall be permitted in any MU Zoning District:

- 1) Business involving the rendering of a personal service, specifically including:
  - a) Barber shop, beauty shop or combination thereof.
  - b) Dressmaker, seamstress or tailor.
  - c) Funeral home or mortuary.
  - d) Insurance agency.
  - e) Jewelry and watch repair shop.
  - f) Medical, dental, chiropractic or other medically oriented office, outpatient clinic and/or laboratory.
  - g) Office building and office for governmental, business, professional or general purposes, but not including any storage, sale, rental or servicing of goods on the premises.
  - h) Art studios except those that generate loud noise (i.e. wood shops, welding for sculptures)
  - i) Clothing or shoe stores
  - k) Real estate agency.
  - l) School offering instruction in art, music, dancing, drama or similar cultural activity.
  - m) Ice cream and/or sandwich shops
  - n) Florist, nursery and gift shops
- 2) One-family and two-family dwellings as regulated in R-1 and R-2 Residential Zoning District.
- 3) Pharmacy, drug store, etc.
- 4) All other uses may be permitted as a special use approved by the City Council in accordance with the provisions of Article XXVI

64.3 *Prohibited Uses.* Types of business which result in the following operations shall be prohibited in any MU Zoning District:

- 1) Loud and offensive noise
- 2) Hazardous materials or those that have an offensive odor
- 3) Torches, gas products, welding, etc.

64.4 *Conditional Uses.* The following use may be permitted on a conditional basis in any MU Zoning District.

- 1) Combination of residential and commercial use on separate levels provided that all dwelling units have direct access to the abutting street or parking area.

All businesses servicing, storage or processing shall be conducted within a completely enclosed building except where the nature of the activity makes it impossible, as for example, off-street loading, and automobile parking for customers while on the premises, shall be limited to those which are not objectionable by reason of odor, dust, bright lights, smoke, noise or vibration. Other Requirements: Unless otherwise specified elsewhere in this Ordinance.

64.5 Uses permitted in MU Multi Use Districts shall be required to conform to the following standards:

- 1) Parking: Uses permitted in MU Zoning Districts shall meet all standards set forth in Article V, pertaining to off-street parking, loading and other requirements. An additional two (2) parking spaces per residential dwelling within the MU Zoning district shall be explicitly reserved for the resident through the usage of signs measuring no more than 1' x 1' and standing 5' tall.
- 2) Signs: Signs shall follow the regulations set forth in Article XII, but cannot be illuminated during the night if residential units exist. One wall sign per business shall not exceed 50 square feet is permitted
- 3) Commercial Business Hours: Hours for businesses to be open for service in the MU Zoning District shall be limited to 7:00 a.m. - 9:00 p.m.
- 4) Accessibility: The residential unit(s) and commercial unit(s) shall not be accessed through the same door.

(Amend. of 7-23-2007)

Sec. 65. - Laurel Island Parkway Overlay District.

The Laurel Island Parkway Overlay District is hereby established. The purpose of establishing this overlay district is to protect the aesthetic and visual character of lands in the City of Kingsland adjacent to the herein delineated major existing and proposed roads. All development proposed within this District shall be subject to the procedures, standards, and guidelines specified in the following sections, in addition to those standards pertaining to the particular base zoning district in which the development occurs. In particular, the purpose of the Laurel Island Parkway Overlay District is to encourage and better articulate positive visual experiences along the City's major existing and proposed highways, as delineated herein, and to provide for the continued safe and efficient utilization of these roadways. This will be accomplished through evaluation of proposed developments within this overlay district by the Planning Commission (PC), which shall review the location, character and appearance of new developments in a positive manner. It is the purpose of such review to determine, in a cooperative fashion with the applicant, whether the proposed plan meets the guidelines and other standards of this overlay district.

65.1 *Delineation of Parkway Overlay District.* The Laurel Island Parkway Overlay District shall include all lands within 500 feet of each side of the center line of the following road rights-of-way:

Laurel Island Parkway—from Coleraine Road to County Road 78, but not including any C-4 zoned property within 1,000 feet of an I-95 ramp.

The approximate boundary of this overlay district shall be shown on the Official Zoning Map and shall be shown as a surveyed line by the applicant on each property subject to PC review.

65.2 *Affected Development/Review by the Planning Commission.* All development plan applications for development located in the Laurel Island Parkway Overlay District shall be reviewed by the Planning Commission. This includes all proposed commercial, residential, recreational or other type development. All changes subject to approval by the Commission shall receive such approval before proceeding. The Commission may also review preliminary development plans or design development drawings at the request of the Mayor and City Council or the applicant so that major redesign or final plan by the applicant shall not be necessary.

65.3 *Development Activity Permitted Within the District .*

- 1) There shall be no alteration of the existing condition of the lands, uses or structures within the Laurel Island Parkway Overlay District from the date of enactment of this section henceforth except as provided for by this section or by other sections of this Ordinance.

65.4 *Minimum Visual Buffer Standards.*

- 1) Retention of and/or creation of a Minimum Visual Buffer along the Corridor right-of-way:

(a) Each approved application for development shall provide a minimum visual buffer between the right-of-way line of the subject roadway and all proposed structures and parking areas. The purpose of the Minimum Visual Buffer is to soften the appearance of structures and parking lots from the road, to screen vehicular headlight glare on and off site, and to lessen spillover light from on site lighting. The buffer shall be continuous, except as set forth in (b) below, and be no less than twenty feet (20') average and fifteen feet (15') minimum depth across the frontage of the property, such buffer being measured from the existing right-of-way line, or from the new right-of-way line should the application under consideration be required to or voluntarily provide a dedication of an easement for proposed roadway purposes. The fifteen foot (15') minimum depth shall not occur at the high activity areas of a project. These areas include but are not limited to: building entrances, drop-offs and drive-throughs.

To determine the average depth of the Minimum Visual Buffer, measurements shall be taken at intervals not greater than 10 feet and perpendicular to the property line. Side buffer areas required by other sections of this Ordinance, and deep, narrow land areas, shall not be used when calculating the Minimum Visual Buffer. Where lagoons and drainage swales occupy a substantial portion of the Minimum Visual Buffer because of natural land forms or drainage patterns, additional buffer depth and/or vegetation may be required to achieve the visual softening requirement. If development is proposed for a platted lot which is part of a previously approved subdivision, and the size of the lot or the existing common road or utility system of the subdivision make strict adherence to these standards impractical, the Commission may relax the above standards for the buffer at lagoons and drainage swales as reasonably necessary to permit development which is otherwise consistent with the Land Development Ordinance.

(b) The intent of the Minimum Visual Buffer is to leave the naturally occurring buffer vegetation intact for its softening effect. This buffer may be enhanced or created, where such vegetation is insufficient or nonexistent, with trees and shrubs of a variety and species appropriate to the City's character. If the Minimum Visual Buffer already has trees of protected size and species as noted in Section 140.6 of the Land Development Ordinance, their preservation is required. Where masses of native shrubs are present, their preservation with minimum disturbance is strongly encouraged. While complete screening of a project is not required, sufficient plant material shall be retained and/or installed to accomplish the softening effect required in (1) above. In order to maintain the screening effect, existing vegetation shall not be limbed-up from the ground more than five feet (5') to the lowest branches, provided that additional height may be permitted at intersections to achieve the sight standard as needed for appropriate vision clearance. However, if understory planting is planned, existing vegetation may, with the approval of the staff, be

limbed-up to a height that will provide adequate sunlight to those plants. Minimum height and caliper of new trees shall be consistent with the provisions of the Landscape section of the Land Development Ordinance. Minimum height of new shrubs used to create the Minimum Visual Buffer shall be three feet (3') at installation.

**65.5 Permitted Activity in Minimum Visual Buffer Before and After Development.** Within the Minimum Visual Buffer there shall be no development, clearing, grading or construction activity with the following exceptions:

- (a) Roadway and/or access to the portion of the site not in the Minimum Visual Buffer provided that it is approximately perpendicular to the right-of-way.
- (b) Provision for water, sanitary sewer, storm drainage, electrical, telephone, natural gas, cable, etc., service lines provided they are approximately perpendicular to the right-of-way. In the event that utilities must be installed approximately parallel to the road right-of-way, an equal amount of buffer may be required to substitute for the area of vegetation removal. Permission for easement and right-of-way disturbance and clearings for such services shall be more favorably considered when such activity is consolidated with vehicular access routes.
- (c) Pedestrian and bicycle paths designed to provide continuous connection along the road corridor, provided that they can be constructed without materially reducing the screening and visual softening capacity of the vegetation buffer.
- (d) Lighting fixtures which comply with the appropriate sections of this Ordinance for approved signs only or if, for safety reasons, they cannot be placed outside the buffer and then only when electric utility lines serving these fixtures and necessary easements can be established and constructed without significantly reducing the screening and visual softening capacity of the vegetation buffer.
- (e) Signs in accordance with the sign regulations delineated herein.
- (f) Clear sight distances at the permitted entrances and exists to any development as needed to provide for reasonable traffic safety, in accordance with accepted traffic engineering practices of the State of Georgia and the City of Kingsland.
- (g) The addition of plantings, earth forms or other visual buffers which, in the opinion of the Commission, would better achieve the purpose set out in subsection (a) than would otherwise be the case.
- (h) Large work area doors or open bays shall be constructed in such a manner that the structure will not directly face Laurel Island Parkway. Screening of these doors should be incorporated with the construction plans for any doors facing other road rights-of-way.
- (i) Heating, ventilating, and air-conditioning equipment, cut work, air compressors, and other fixed operating machinery shall be either screened from view or located so that such items are not visible from the highway. Trash receptacles, dumpsters, utility meters, above-ground tanks, etc., shall be similarly treated.
- (j) No temporary structures are permitted except those in conjunction with and during construction projects.
- (k) Large unbroken parking and drive areas exceeding five thousand (5,000) square feet are not permitted. Separation strips and parking islands shall be used and contain natural or planted trees and shrubs.
- (l) The number of parking spaces shall be as required in the Zoning and Land Development Ordinance. There shall be a maximum of eight (8) spaces in a single row with a nine (9) foot by

eighteen (18) foot island separating each eight or fewer space groups. The retention of original trees is encouraged in the islands.

(m) Parking Lot Islands. When islands are required in parking lots, each island shall include (a) shade tree not less than ten (10) feet in height. The preservation of existing trees in parking islands is encouraged.

#### 65.6 General Sign Standards.

1. If illuminated, signs shall be illuminated only by the following means:

- (a) By a white, steady stationary light of reasonable intensity shielded and directed solely at the sign.
- (b) Light sources to illuminate signs shall be shielded from all adjacent residential buildings and streets and shall not be of such brightness so as to cause glare hazardous to pedestrians or auto drivers or so as to create a nuisance to adjacent residential districts.

2. *Material and Style* .

- (a) Signs shall not have light-reflecting backgrounds but may use light-reflecting lettering.
- (b) The various parts of a sign shall be compatible.
- (c) Any multi-faced sign shall have the same name and same message on all used faces.
- (d) All signs shall be of standard geometric shapes.
- (e) Signs shall not be of or contain a commercial sponsor name or motif (soda bottles, hamburgers, or other figures) or other outdoor commercial displays.

3. *Dimension and Quantity*.

(a) *Area and Quantity* . The area and quantity of any sign face shall conform with the following:

- (i) Major residential development consisting of more than five hundred (500) dwelling units shall be permitted one free-standing sign per entrance with not more than two hundred forty (240) square feet of sign face per sign equally divided among not more than four (4) sign faces. No single sign face shall exceed one hundred twenty (120) square feet.
- (ii) Secondary residential development consisting of five hundred (500) dwelling units or less, but more than three hundred (300) dwelling units shall be permitted one free-standing sign per entrance with not more than one hundred sixty (160) square feet of sign face per sign equally divided among not more than four (4) sign faces. No single sign face shall exceed eighty (80) square feet.
- (iii) Minor residential development consisting of three hundred (300) dwelling units or less shall be permitted one free-standing sign per entrance with not more than eighty (80) square feet of sign face per sign equally divided among not more than four (4) sign faces. No single sign face shall exceed forty (40) square feet.
- (iv) Major commercial development consisting of retail and public commercial uses, either exclusively or mixed with residential uses, which contain more than one hundred thousand (100,000) square feet of heated floor space open to the public shall not have more than two hundred forty (240) square feet of sign face per sign equally

divided among not more than four (4) sign faces. No single sign face shall exceed one hundred twenty (120) square feet.

(v) Secondary commercial development consisting of retail and public commercial uses, either exclusively or mixed with residential uses, which contain one hundred thousand (100,000) square feet or less, but more than forty thousand (40,000) square feet, of heated floor space open to the public shall be permitted one free-standing sign per entrance but no more than two (2) identification signs for the development. Said signs shall not have more than one hundred sixty (160) square feet of sign face per sign equally divided among not more than four (4) sign faces. No single sign face shall exceed eighty (80) square feet, excepting that if the commercial use herein is mixed with residential use which exceeds five hundred (500) dwelling units, the provisions of sub-paragraph (a) shall apply to said development.

(vi) Minor commercial development consisting of retail and public commercial uses, either exclusively or mixed with residential uses, which contains forty thousand (40,000) square feet or less, but more than two thousand five hundred (2,500) square feet, of heated floor space open to the public shall be permitted one free-standing sign per entrance, but no more than two (2) identifications signs for the development, with not more than eighty (80) square feet of sign face per sign equally divided among not more than four (4) sign faces. No single sign face shall exceed forty (40) square feet, excepting that if the commercial use herein is mixed with residential use which exceeds three hundred (300) dwelling units, the provisions of subparagraph (i) or (ii) shall apply, as the case may be.

(vii) A commercial development consisting of retail and public commercial uses which contains two thousand five hundred (2,500) square feet or less of heated floor space open to the public shall be permitted one free-standing sign. Said sign shall have not more than forty (40) square feet of sign face equally divided between not more than two (2) sign faces. If an applicant in this category shall waive the right to have a free-standing sign, the applicant shall be permitted to exceed the building sign, wall graphics, and window graphics limitations of sub-paragraph (6), "Special Sign Standards" below by fifty percent (50%).

Developments, which because of their composition may qualify for more than one of the above categories, may select the single category that provides them the largest sign. The above categories shall not be cumulative.

(b) *Height* . The maximum height of any free-standing sign shall not exceed twelve (12) feet above the average elevation of the nearest public highway. The bottom edge of the sign face shall not exceed four (4) feet in height from average grade.

(c) *Width* . The maximum width of the entire sign structure shall not exceed twenty (20) feet.

(d) *Structure Size* . The size of the support structure for any free standing sign shall not exceed the sign face by more than 100%.

#### 65.7 *Special Sign Standards.*

##### 1. On-Premise Sign Standards:

(a) Building and wall signs shall not occupy more than ten percent (10%) of the signable space on any one facade of a building with a maximum size of the sign limited to forty (40) square feet.

(b) Window graphics, which otherwise comply with this article, may be displayed provided no more than twenty-five percent (25%) of the area of a window may be occupied by signage.

(c) Free-standing signs on any premises shall be spaced at minimum two hundred (200) feet intervals along each public way which views the premises. In the event that less than two hundred (200) feet of any premise is visible from any one public way, only one sign shall be permitted along that public way, notwithstanding that a greater number of signs may be permitted by Section 121 "General Sign Standards", sub-paragraph \_\_\_\_\_

(d) Obstruction. An on-premise sign shall be erected so as to not obstruct or impair driver vision at business ingress-egress point and intersections.

#### 65.8 Temporary Signs and Standards.

1. Types: The following types of signs are classified as "Temporary Signs":

- a. Special event signs.
- b. "Grand Opening, "Going Out of Business" and "Sale" signs of businesses or services.
- c. Signs for work under construction.
- d. Land subdivision or development signs.
- e. Signs advertising the sale or lease of property upon which they are located.

2. Area, Height, Location:

- a. Area: The total area of temporary signs shall not exceed forty (40) square feet and twenty (20) square feet per sign face, except for real estate signs for residential property, which shall not exceed the limitations of Section 8 "Real Estate Signs".
- b. Height: The maximum height of temporary signs shall not exceed eight (8) feet, while the lower edge shall not exceed four (4) feet in height from the average grade.
- c. Location:
  - (a) No temporary sign shall be located so as to obstruct or impair driver vision at business ingress-egress points or intersections.
  - (b) No temporary sign shall be located nearer than one hundred (100) feet to any church, cemetery, public building, historic site or district, and intersection of two (2) or more public streets or highways.
  - (c) Temporary signs are not to be located any closer than one hundred (100) feet from any other sign on the same premises.

#### 65.9 Time Limits.

- 1) "Special Event" Signs: Special event signs may be erected no sooner than fourteen (14) days preceding a special event and shall be removed within forty-eight (48) hours following the special event. The same or similar special event shall not be advertised more frequently than four (4) times a year.
- 2) "Grand Opening" Signs: Temporary "grand opening signs" shall be erected for a period not to exceed fourteen (14) days.

3) "Going-Out-of-Business" and "Sale" Signs: "Going-out of business" and "sale" signs may be erected for a period not to exceed thirty (30) days for "going-out-of-business" signs and fourteen (14) days for "sale" signs.

4) "Project" Signs: Signs for work under construction may be erected upon the issuance of a final development permit on the construction site during the construction and shall be removed within seven (7) days following the issuance of the Certificate of Occupancy.

5) Signs announcing the subdivision of land: Temporary signs announcing the subdivision of land may be erected on the land being developed and shall be removed when one hundred percent (100%) of the development lots are conveyed, or for the term not to exceed six (6) months, whichever comes first. An extension may be permitted by the Community Development Director.

6) Removal: Signs advertising the sale or lease of property shall be removed at the completion of the transaction advertised or for a term not to exceed six (6) months, whichever comes sooner. An extension may be permitted by the Community Development Director.

7) Permits: Unless specifically exempted, a temporary sign is subject to the permit requirements of this section.

65.10 *Real Estate Signs.* One commercial real estate sign, not exceeding six (6) square feet in sign area per face and, if free-standing, not exceeding four (4) square feet in height shall be permitted. Property with two (2) or more on-premise frontages shall be permitted one additional sign per frontage.

65.11 *Canopy Signs.* A commercial center shall be permitted one canopy sign per occupancy, not to exceed six (6) feet in length and eighteen (18) inches in height, placed entirely under a canopy (marquee) directly in front of said location, identifying the occupancy.

65.12 *Multiple-Use Shopping, Business, Office and Professional Centers; Free Standing Directory Signs.*

1) Any multiple-use shopping, business, office and professional center or mall shall be allowed to have not more than two (2) free-standing directory signs for individual businesses provided they meet the following requirements:

a. Information: Signs shall be for director information purposes only.

b. Location: Either the area of the directory sign shall be contained within the limits for total signage area at said center or mall or the sign shall not be visible from any public way.

c. Free standing signs on outlying parcels that do not have direct traffic access to the adjacent roadway will be permitted a sign ½ the size authorized in Section 5 "General Sign Standards".

65.13 *Gasoline Filling Stations.*

(1) Petroleum products, pumps and dispensers which are within view of a public way shall be permitted to display only information required by law and in addition, the brand name and type of product being dispensed.

(2) Premises which dispense retail bulk petroleum products by pump shall be permitted one additional sign on the premises announcing the price per gallon of no more than four (4) products with characters not exceeding twelve (12) inches in height. In lieu of the one additional sign permitted above, the price per gallon may be displayed on each individual pump structure with character not exceeding six (6) inches in height.

65.14 *Flags* .

- (1) Non-governmental flags are deemed to be subject to the provisions of this article except that no such flag shall exceed forty (40) square feet per face.
- (2) Governmental flags must be displayed in a dignified noncommercial manner. No such flag shall exceed forty (40) square feet per face.

(Ord. No. 2014-05, 9-22-2014)

Sec. 70. - Minimum lot area, lot width, required yards, maximum building height and maximum lot coverage.

Within each district the following minimum lot areas, minimum lot widths, minimum yard requirements, maximum height requirements, and maximum lot coverages shall apply unless otherwise specified in this Ordinance:

*70.1. Residential Districts.*

*70.1.1. R-1 Single Family Residential*

- 1 Minimum lot area: 10,000 square feet
- 2 Minimum lot width at the building line: 75 feet
- 3 Minimum front yard setback from street: 25 feet
- 4 Minimum side yard setback from street: 25 feet setback from other property line: 10 feet
- 5 Minimum rear yard setback from street: 25 feet setback from other property line: 15 feet
- 6 Maximum building height: 35 feet

*70.1.2. R-2 Low Density Residential*

1. Minimum lot area:
  - a. Single-family dwellings: 10,000 square feet
  - b. Two and three family dwellings: 4,000 square feet per dwelling unit
  - c. Townhouses: 10,000 square feet for the first three units, plus 4,000 square feet for each additional unit.
    - 1 Minimum lot width at building line: 70 feet
    - 2 Minimum front yard setback from street: 25 feet
    - 3 Minimum side yard setback from street: 25 feet setback from other property line: 10 feet
    - 4 Minimum rear yard setback from other property line: 15 feet
    - 5 Maximum percentage of lot coverage 35 feet
    - 6 Maximum building height: 35 feet
    - 7 Minimum dwelling unit size (heated area):
      - a. Single-family dwellings: None
      - b. Two and three family dwellings: 600 square feet per unit
      - c. Townhouses: None

*70.1.3 R-3, Medium and High Density Multi-Family Residential District*

- (1) Minimum lot area:

(a) Two and three family dwellings: 4,000 square feet per unit.

(b) Multi-family dwellings of more than three units:

8,000 square feet for the first two units; plus 2,000 square feet for each additional unit.

(2) Minimum lot width at building line:

(a) Condominium and Apartment Developments: 70 feet

(b) Townhouses: 60 feet

(3) Minimum front yard setback from street: 25 feet

(4) Minimum side yard:

(a) Apartments/ condominiums, setback from street: 25 feet Setback from other property line: 10 feet

(b) Townhouses, setback from street: 25 feet

Setback from other property not a part of the townhouse building: 10 feet

(5) Minimum rear yard setback from street: 25 feet Setback from other property line: 15 feet

(6) Maximum percentage of lot coverage: 35%

(7) Maximum building height: 45 feet or 3 stories

(8) Minimum dwelling unit size:

(a) Two and three family dwellings: 600 square feet per unit

(b) Multi-family dwelling of more than three units: 600 square feet for the first six (6) units; 500 square feet for the next six (6) units; and 400 square feet per unit in addition to the first twelve (12) units.

#### 70.1.4. *R-4, Single-Family Mobile Home District*

(1) Minimum lot area: 7,500 square feet

(2) Minimum lot width at the building line: 50 feet

(3) Minimum front yard setback from street: 25 feet

(4) Minimum side yard setback from street: 25 feet Setback from other property line: 10 feet

(5) Minimum rear yard setback from street: 25 feet Setback from other property line: 15 feet

(6) Maximum percentage of lot coverage: 30%

(7) Maximum building height: 20 feet

#### 70.1.5 *R-5, Mobile Home Park District*

- 1 Minimum lot area: Five (5) acres
- 2 Maximum density: Seven (7) mobile homes per acre.
- 3 Minimum space area: Each mobile home shall be located on a lot or space having an area of at least 4,000 square feet.
4. Mobile Home Placement and Separation. The minimum distance required for the separation of a mobile home shall be:
 

20 feet from side to side; 20 feet from side to rear; 15 feet from rear to rear; setback from interior driveways shall be at least 15 feet. Mobile home placement for sale centers on Highway 40 E. shall have a minimum setback of 25' from the front property line.
- 5 No mobile home shall be located closer than 30 feet from street right-of-way lines and not closer than 20 feet from property line.

*70.1.6. R-6 Single-Family Large Tract Residential District*

- 1 Minimum lot area: 1.5 Acres
- 2 Minimum lot width at the building line: 100 feet
- 3 Minimum front yard setback from property line: 30 feet
- 4 Minimum side yard setback from property line: 20 feet setback from corner street property line: 25 feet
5. Minimum rear yard setback from property line: 30 feet setback from rear street property line: 20 feet
- 6 Maximum building height: 35 feet
- 7 Maximum percentage of lot coverage: 40 percent
- 8 Minimum subdivision size: 100 Acres

*70.1.7. R-7 Townhouse Residential District*

- 1 Minimum lot area: 1600 square feet
- 2 Minimum lot width at the building line: 16 feet
- 3 Minimum front yard setback from property line: 15 feet
- 4 Minimum side yard setback from property line: 0 feet setback from corner street property line: 25 feet
5. Minimum rear yard setback from property line: 25 feet setback from rear street (not alley) property line: 30 feet
- 6 Maximum building height: 35 feet
- 7 Maximum percentage of lot coverage: 60 percent

### 70.1.8. R-8 Small/Tiny House

## 70.2. Commercial Districts.

### 70.2.1. C-1, Central Business District

- (1) Minimum lot area: 3,000 square feet
- (2) Minimum lot width: 30 feet
- (3) Minimum front yard setback: None; however, public walkways shall be accessible.
- (4) Minimum side yard: None, unless the parcel is adjacent to a residential district, in which case the minimum side yard shall be 15 feet.
- (5) Minimum rear yard: None, unless the parcel is adjacent to a residential district, in which case the minimum rear yard shall be 15 feet.
- (6) Maximum percentage of lot coverage: None, except for new construction where setbacks must be presented.
- (7) Maximum building height: 45 feet

### 70.2.2. C-2, Highway Commercial District

- (1) Minimum lot area: 7,500 square feet
- (2) Minimum lot width at building line: 75 feet
- (3) Minimum front yard setback from King Avenue (S.R. 40): 40 feet {from right-of-way};  
From other public rights-of-way: 25 feet
- (4) Minimum side yard setback from property line of similar uses: 7 feet
  - From street rights-of-way: 25 feet
  - From property lines abutting existing residential uses: 15 feet
- (5) Minimum rear yard setback abutting similar uses: 7 feet
  - Abutting residential use: 15 feet
- (6) Maximum building height: 35 feet
- (7) Maximum percentage of lot coverage by buildings: 35%, except that dwellings shall be subject to the provisions of the R-1 District.

### 70.2.3. C-3, General Commercial District - removed

### 70.2.4. C-4, Interchange Commercial District

- (1) Minimum lot width at building line: 100 feet

- (2) Minimum front yard setback from street: 50 feet
- (3) Minimum side yard setback from property line: 10 feet Minimum side yard setback if corner lot: 35 feet
- (4) Minimum rear yard setback from property line: 15 feet
- (5) Maximum building height: 35 feet

*70.2.5. C-5, Neighborhood Convenience Center District*

- (1) Minimum lot width at building line: 75 feet
- (2) Minimum front yard setback: 25 feet
- (3) Minimum side yard setback from property line: 15 feet
  - From street rights-of-way: 25 feet
- (4) Minimum rear yard setback: 15 feet
- (5) Maximum building height: 35 feet

*70.2.6. C-ED, Commercial Entertainment District*

- (1) Minimum district area: 10 acres
- (2) Minimum lot area: 7,500 square feet
- (3) Minimum lot width at building line: 75 feet
- (4) Minimum front yard setback from King Avenue (S.R. 40): 40 feet {from right-of-way};
  - From other public rights-of-way: 25 feet
- (5) Minimum side yard setback from property line of similar uses: 0 feet
  - From street rights-of-way: 25 feet
  - From property lines abutting existing residential uses: 25 feet
- (6) Minimum rear yard setback abutting similar uses: 0 feet
  - Abutting residential use: 25 feet
- (7) Maximum building height: 50 feet, higher with approval of Fire Chief except that no height shall exceed the distance to the adjacent zoning district boundary
- (8) Maximum percentage of lot coverage by buildings: 35%
- (9) Minimum district buffer: A full year-round visual buffer shall separate all developed parts of the district from surrounding residential zones. The buffer may be a fence or vegetated berm with a vertical visual buffering of at least 20 feet and be at least 25 feet wide, or a vegetative only buffer of at least 15 feet height and 50 feet wide.

*70.2.7. C-PLMU, Commercial Planned Large Multi-Use District*

- (1) Minimum district area: 100 acres

- (2) Minimum lot area: 20,000 square feet
- (3) Minimum lot width at building line: 75 feet
- (4) Minimum front yard setback from King Avenue (S.R. 40) and Laurel Island Parkway: 40 feet {from right-of-way};  
     From other public rights-of-way: 25 feet
- (5) Minimum side yard setback from property line of similar uses: 0 feet  
     From street rights-of-way: 25 feet  
     From property lines abutting existing residential uses: 25 feet (6) Minimum rear yard setback abutting similar uses: 0 feet  
     Abutting residential use: 25 feet
- (7) Maximum building height: 50 feet, higher with approval of Fire Chief except that no height shall exceed the distance to the adjacent zoning district boundary
- (8) Maximum percentage of lot coverage by buildings: 35%
- (9) Minimum district buffer: A full year-round visual buffer shall separate all developed parts of the district from surrounding residential zones. The buffer may be a fence or vegetated berm with a vertical visual buffering of at least 20-feet and be at least 25-feet wide, or a vegetative only buffer of at least 15-feet height and 50-foot wide.

### 70.3. Wholesale and Industrial Districts

#### 70.3.1. I-L, Light Industrial District

- (1) Minimum lot area: As required to meet district's area regulations and intent.
- (2) Minimum lot width at building line: 100 feet
- (3) Minimum front yard setback from street: 30 feet
- (4) Minimum side yard setback from property line or street: 30 feet
- (5) Minimum rear yard setback from property line: 20 feet From street: 30 feet
- (6) Maximum building height: 45 feet

#### 70.3.2 I-G, General Industrial District

- (1) Minimum lot area: As required to meet district's regulations and intent.
- (2) Minimum lot width at building line: 200 feet
- (3) Minimum front yard setback from street: 50 feet
- (4) Minimum side yard setback from property line: 40 feet From street: 50 feet
- (5) Minimum rear yard setback from property line: 40 feet
- (6) Maximum building height: 85 feet

### 70.4 MU, Multi-Use District:

(1) Minimum Lot Area: 5,000 square feet for up to four (4) units (2 bottom, 2 top), 1,000 square feet for each additional unit

(2) Minimum Lot Width: Forty (40) feet

(3) Minimum Front Yard Setback: From King Avenue (State Route 40) - Forty (40) feet All other areas restricted to twenty (20) feet

(4) Minimum Side Yard: Twenty (20) feet side yard setback from street right-of-way Seven (7) feet for side yard setback from property line of similar usage,

(5) Minimum Rear Yard: Fifteen (15) feet setback from street right-of-way or residential zonings district Seven (7) feet from similar commercial uses

(6) Maximum Building Height: Forty-five (45) feet

**70.5 Minimum Setbacks.** Within the zoning districts herein defined, the following minimum setback requirements shall apply:

### MINIMUM SETBACKS

| <i>Zoning District</i> | <i>Front Yard</i>                       |                      | <i>Rear Yard</i> | <i>Interior Lot</i> | <i>Side Yard and Corner Lot</i>         |                      |
|------------------------|-----------------------------------------|----------------------|------------------|---------------------|-----------------------------------------|----------------------|
|                        | <i>Arterial &amp; Collector Streets</i> | <i>Minor Streets</i> |                  |                     | <i>Arterial &amp; Collector Streets</i> | <i>Minor Streets</i> |
| R-1 Residential        | 40'                                     | 25'                  | 25'              | 10'                 | 40'                                     | 30'                  |
| R-2 Residential        | 40'                                     | 25'                  | 25'              | 8'                  | 40'                                     | 25'                  |
| R-3 Residential        | 40'                                     | 25'                  | 25'              | 8'                  | 40'                                     | 25'                  |
| R-4 Residential        | 40'                                     | 25'                  | 25'              | 8'                  | 40'                                     | 25'                  |
| One & Two Family       | 40'                                     | 25'                  | 25'              | 8'                  | 40'                                     | 25'                  |
| Multi-Family           | 40'                                     | 25'                  | 25'              | a                   | 40'                                     | 25'                  |
| C-2 General Commercial |                                         |                      |                  |                     |                                         |                      |
| Multi-Family           | 40'                                     | 25'                  | 25'              | a                   | 40'                                     | 25'                  |
| Commercial             | 40'                                     | 25'                  | b                | c                   | 40'                                     | 25'                  |

|                                  |                                         |      |     |     |     |     |
|----------------------------------|-----------------------------------------|------|-----|-----|-----|-----|
| C-5 Neighborhood Commercial      | 40'                                     | 25'  | 20' | 20' | 40' | 25' |
| C-1 (CBD Central Business        |                                         |      |     |     |     |     |
| Multi-Family                     | 10'                                     | 10'  | b   | c   | 10' | 10' |
| Commercial                       | None                                    | None | b   | c   | 35' | 25' |
| C-4 Interchange Commercial       | <i>See Page Number 103-Section 92.4</i> |      |     |     |     |     |
| I-L Wholesale & Light Industrial | 50'                                     | 30'  | b   | c   | 50' | 30' |
| I-G Industrial                   | 50'                                     | 30'  | b   | c   | 50' | 30' |

{Definitions of a, b, c above}

a Eight (8) feet plus two (2) additional feet for each story (floor) above two stores, but not exceeding twenty (20) feet; and when dwelling unit faces side yard, the dwelling [nit] shall not be less than twenty (20) feet from the side

;le=2q en;None, except when abutting residential district and then not less than twenty (20) feet.

;le=2q

en;None, except when abutting residential district and then not less than twenty (20) feet.

(Amend. of 7-23-2007; Ord. No. 2009-3, 4-27-2009; Ord. No. 2014-03, 3-31-2014; Ord. No. [2017-09](#), 10-23-2017)