LIBERTY COUNTY UNIFIED DEVELOPMENT ORDINANCE

ALLENHURST

FLEMINGTON

GUM BRANCH

HINESVILLE

MIDWAY

RICEBORO

UNINCORPORATED LIBERTY COUNTY

WALTHOURVILLE

As approved by the Planning Commission on Sep. 20, 2022
Action by Governing Authorities Pending

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Division I

Enactment

Article 101
Enactment

Sec. 101-1 Title and Jurisdiction

A. This ordinance shall be known as the "Liberty County Unified Development Ordinance", hereinafter referred to as "Ordinance." The map referred to, which is identified by the title, shall be known as the "The Official Zoning Map of Liberty County, Georgia."

B. This Ordinance governs development within the Town of Allenhurst, the Cities of Flemington, Gum Branch, Hinesville, Midway, Riceboro and Walthourville, and unincorporated Liberty County, collectively referred to as the "municipalities". As part of this ordinance so enacted into law is the Official Zoning Map.

Sec. 101-2 Purpose

The provisions and zoning districts as set forth herein are made in accordance with the joint comprehensive land use plan of Liberty County, with considerations for the character of the County and all the cities therein. It shall be the objective of this Ordinance to promote, protect and facilitate the public health, safety and welfare of all inhabitants, and to prevent the danger and congestion in travel and transportation, loss of health, life or property or other dangers. This ordinance is also intended to support the following community development objectives:

A. **Appearance**. To improve the appearance and utility of the land and structures in the county and the cities, to avoid impacting floodplains, marshlands, wetlands, and streams to the greatest extent possible, and to control the use of signs, and screening of junkyards and other areas of bad appearance.

B. **Transportation**. To create an integrated transportation system, by using public transportation to its maximum effectiveness, and integrating it with private transportation, and to prepare and obtain acceptance of a continuing transportation system for the county and the cities, and particularly to assist low-income groups and elderly citizens in obtaining better transportation to jobs and shopping areas. Additionally, to ensure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments.

C. **Recreation and tourism**. Provide sufficient recreation facilities, particularly at the community level, and promote tourism to the greatest extent possible.

D. **Pollution**. Eliminate or significantly reduce major sources of pollution.

E. **Flooding**. To avoid development in natural areas that are prone to flooding to the greatest extent possible and require additional flood protection in existing developments that are in flood prone areas.

F. **Housing**. To provide an adequate supply of safe and sanitary housing in a decent environment for all income groups, regardless of race, color or background, including the rehabilitation of existing structures.

G. **Economics**. To increase the tax base by providing land for commercial and industrial growth where feasible and minimize the conflict between industrial and commercial growth and residential or public development.

H. **Utilities**. To promote the provision of public and private utilities, to provide adequate sources of power and clean water, and provide for the efficient and responsible removal of solid waste.

I. **Land use and comprehensive plans**. To use these regulations as a tool to help implement the land use and comprehensive plans.

J. **Health**. To improve the health of the residents of the county by controlling pollution, separating new residences for adequate light, sun and air, and providing adequate treatment facilities at the lowest possible cost.

K. **Compliance**. Except as hereinafter provided, no land, building, structure or premises shall hereafter be used, and no building or part thereof or other structure shall be located, erected, reconstructed, extended, enlarged, converted, altered or moved except in conformity with the regulations herein specified for the district in which it is located, and in conformity with all duly ordained ordinances, resolutions and applicable subdivision regulations. No yard space or minimum area required for a building or use shall be considered as any part of the yard space or minimum area for another building or use.

L. **Development**. To encourage the development of economically sound, sustainable and stable municipalities and the county.

M. **Infrastructure**. To ensure the timely provision of required streets, utilities, and other facilities to new land developments.

N. **Public spaces**. To ensure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other purposes and through the preservation of natural areas.

Sec. 101-3 Authority

The Board of Commissioners of Liberty County and the Mayors and Councils of the Town of Allenhurst, City of Flemington, City of Gumbranch, City of Hinesville, City of Midway, City of Riceboro and City of Walthourville are authorized to adopt this Ordinance pursuant to the enabling authority contained in the Georgia Zoning Procedures Law, O.C.G.A. 36-66-1, et seq., and all other relevant laws of the state of Georgia.

Sec. 101-4 Effective Date

In accordance with the Official Code of Georgia Annotated and as witnessed by the signatures at the end of this Article from governing authorities of the Town of Allenhurst, the Cities of Flemington, Gum Branch, Hinesville, Midway, Riceboro and Walthourville, and Liberty County, this Ordinance is hereby enacted into law on _____.

Sec. 101-5 Signatures of Governing Authorities

James Willis, Mayor Town of Allenhurst	Date
Donald Lovette, Chairman Liberty County Board of Commissioners	Date
Paul Hawkins, Mayor City of Flemington	Date
Richard Strickland, Mayor City of Gum Branch	Date
Allen Brown, Mayor City of Hinesville	Date
Levern Clancy, Jr., Mayor City of Midway	Date
Christopher Stacy, Mayor City of Riceboro	Date
Larry Baker, Mayor City of Walthourville	Date

Article 102
General Ordinance Provisions

Sec. 102-1 Repeal of Ordinances

The adoption of this Ordinance shall have the effect of repealing all conflicting ordinances or parts of ordinances. Where this Ordinance and another overlap, whichever imposes the more stringent restriction shall prevail. All other ordinances or parts of ordinances which are in conflict with this Ordinance including, but not limited to, the chapters and appendices in the code of ordinances listed in the following table, are repealed to the extent necessary to give this Ordinance full force and effect.

Table 102.1 – Repealed Ordinances

Jurisdiction	Repealed Ordinances
Allenhurst	• Appendix A (Liberty County) • Appendix B (Liberty County) • Chapter 32- Article II Planning and Development (Liberty County)
Flemington	• Appendix A • Appendix B
Gum Branch	• Gum Branch Zoning Ordinance • Appendix B (Liberty County) • Chapter 32- Article II Planning and Development (Liberty County)
Liberty County	• Appendix A • Appendix B • Chapter 32- Article II Planning and Development (Liberty County)
Hinesville	• Appendix A • Appendix B
Midway	• Midway Zoning Ordinance • Midway Subdivision Regulations
Riceboro	• Chapter 34 & 42 Subdivision & Zoning
Walthourville	• Appendix A • Chapter 117

Sec. 102-2 Severability

The provisions of this Ordinance are severable. If any part of this Ordinance, or their application, is determined to be in conflict with any code or unconstitutional by any court of competent jurisdiction, the remaining sections of this ordinance shall remain valid and enforceable and shall remain in full force and effect.

Sec. 102-3 Conflicting Regulations

A. Where this Ordinance and another overlap, whichever imposes the more stringent restriction shall prevail.

B. Where provisions of this Ordinance conflict with the provisions for flood protection, the flood protection provisions shall prevail.

C. Whenever any provision of this Ordinance refers to or cites a section of the Official Code of Georgia Annotated and that section of the laws is later amended or superseded, this Ordinance shall be deemed amended to refer to the amended section of the section that most nearly corresponds to the superseded section.

Sec. 102-4 Interpretation

In the interpretation and application of this Ordinance, all provisions shall be considered as minimum requirements, liberally construed in favor of the governing authorities, and deemed neither to limit nor repeal any other power granted under state law. Further this Ordinance is not intended to repeal, abrogate or impair any existing easement, covenants or deed restrictions.

Sec. 102-5 Effect on Existing Permits and Approvals

Nothing herein contained shall require any change in the overall layouts, plans, construction, size, or designated use of any development, building, structure, or part thereof, for which official approval and required permits have been granted, or where no approvals or permits are necessary, where construction has been legally started, before the enactment of this Ordinance and completed within a one-year period.

Division II

Zoning Districts

Article 201
Zoning Districts and Map

Sec. 201-1 Districts Established

The following districts are established.

Table 201.1 - Zoning Districts

Category	Designation	District Name
Agricultural and Conservation Districts	**A-1**	Agricultural
	AR-1	Agricultural Residential
	DM	Dunes and Marshes
Residential Districts	**R-20**	Single-family Residential-20
	R-12	Single-family Residential-12
	R-8	Single-family Residential-8
	ATR	Attached Residential
	MFR	Multi-family Residential
	MHP	Manufactured Home Park
	SFMH	Single-family Manufactured Home
Commercial Districts	**C-1**	Central Business
	C-2	General Commercial
	C-3	Highway Commercial
	OI	Office Institutional
	IC	Interstate Corridor
	DD	Downtown Development
Industrial Districts	**LI**	Light Industrial
	I-1	Industrial
Planned Districts	**PUD**	Planned Unit Development
	PDD	Planned Development

Sec. 201-2 Zoning Map

A. **General.** The official zoning map designates the location and boundaries of various zoning districts established in this Ordinance within Liberty County. The official zoning map shall be maintained by the Liberty Consolidated Planning Commission (LCPC) and be available for public inspection during normal business hours. This map shall also be publicly available online through both Liberty County and the City of Hinesville's websites. LCPC shall be the final authority as to the status of the current zoning district classification of land in the county.

B. **Amendments.** The respective governing authority, upon formal application, may amend the zoning map, in accordance with the amendment procedures outlined in Article 602.

C. **Interpretation.** When the street or property layout existing on the ground is inconsistent with that shown on the official zoning map, the Executive Director of the LCPC shall interpret the district boundaries.

D. **Annexation.** Land may not be annexed into a city or de-annexed from a city unless the respective governing authority takes concurrent action to zone that land.

E. **Responsibility.** The LCPC shall be responsible for reporting any changes in the zoning map to the appropriate office, whether it be the City of Hinesville GIS Coordinator or the Liberty County GIS Coordinator.

Sec. 201-3 Zoning Conversion Index

The zoning district names in effect prior to the effective date of this Ordinance are hereby converted, as shown on the following table. The addition of new zoning districts or the deletion of zoning districts subsequent to the original adoption of this Ordinance is not reflected in the following table.

Table 201.2 – Zoning Conversion Index

Former District		New District	
Allenhurst			
A-1	Agricultural	A-1	Agricultural
AR-1	Agricultural Residential	AR-1	Agricultural Residential
R-1	Single-family Residential	R-12	Single-family Residential-12
R-2	Two-family Residential	R-8	Single-family Residential-8
R-3	Multi-family Residential	MFR	Multi-family Residential
R-4	Mobile Home Park	MHP	Manufactured Home Park
R-2A	Single-family, Two-family and Mobile Home Residential	SFMH	Single-family Manufactured Home
O-I	Office Institutional	OI	Office Institutional
B-1	Neighborhood Commercial	C-2	General Commercial
B-2	General Commercial	C-3	Highway Commercial
I-1	Industrial	I-1	Industrial
PUD	Planned Unit Development	PUD	Planned Unit Development
DM-1	Dunes and Marshes	DM	Dunes and Marshes

Former District		New District	
Flemington			
A-1	Agricultural	A-1	Agricultural
AR-1	Agricultural Residential	AR-1	Agricultural Residential
R-1	Single-family Residential	R-20	Single-family Residential-20
R-2	Two-family Residential	R-12	Single-family Residential-12
R-3	Multi-family Residential	MFR	Multi-family Residential
R-4	Mobile Home Park	MHP	Manufactured Home Park
R-2A	Single-family, Two-family and Mobile Home Residential	SFMH	Single-family Manufactured Home
O-I	Office Institutional	OI	Office Institutional
B-1	Neighborhood Commercial	C-2	General Commercial
B-2	General Commercial	C-3	Highway Commercial
I-1	Industrial	I-1	Industrial
PUD	Planned Unit Development	PUD	Planned Unit Development
DM-1	Dunes and Marshes	DM	Dunes and Marshes
Gum Branch			
A-1	Agricultural	A-1	Agricultural
AR-1	Agricultural Residential	AR-1	Agricultural Residential
R-1	Single-family Residential	R-20	Single-family Residential-20
R-4	Manufactured Home Park	MHP	Manufactured Home Park
R-2A	Single-family, Two-family and Mobile Home Residential	SFMH	Single-family Manufactured Home
B-1	Neighborhood Commercial	C-2	General Commercial
B-2	General Commercial	C-3	Highway Commercial
I-1	Industrial	I-1	Industrial
DM-1	Dunes and Marshes	DM	Dunes and Marshes
Hinesville			
R-1	Single-family Residential	R-20	Single-family Residential-20
R-2	Single-family Dwelling	R-12	Single-family Residential-12
R-3	Single-family Dwelling	R-12	Single-family Residential-12
R-4	Single-, Two-family Dwelling	R-8	Single-family Residential-8
R-A-1	Multi-family Dwelling	MFR	Multi-family Residential
R-TH	Townhouse Dwelling	ATR	Attached Residential
MH	Manufactured Home Park	MHP	Manufactured Home Park
MH-2	Single-family Manufactured Home Dwelling	SFMH	Single-family Manufactured Home

Former District		New District	
Hinesville (cont'd)			
OC	Office Commercial	OI	Office Institutional
O-I	Office Institutional	OI	Office Institutional
C-1	Central Business	C-1	Neighborhood Commercial
C-2	General Business	C-2	General Commercial
LI	Light Industrial	LI	Light Industrial
PUD	Planned Unit Development	PUD	Planned Unit Development
DD	Downtown Development	DD	Downtown Development
PDD	Planned Development	PDD	Planned Development
Liberty County			
A-1	Agricultural	A-1	Agricultural
AR-1	Agricultural Residential	AR-1	Agricultural Residential
R-1	Single-family Residential	R-12	Single-family Residential-12
R-2	Two-family Residential	R-8	Single-family Residential-8
R-3	Multi-family Residential	MFR	Multi-family Residential
R-4	Manufactured Home Park	MHP	Manufactured Home Park
R-2A	Single-family, Two-family and Mobile Home Residential	SFMH	Single-family Manufactured Home
O-I	Office Institutional	OI	Office Institutional
B-1	Neighborhood Commercial	C-2	General Commercial
B-2	General Commercial	C-3	Highway Commercial
I-1	Industrial	I-1	Industrial
PUD	Planned Unit Development	PUD	Planned Unit Development
Midway			
AR-1	Agricultural Residential	AR-1	Agricultural Residential
R-1	Single-family Residential	R-12	Single-family Residential-12
R-2	Two-family Residential	R-8	Single-family Residential-8
R-3	Multi-family Residential	MFR	Multi-family Residential
B-1	Neighborhood Commercial	C-2	General Commercial
B-2	General Commercial	C-3	Highway Commercial
I-1	Industrial	I-1	Industrial
PUD	Planned Unit Development	PUD	Planned Unit Development
I-C	Interstate Commercial Corridor	IC	Interstate Corridor

Former District		New District	
Riceboro			
A-1	Agricultural	A-1	Agricultural
AR-1	Agricultural Residential	AR-1	Agricultural Residential
R-1	Single-family Residential	R-12	Single-family Residential-12
R-2	Two-family Residential	R-8	Single-family Residential-8
R-3	Multi-family Residential	MFR	Multi-family Residential
R-4	Mobile Home Park	MHP	Manufactured Home Park
R-2A	Single-family, Two-family and Mobile Home Residential	SFMH	Single-family Manufactured Home
O-I	Office Institutional	OI	Office Institutional
B-1	Neighborhood Commercial	C-2	General Commercial
B-2	General Commercial	C-3	Highway Commercial
I-1	Industrial	I-1	Industrial
PUD	Planned Unit Development	PUD	Planned Unit Development
DM-1	Dunes and Marshes	DM	Dunes and Marshes
Walthourville			
A-1	Agricultural	A-1	Agricultural
AR-1	Agricultural Residential	AR-1	Agricultural Residential
R-1	Single-family Residential	R-12	Single-family Residential-12
R-2	Two-family Residential	R-8	Single-family Residential-8
R-3	Multi-family Residential	MFR	Multi-family Residential
R-4	Mobile Home Park	MHP	Manufactured Home Park
R-2A	Single-family, Two-family and Mobile Home Residential	SFMH	Single-family Manufactured Home
B-1	Neighborhood Commercial	C-2	General Commercial
B-2	General Commercial	C-3	Highway Commercial
I-1	Industrial	I-1	Industrial
PUD	Planned Unit Development	PUD	Planned Unit Development
DM-1	Dunes and Marshes	DM	Dunes and Marshes

Article 202
Agricultural and Conservation Districts

Sec. 202-1 Purpose

A. **A-1, Agricultural.** The purpose of this district is to provide land for the production of agricultural products such as field crops, livestock, poultry, and other conventional agricultural and forestry pursuits as well as large-lot residential areas. This district is also created to assist in the conservation of natural resources by encouraging practices which will conserve soil, water, and marine resources.

B. **AR-1, Agricultural Residential.** The purpose of this district is to provide land primarily for small farms with residences and other limited compatible uses. Commercial, industrial and small lot residential uses are discouraged in order to protect the natural amenities of the area as well as suppress urban sprawl. It is the purpose of this district to promote compatibility between uses and to encourage and provide an orderly transition zone between agricultural and residential uses.

C. **DM, Dunes and Marshes.** The purpose of this district is to preserve and control development within certain land, marsh, water and low-lying areas of the county. These areas serve as wildlife refuges, possess great natural beauty, are of ecological significance, are utilized for outdoor recreational purposes, or provide needed open space for the health and general welfare of the county's inhabitants. The regulations are designed to discourage encroachment of uses capable of destroying the undeveloped character of the district. All regulations of the Georgia Coastal Marshlands Protection Act shall be applicable in this district.

Sec. 202-2 Schedule of Uses

Buildings or land shall not be used, and buildings shall not be erected, except for the following specified uses unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of Table 202.1 may be used for the purposes denoted by the following abbreviations:

A. **Permitted Use (P).** Land and/or buildings with this designation may be used for these purposes by right.

B. **Conditional Use (C).** Land and/or buildings with this designation may be used for these purposes if conditional use approval is granted by the respective governing body upon a finding that all applicable requirements in Article 603 [Conditional Uses] are satisfied.

See Articles 302 [Specific Use Provisions] and 803 [Definitions] for additional information on some of the uses listed below.

Table 202.1 - Schedule of Uses – Agricultural and Conservation			
USE	**A-1 & AR-1**	**DM**	**Notes**
Agricultural			
Agriculture	P		
Aquaculture	P		
Forestry	P		
Sawmill or Lumber Yard	C		
Agribusiness	C		
Residential			
Accessory Dwelling Unit	P		
Bed & Breakfast	C		
Home Occupation Type A	P		
Home Occupation Type B	C		Customers may come to the home
Manufactured Homes (DW)	P		20+ Ft in width
Manufactured Homes (SW)	P		Not allowed in Midway
Rooming/Boarding House	C		
Single- and Two-family Dwelling	P		
Tiny Home	P		
Other			
Airport	C		
Assisted Living Facility	C		
Camp	P		
Cemetery	P		
Commercial Stables	P		
Day Care Center	C		
Event Hall	C		
Fitness/Indoor Recreation Center	C		Including indoor shooting range
Indoor Retail ≤4,000 SF	C		Indoor retail is prohibited
Nature or Wildlife Preserve	P	P	
Outdoor Recreation Club	P		e.g., golf course, tennis court
Outdoor Shooting Range	C		
Park	P	P	
Personal Care Home, Family	P		
Personal Care Home, Group	C		
Place of Worship	P		
Resource Extraction	C		e.g., mine, quarry, borrow pit
Public or Private School (Pre-K - 12)	C		
Seasonal Produce Sales	P		
Skilled Nursing Facility	C		
Veterinary Office, Kennel	C		

Sec. 202-3 Lot Standards

All lots and buildings shall meet the minimum area, setback and width requirements listed below in Table 202.2 for the corresponding district requirements. New lots shall not be created except in conformance with these requirements. In addition, all structures and their placement on a lot shall conform to the minimum dimensional requirements listed for the respective districts. Additional requirements are listed below the table.

Table 202.2 - Lot Standards – Agricultural and Conservation

Requirement	A-1	AR-1
Max Height (Ft)	N/A	N/A
Min Lot Area (SF)*	43,560 (1 Ac.)	30,000
Min Width (Ft)	125	125
Setback, Front (Ft)	50	35
Setback, Rear (Ft)	25	25
Setback, Side (Ft)	25	25

**Due to local soil conditions, larger lot sizes may be required by the Liberty County Health Department when individual septic tanks are used.*

A. **A-1 & AR-1 Special Standards**

1. In A-1, single-family dwellings, including manufactured homes, and their customary uses, on the basis of one (1) dwelling for each acre of land or more under the same ownership.

2. In AR-1, single-family dwellings, including manufactured homes, and their customary uses, on the basis of one (1) dwelling for each thirty thousand (30,000) SF of land or more under the same ownership.

B. **DM Special Standards**

A permit from the State Coastal Marshlands Protection Committee, Georgia Department of Natural Resources, is required for many types of marshland alterations. (Coastal Marshlands Protection Act of 1970, Georgia Laws 1970, p. 939; Coastal Marshlands Protection Committee, Georgia Laws 1972, pp. 1015, 1027, and amendment Georgia Laws 1973, p. 564 et seq.)

Article 203
Residential Districts

Sec. 203-1 Purpose

A. **R-20, Single-family Residential-20.** This district is established to provide for orderly suburban residential development and redevelopment at a minimum lot standard of 20,000 SF, while also allowing for Conservation Subdivisions. A limited number of nonresidential uses are allowed, subject to the restrictions necessary to preserve the character of the suburban neighborhood.

B. **R-12, Single-family Residential-12.** This district is established to provide for orderly urban residential development and redevelopment at a minimum lot standard of 12,000 SF. A limited number of nonresidential uses are allowed, subject to the restrictions necessary to preserve the character of the urban neighborhood. Such uses should have convenient access to arterial streets and nearby civic, commercial or employment uses. This district is established as a buffer between larger suburban lots and the smaller lots more commonly associated with urban neighborhood.

C. **R-8, Single-family Residential-8.** This district is established to promote well-integrated new residential and civic development close to designated and future commercial areas, parks, and transit infrastructure at a minimum lot standard of 8,000 SF. The District is intended to ensure that new development takes advantage of compatible, higher density, pedestrian friendly design in proximity to other residential or commercial development. New development in this District, including rezoning to this District, should aid in the implementation of the Comprehensive Plan and should be focused on developing and redeveloping density in existing urban areas.

D. **ATR, Attached Residential.** This district provides for the development of attached residential types, including townhouse, duplex, condominium, and other attached styles of dwelling units with the intent to provide housing at density greater than that seen in the single-family districts. This district provides a choice in housing types in the community where such dwellings would be compatible with existing development and is suggested to be used in areas that are appropriate for higher density residential units. This district is intended to be used to provide attached residential, whether through subdivision of property or in-fill development.

E. **MFR, Multi-family Residential.** This residential district is created to provide the highest yielding residential density allowed. The principal use of land may range from single-family to apartment. Multi-family and condo developments are to be developed on a single development site and in no case shall the property be subdivided into fee-simple lots, unless they are compliant with the subdivision requirements set forth within this Ordinance.

F. **MHP, Manufactured Home Park.** This district is intended to provide for the establishment of manufactured home and recreational vehicle parks. In no case shall a manufactured home park be separated into lots in fee simple ownership. All manufactured home sites shall be shown on a site plan. It is intended that all manufactured home parks be desirable living

areas with adequate open space and that all RV parks be desirable temporary living spaces with adequate open space.

G. **SFMH, Single-family Manufactured Home.** This district is established to provide for small-lot subdivision of property for the purpose of locating manufactured housing on a fee-simple lot. The District is intended to ensure that new development takes advantage of compatible, higher density, pedestrian friendly design in proximity to other residential or commercial development. This is also a residential district which provides the greatest density of single-family manufactured home units on individually owned lots. Equal care should be given to the subdivision of lots in this district, as they would be given to any other residential subdivision. Residential uses within this district are limited to manufactured housing.

Sec. 203-2 Schedule of Uses

Buildings or land shall not be used and buildings shall not be erected except for the following specified uses unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of Table 203.1 may be used for the purposes denoted by the following abbreviations:

A. **Permitted Use (P).** Land and/or buildings with this designation may be used for these purposes by right.

B. **Conditional Use (C).** Land and/or buildings with this designation may be used for these purposes if conditional use approval is granted by the respective governing body upon a finding that all applicable requirements in Article 603 [Conditional Uses] are satisfied.

See Articles 302 [Specific Use Provisions] and 803 [Definitions] for additional information on some of the uses listed below.

Table 203.1 - Schedule of Uses – Single-family Residential Districts

USE	R-20	R-12	R-8	SFMH	Notes
Conventional Residential					
Single-family Residential	P	P	P		Excludes manufactured homes in Hinesville
Manufactured Home (DW)		P*	P*	P	*Only allowed in Midway
Manufactured Home (SW)				P	
Recreational Uses					
Community Swimming Pool	P	P	P	P	
Golf Course	P	P	P		
Park and Playground	P	P	P	P	
Institutional					
Cemetery	C	C	C		
Day Care Center	C	C	C		Must be on an arterial or collector street
Family Day Care Home	P	P	P		1-6 children

USE	R-20	R-12	R-8	SFMH	Notes
Institutional (cont'd)					
Place of Worship	C	C	C		
Public Facility	C	C	C	C	e.g. police station, fire station
School (Pre-K - 12)	C				Must be on an arterial or collector street
Special Residential					
Accessory Dwelling Unit	P	P	P	P	
Bed & Breakfast	C	C	C		
Home Occupation Type A	P	P	P	P	See Article 302
Home Occupation Type B	C	C	C	C	Not allowed in Hinesville. See Article 302.

Table 203.2 - Schedule of Uses - Other Residential Districts

USE	ATR	MFR	MHP	Notes
Conventional Residential				
Single-family Residential	P	P		Excludes manufactured homes in Hinesville
Duplex	P	P		
Manufactured Home (DW)			P	
Manufactured Home (SW)			P	
Manufactured Home Park			P	
Multifamily Dwellings		P		
Town Houses	P	P		
Condominiums	P	P		
Recreational Uses				
Community Swimming Pool	P	P	P	
Park and Playground	P	P	P	
Institutional				
Assisted Living Facility		C		
Boarding/Rooming House		C		
Cemetery	C	C		
Child Care Institution		C		Must be on an arterial or collector street
Family Day Care Home	P	P		1-6 children
Halfway House	C	C		Includes Clean & Sober housing
Public Facility	C	C	C	e.g., police station, fire station
Skilled Nursing Facility		C		

USE	ATR	MFR	MHP	Notes
Special Residential				
RV Park			P	
Home Occupation Type A	P	P	P	See Article 302
Personal Care Home, Family	P			1-6 people
Personal Care Home, Group		P		7-15 people

Sec. 203-3 Lot Standards

All lots and buildings shall meet the minimum area, setback and width requirements listed below in Table 203.3 for the corresponding district requirements. New lots shall not be created, except in conformance with these requirements. In addition, all structures and their placement on a lot shall conform to the minimum dimensional requirements listed for the respective districts. Additional requirements are listed below the table.

Table 203.3 - Lot Standards - Residential Districts

District	Housing Type	Min Lot Area (SF)	Min Lot Width (Ft)	Front Setback (Ft)	Rear Setback (Ft)	Side Setback (Ft)	Side Street Setback (Ft)	Max Height (Ft)
R-20	SFD	20,000	100	35	25	15	35	35
R-12	SFD	12,000	80	25	20	15	25	35
R-8	SFD	8,000	60	20	15	10	20	35
ATR & MFR	SFD	8,000	60	20	15	10	20	35
	Town House	2,000	20	20	20	10	20	35
	Duplex	8,000	70	25	20	10	25	35
	Apts. or Condos	8,000	70	20	15	20	20	50
MHP	MH Park	217,800 (5 Ac.)	N/A	25	25	25	25	35
SFMH	Mfr'd Home	8,000	60	20	15	10	20	20

A. MHP Special Standards

1. In no case shall a manufactured home park be separated into lots in fee simple ownership. All manufactured home sites shall be shown on a common site plan.
2. In no case shall an RV Park and Manufactured Home Park be intermixed; an RV section and Manufactured Home section of a park must be distinct and both meet minimum requirements of those developments as outlined in Article 306.

B. Other Special Standards

1. If a lot is located on the radius of a cul-de-sac, the minimum lot width may be reduced by 10%.
2. All lots abutting an arterial or collector street shall have a minimum front setback of 35 Ft.

Article 204
Commercial Districts

Sec. 204-1 Purpose

A. **C-1, Central Business.** This district is created to ensure the maintenance of a centrally located trade and commercial service area and to provide for the orderly expansion of uses necessary to support such an area and to discourage any encroachment by industrial, residential, or other uses considered capable of adversely affecting the commercial character of the district.

B. **C-2, General Commercial.** This district is created and reserved for general business purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible and economically healthy environment for retail, business, financial service, and professional uses which benefit from being located in close proximity to each other; and to discourage any encroachment by industrial, residential or other uses considered capable of adversely affecting the basic commercial character of the district.

C. **C-3, Highway Commercial.** This district establishes a heavy commercial zone to provide a wide variety of commercial facilities, areas for wholesaling and distribution uses, commercial uses needing access to major highways, and commercial uses utilizing large sites. Temporary residential uses requiring access to major highways, such as RV parks, shall also be permitted in the highway commercial district. Encroachment by residential, industrial or other uses considered capable of adversely affecting the commercial character of the district will be discouraged.

D. **OI, Office Institutional.** This district establishes areas to serve as a transition in use intensity between residential and commercial districts to protect existing residences. It is intended for office-type businesses or professional firms intermingled with certain public or semi-public and commercial retail sales and service uses. This district discourages any encroachment by high-impact developments capable of adversely affecting the specialized commercial, institutional and housing character of the district.

E. **IC, Interstate Corridor.** The purpose of this district is to provide areas for the development of commercial establishments that cater specifically to motor vehicle needs. It is also the intent of this district to provide adequate land areas in terms of width and depth to meet the needs of commercial development where access is dependent on vehicular trade.

F. **DD, Downtown Development.** The purpose of this district shall be to create and reserve an area in which residential, institutional, professional, certain types of retail sales and selected services can be intermixed on the same parcel and/or same structure. The regulations which apply within this district are designed to encourage the restoration, redevelopment, development of the downtown area to be identified in the City of Hinesville Comprehensive Plan.

Sec. 204-2 Schedule of Uses

Buildings or land shall not be used and buildings shall not be erected except for the following specified uses unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of Table 204.2 may be used for the purposes denoted by the following abbreviations:

A. **Permitted Use (P).** Land and/or buildings with this designation may be used for these purposes by right.

B. **Conditional Use (C).** Land and/or buildings with this designation may be used for these purposes if conditional use approval is granted by the respective governing body upon a finding that all applicable requirements in Article 603 [Conditional Uses] are satisfied.

See Articles 302 [Specific Use Provisions] and 803 [Definitions] for additional information on some of the uses listed below.

Table 204.1 - Schedule of Uses - Commercial Districts

USE	C-1	C-2	C-3	OI	IC	DD	Notes
Recreation							
Fitness, Indoor Recreation Center	P	P	P		C	P	e.g., bowling alley, pool hall, arcade
Park, Amphitheater	C	C	C	C	C	P	
RV Park, Campground			P				
Outdoor Recreation			C		C		e.g., stadium, racetrack, zoo, golf course
Conventional Residential							
Single- and two-family dwelling						P	
Multi-family dwelling						P	
Town House						P	
Condominium						P	
Commercial Residential							
Accessory Dwelling Unit	C			C		P	
Bed & Breakfast				C		P	
Boarding/ Rooming House					C		
Personal Care Home				C	C		
Family Day Care Home						P	1-6 children
Institutional							
Assisted Living Facility				C			
Child Care Institution (Full-Time)				P			
College, Commercial or Trade School		P	P	P	C	P	
Cultural Facility	P	P	P	P	C	P	e.g., library, museum

USE	C-1	C-2	C-3	OI	IC	DD	Notes
Institutional (cont'd)							
Day Care Center				P		P	7+ children
Hospital		C	C	C	C		
Medical, Dental, and Related Office	P	P	P	P	C	P	
Office	P	P	P	P	C*	P	*Governmental offices are permitted in IC
Place of Worship				P	C	C	
Public Facility	C	P	P	C	C	C	e.g., fire station, police station
School, Pre-K - 12				P	C	C	
Skilled Nursing Facility				C	C	C	
Commercial							
ATMs (Standalone)	P	P	P	P	C	C	
Auto Body or Repair Shop		C	P		C		
Car Wash, Detailing Shop		P	P		C		
Conference Center, Event Hall		C	C		C		
Funeral Home	P	P	P	P	C	P	
Home Occupation Type A					P	P	Only in a residence
Home Occupation Type B					C	C	Only in a residence
Hotel/Motel	P	P	P		C		
Laundromats	P	P	P	P	C	P	
Mortuary, Crematorium		C	C		C		Minimum 1 acre lot
Personal Service Shop	P	P	P	P	C	P	e.g., barbershop, nail salon, body art, massage clinic
Pet Day Care Facility	C	C	C		C		
Photographic, Music, or Art Studio	P	P	P	P	C	P	
Private Club or Lodge		P	P	C	C	C	
Public Parking Garages or Lots	C	P	P	C	C	C	
School of Art, Music and similar activities	P	P	P	P	C	P	
Service Shop, Financial Institution	P	P	P	P	C	P	e.g., dry cleaners, pet grooming, bank
Veterinary Office, Kennel		C	C		C		

USE	C-1	C-2	C-3	OI	IC	DD	Notes
Retail							
Retail, Big-Box Store			P		C		
Retail, Convenience Store/Gas Station	C	P	P		C		
Retail, Indoor	P	P	P	P	C	P	
Retail, Outdoor			P		C		
Seasonal Produce Sales			P		C		
Flea Market			C		C		
Small Engine Sales and Service		C	P		C		
Transient Merchants	P	P	P				Hinesville and Flemington only
Food Services and Entertainment							
Brewpub, Distillery	P	P	P		C		
Bar, Nightclub	P	P	P		C		
Restaurant ≤ 1,200 SF, café	P	P	P		C	P	SFage incl. kitchen area
Restaurant > 1,200 SF	P	P	P		C		
Theater, Assembly Hall, Concert Hall	C	P	P		C		
Industrial Commercial							
Freight or Trucking Terminal			C		C		
Heavy Equipment Repair			C		C		
Service, Storage and Maintenance Facility			C		C		e.g., utility service yard, bus barn, maintenance garage, contractor yard
Self-Storage Facility		P	P		C		
Stone or Monument Works			C		C		
Telecom Facility (Tower)	C	C	C	C	C		See Article 304
Warehouse, Wholesale Distributor			P		C		
Wrecker Service Operations		C	P		C		

Sec. 204-3 DD Special Use Standards

A. A permanent residence on the second floor of a commercial use is permitted provided 30% of the total floor area of the structure is designated for commercial use.

B. LCPC may administratively approve any use it deems to be compatible with the intent of this zoning district.

Sec. 204-4 Lot Standards

All lots and buildings shall meet the minimum area, setback and width requirements listed below in Table 204.2 for the corresponding district requirements. New lots shall not be created, except in conformance with these requirements. In addition, all structures and their placement on a lot shall conform to the minimum dimensional requirements listed for the respective districts. Additional requirements are listed below the table.

Table 204.2 - Lot Standards - Commercial Districts

Requirement	C-1	C-2	C-3	OI	IC	DD
Max Height (Ft)	60	60	60	35	45	35
Min Lot Area (SF)	N/A	8,000	15,000	8,000	21,780 (½ Ac.)	8,000
Min Width (Ft)	N/A	70	100	70	N/A	70
Setback, Front (Ft)	N/A	20	35	20	50	20
Setback, Rear (Ft)	N/A	10	15	10	15	10
Setback, Side (Ft)	N/A	10	10	10	10	10
Setback, Side Street (Ft)	N/A	20	35	20	50	20

A. **C-1 Special Standards**

1. A front yard is not required.
2. A side yard is not required except on the side of a lot adjoining a dwelling district, in which case there shall be a side yard of not less than five (5) ft.
3. A rear yard is not required except where a lot abuts upon a dwelling district, in which case there shall be a side yard of not less than fifteen (15) ft.
4. The building may cover the entire lot except where areas are needed for loading, servicing and access.
5. Parcels zoned C-1 are exempt from the parking requirements set forth in Article 402 [Parking Lots]. If a parcel zoned C-1 voluntarily provides off-street parking, then the parcel must comply with all of the requirements set forth in that article.
6. Adequate areas shall be provided for the loading and unloading of delivery trucks and other vehicles, and for servicing by refuse collection, fuel, fire and other vehicles so as not to impede pedestrian walks and automobile access ways.

B. **Other Special Standards**

1. A minimum 35-foot front and side yard building setback is required when abutting an arterial or collector street in all districts except C-1.
2. A minimum 20-foot side setback is required for corner lots in all districts except C-1.

Article 205
Industrial Districts

Sec. 205-1 Purpose

A. **LI, Light Industrial.** This district is established to provide land for various types of industrial, manufacturing, or warehousing portions which are compatible with adjoining districts. Such uses generally require storage of materials or goods either before or after the manufacturing process but are of low noise or nuisance level. Land for this district should be located in relation to the thoroughfare network of the community as well as rail and air, if required, and designed so as not to disrupt normal traffic flow. Planned industrial parks are encouraged in this district.

B. **I-1, Industrial.** This district is intended to accommodate industrial areas that must be isolated, because of negative impacts that cannot be made compatible with other uses. The creation of this separate District for industrial use recognizes not only nuisances, but also infrastructure and operational incompatibilities between its permitted uses and those of other districts. Accordingly, the standards for this District are designed to accommodate intensive industrial uses that generate nuisances, which either cannot be handled by technology or which are nearly impossible to police. Locational criteria for this district focus on transportation, requiring that sites have access to a railroad, an airport or a major expressway.

Sec. 205-2 Schedule of Uses

Buildings or land shall not be used, and buildings shall not be erected except for the following specified uses unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of Table 205.1 may be used for the purposes denoted by the following abbreviations:

A. **Permitted Use (P).** Land and/or buildings with this designation may be used for these purposes by right.

B. **Conditional Use (C).** Land and/or buildings with this designation may be used for these purposes if conditional use approval is granted by the respective governing body upon a finding that all applicable requirements in Article 603 [Conditional Uses] are satisfied.

See Articles 302 [Specific Use Provisions] and 803 [Definitions] for additional information on some of the uses listed below.

Table 205.1 - Schedule of Uses – Industrial Districts			
USE	**LI**	**I-1**	**Notes**
Airport	C	C	
Auto Repair or Body Shop	P	P	
Building Material Sales	P	P	
Contractor Storage Yard	P	P	
Freight or Trucking Terminal	P	P	
Heavy Equipment Repair	P	P	
Manufacturing Facility, Heavy		C	
Manufacturing Facility, Light	P	P	
Research or Testing Facility	P	P	
Resource Extraction		C	e.g., mine, quarry, borrow pit
Salvage Yard	P	P	
Self-Storage Facility	P	P	
Service, Storage and Maintenance Facility	P	P	e.g., utility service yard, bus barn, maintenance garage, contractor yard, bulk fuel storage
Slaughterhouse		P	
Solid Waste Management Facility	C	C	
Stone Works and Monuments	P	P	
Telecom Facility (Tower)	C	C	See Article 304
Wholesale Distributor or Warehouse	P	P	
Wrecker Service Operations	P	P	

Sec. 205-3 Lot Standards

Table 205.2 - Lot Standards – Industrial Districts		
Requirement	**LI**	**I-1**
Max Height (Ft)	60	N/A
Min Lot Area (SF)	N/A	N/A
Min Width (Ft)	100	100
Setback, Front (Ft)	30	35
Setback, Rear (Ft)	25	35
Setback, Side (Ft)	25	35

Special lot standards for industrial zoning districts may, in some cases, be dictated by the Liberty County Development Authority if developed on its land.

Article 206
Planned Unit Development Districts

Sec. 206-1 Purpose

The planned unit development (PUD) district is intended to allow for an overall design of a site which encourages flexibility in siting and integrates mixtures of housing types and land uses, open space, the preservation of significant natural features, and other enhancements which result in a more sustainable community and desirable living and/or working environment that is superior to what could be obtained through lot-by-lot design.

Sec. 206-2 Rezoning and Qualifying Conditions

A. A PUD shall be permitted through rezoning to a PUD zoning designation.

B. To qualify for a PUD zoning designation, the site utilized shall not be less than ten (10) acres. The proposed development shall include a minimum of seven (7) of the following elements:

1. a mixture of housing types (e.g. detached single-family, attached residential, multifamily);
2. an affordable housing (pursuant to Georgia Department of Community Affairs guidelines), elder housing or assisted living component;
3. a mixture of land uses (e.g. residential and commercial, commercial and industrial);
4. preservation of mature forest stands within developable areas (i.e. not within wetlands) totaling one acre or more;
5. common areas exceeding a total of 0.02 acres per dwelling unit;
6. at least one common area that exceeds 20,000 SF in size;
7. landscaping of common areas with a minimum of 400 landscape quality points per acre (such area shall be dedicated to a funded property owners' association and not the governing authority);
8. bicycle/pedestrian pathways that connect to adjacent open spaces, public parks or other public pathways (note: in this instance, a sidewalk is not considered a pathway);
9. an adaptive and inclusive playground (pursuant to ADA standards);
10. a recreational area (only for a development with fewer than 150 dwelling units);
11. incorporation throughout the development of decorative pavers or similar aesthetic enhancement into the vehicular or pedestrian circulation systems;
12. *(this option not available in Hinesville, as is it always required)* decorative shelters over the cluster mailbox units serving 30 or more mailbox deliveries (such structures shall

be dedicated to a funded property owners' association and not the governing authority); or

13. a community clubhouse.

Sec. 206-3 Review Procedures and Required Approvals.

A. A general development plan (GDP) in conformance with Sec. 206-4 below shall accompany a rezoning petition and shall be reviewed by LCPC. The Planning Commission shall provide a recommendation regarding the GDP and rezoning request to the governing authority which shall act on them. A PUD shall be approved if it meets the purpose stated above and the requirements herein.

B. For PUDs consisting of 50 acres or more, a masterplan indicating the general locations of individual land uses may be submitted initially with the rezoning petition. However, with each individual phase, an additional rezoning petition with a GDP shall be reviewed and approved as indicated above.

C. A PUD revision shall be considered minor and may be administratively approved by LCPC if the revisions only include one or more of the items below. All other PUD revisions shall be required to follow the procedures outlined in subsection A above.

1. Decrease in density
2. Increase in open space or recreational areas
3. Changes in the proportion of housing unit or lot types by less than five percent but not more than ten dwelling units.

D. For approved PUDs which involve the subdivision of land, subdivision approval shall be required in conformance with Division V. Any lots within the PUD that are to be used for anything other than single-family dwellings or duplexes shall require site plan approval pursuant to Division IV.

E. For approved PUDs that do not involve the subdivision of land, site plan approval shall be required pursuant to Division IV.

Sec. 206-4 General Development Plan (GDP)

A GDP shall be submitted with the PUD rezoning petition and shall include the following components as described below: report, map and design guidelines. The GDP shall demonstrate compliance with the purpose of the district and the minimum design criteria in Sec. 206-5 below.

A. The report shall include the following, at a minimum:

1. Property information including owner, developer (if not the owner), location, total acreage and parcel ID number.
2. Narrative describing the proposed development.
3. Identification and description of which elements listed in Sec. 206-2B are included in the proposed development.
4. Description of the existing site and acreages of wetlands, water bodies and uplands/usable land.

5. Development Standards (as applicable)
    a. Proposed uses.
    b. Lot standards for each residential use, including minimum usable area, lot width, and lot depth.
    c. Maximum overall densities of the PUD.
    d. Minimum setbacks from the front, side, and rear properties lines for principal and accessory buildings. May also include setback requirements from other features such as wetlands, railroad property, proposed non-residential property, etc.
    e. Description of proposed utilities and other services.
    f. Description of any proposed deviations from or modifications of other standards of this Ordinance and accompanying narrative.
    g. Description of development schedule including any proposed phasing.
    h. Open Spaces and Recreational Areas
        i. Amount of proposed open space and recreational areas.
        ii. Description of features of the open spaces and recreational areas.
        iii. Timetable or phasing for the creation of the open space and the construction of amenities at the recreational areas.
    i. Description of proposed dedications to the governing authority, homeowners' association, conservancy, etc.
    j. Description or indication if there will be a homeowners' association and, if so, for what it will be responsible.

B. A color map showing the conceptual plan for the PUD shall include the following, at a minimum:
    1. street layout showing access and circulation
    2. land uses
    3. open space and recreational areas
    4. preliminary lot layout
    5. preliminary building layout (if not a subdivision)
    6. parking

C. Design guidelines, if any, for buildings, street lighting, etc., shall be provided and, if available, architectural renderings of the design guidelines.

Sec. 206-5 Minimum Design Criteria

Below are the minimum standards that all PUDs shall meet. Variations to other standards of this Ordinance may be allowed in order to allow for an efficient and innovative design provided the applicant demonstrates the variations are in keeping with the purpose of PUDs and the purposes

of this Ordinance, do not create a safety hazard and do not create an undue adverse effect on adjacent residential properties.

A. **Permitted uses** - Uses within the PUD shall be compatible with surrounding districts and the intent of the PUD. Once approved, no other uses shall be allowed.

B. **Setback and density standards**

1. No building shall be located closer than 25 feet to any boundary of the PUD, 35 feet to any existing arterial or collector street right-of-way or 15 feet to any proposed street right-of-way within the development.
2. No building shall be closer to any other building than 15 feet.
3. Maximum building height is 50 feet.
4. For single-family dwellings, the maximum density permitted is six dwelling units per upland acre within the development and the minimum lot size shall be no less than 4,500 SF of usable area.
5. For multi-family dwellings, the density shall not exceed what is allowed in an MFR district based on usable acreage.

C. **Landscaping and buffering**

1. There shall be a 50-foot buffer strip with plant cover, trees and/or an opaque fence unless the adjoining use is compatible. For instance, when single-family and multi-family dwellings within a PUD abut an MFR district, then no buffer shall be required.
2. The design shall include buffers suitable for screening residential areas from commercial uses as required in the tree ordinance if applicable.

D. **Access and connectivity**

1. Shopping centers and other types of planned developments shall not have more than two access points to any one public street, unless unusual circumstances dictate the need for additional access points.
2. All access points from a PUD should be located at least 100 feet from the intersection of any street.
3. PUDs containing both residential and commercial uses shall be designed, located and oriented on the site so that commercial uses are directly accessible to residents of the development. Directly accessible means pedestrian and vehicular access by way of improved sidewalks or paths and streets and/or internal driveways that do not involve leaving the planned development.

E. **Common space**

Within a residential component of a PUD, common space shall be set aside in accordance with the provisions below.

1. <u>General</u>

a. To ensure the adequacy of common space, a minimum of 0.01 acres per lot of common space shall be required for each development phase or, for multi-family

dwellings, 0.01 acres per dwelling units. Lakes, ponds or wetlands shall not be included in computing dedicated common space area.

b. The common space shall not consist of small, fragmented pieces of land which would not serve any useful purpose and in no case shall any one common space be less than 10,000 SF, regardless of the minimum required.

c. Common space and all improvements within them shall be continually maintained, which shall include litter control and cutting of grass and weeds.

d. The common space shall be dedicated for one or both of the following uses: open space and recreational areas as described herein. This notwithstanding, at least one recreational area shall be required for a PUD with 150 or more dwelling units at full buildout. Recreational areas shall not be located within a special flood hazard area (floodplain).

e. Common space shall meet the tree planting requirements (points) in the tree ordinance as applicable.

2. Open space

a. Open space shall be used for passive recreation and shall be clearly identified as being dedicated for the public to enjoy.

b. For PUDs which require subdivision approval, open space shall be dedicated to a funded homeowners' association or a non-profit entity (such as a land conservancy).

3. Recreational areas

a. Recreational areas shall provide for active recreation. One or more of the following items may be chosen to fulfill this requirement:

i. Playgrounds

ii. Dog parks

iii. Paved walking/nature trails (may be raised if located in wetlands)

iv. Volleyball, basketball, tennis, or multi-purpose courts

v. Fitness centers

vi. Soccer, baseball and football fields

vii. Swimming pools or interactive fountains

viii. Picnic pavilions

ix. Community gardens with raised beds and access to irrigation/hose bib.

b. The GDP shall indicate when the recreational area(s) shall be completed, which shall be prior to 75% of the dwelling units having received a certificate of occupancy.

c. For PUDs which require subdivision approval, recreational areas shall be dedicated to a funded homeowners' association.

Article 207
Planned Development Districts

Sec. 207-1 Applicability

The planned development district is only allowed in the City of Hinesville's Downtown Redevelopment Overlay District.

Sec. 207-2 Purpose

The purpose of this district is to encourage the unified and harmonious improvement of land and buildings under a unified plan of development rather than under conventional lot-by-lot regulations. The City of Hinesville benefits from variety in building types, compatibility of uses and optimum community development. The developer benefits from better land use, economy in development and flexibility in design. Review of the development plan by the City of Hinesville provides an opportunity to ensure that the development will be in harmony with in which it is located.

Sec. 207-3 General Standards

The standards below shall apply to all planned developments.

A. **Ownership control.** All the land in a planned development initially shall be in single ownership by an individual, a partnership, tenants in common, a corporation or by some other legal entity. However, this shall not preclude several contiguous property owners from making a joint application for a planned development. Individual properties in a planned development may only be sold after a final plat has been approved and recorded with the properties, subject to private deed covenants that ensure the continuance of the planned development as originally approved and developed, or as otherwise provided in this section.

B. **Sewer and water requirements.** All planned developments shall be served by the City of Hinesville's public water and sewer systems.

C. **Exempt from conventional development standards.** Planned developments shall be exempt from the conventional development standards of this chapter. The provisions of this section shall govern their approval.

D. **Common use restrictions through covenant and declaration requirements.** When a planned development requires the creation of a homeowners' association to govern the use of common open space or other common areas, the required covenants, declaration and restrictions shall be filed with the Clerk of Superior Court and, as a minimum, shall provide for: mandatory and automatic membership in the homeowners' association as a function of home or dwelling unit ownership; creation of the homeowners' association before any individual properties are sold; all owners to have equal access and right of use to all shared and common facilities; perpetual and continued maintenance of open and shared space; tax liability in the case of default; the method of assessment for dues, maintenance and

related costs; and, where appropriate, party wall maintenance and related costs; and restoration in the event of damage or destruction.

E. **Open space improvements.** When open space is required to be provided as part of a planned improvement, the developer shall submit with his application for approval of the planned development a plan for the improvement and maintenance of open space acreage and shall follow the plan which is approved in developing the property.

F. **Open space maintenance.** Where this article requires or allows the preservation of open space and other common areas through a homeowners' association, and if the homeowners' association fails to maintain the common property in a reasonable condition, the Building Inspector shall serve written notice upon the association and upon the individual property owner of the planned development, setting forth the manner in which the organization has failed to maintain common open space in a reasonable condition. The notice shall include a demand that these deficiencies of maintenance are corrected within 30 days of the notice. If the deficiencies are not corrected within 30 days, the City, in order to preserve the taxable values of the properties within the planned development and to prevent the common open space from becoming a public nuisance, may enter upon the common open space and maintain it for one year and thereafter until the association is prepared to provide maintenance. The cost of this maintenance by the City of Hinesville shall be assessed against the properties within the planned developments that have a right of enjoyment of the common open space and shall become a lien upon the properties.

Sec. 207-4 Residential Components' Standards

The standards below apply to all residential components of a planned development.

A. **Minimum acres.** The minimum acreage of a planned residential development is one acre.

B. **Usage.** No more than 80 percent of a planned residential development shall be developed for single-family residential use.

C. **Open space requirements.** The developer of the planned residential development shall set aside and develop not less than 20 percent of the land area within the development for open space, parks or recreational use. Required streets, drives, yard areas and common parking court areas shall not be credited toward this minimum required open space allocation. Not more than 50 percent of the land reserved for open space purposes shall be within a floodplain.

D. **Density.** The density shall not exceed 16 dwelling units per gross acre within the residential districts.

E. **Lot size and setbacks.** No building containing dwellings shall be erected within 20 feet of any other structure unless there is an adequate firewall. Further, every dwelling shall have direct access to a street, court, walkway or other area dedicated to public use.

F. **Minimum buffer.** The minimum buffer required for this development shall be in accordance with district development standards established for the zoning district in which the residential use is located, if any.

G. **Street frontage.** Units within the planned development which front on a street may front on a public paved street or on a private paved street having a pavement width of not less than 24 feet, or, if this street is designated as being one way, 20 feet. Units within the

development may front on an arterial or collector thoroughfare if parking is provided in the rear of the units or in planned parking areas located to the rear of the front building setback line and separated from these streets by an open space providing a minimum depth of 20 feet. Curb cuts shall be limited to one per 100 feet of street frontage.

H. **Subdivision.** A separate parcel of land is required for each dwelling unit (except in a condominium), whether attached or detached.

I. **Open space between units and buildings.** The front or rear face of a dwelling unit shall be not less than 20 feet from the front or rear face of another dwelling unit. The unattached side face of a single-family attached building shall be not less than 40 feet from the rear face of another such building or unit.

J. **Alignment.** No dwelling unit shall be situated so as to face the rear of another dwelling unit within the development unless terrain differences or vegetation will provide effective visual separation.

K. **Parking.** At least two off-street parking spaces shall be provided for each dwelling unit. This space shall be provided under the dwelling unit, to the immediate front or rear of the dwelling unit or in common off-street parking areas not more than 300 feet from the dwelling unit, as measured along the shortest paved route. All off-street parking spaces shall be designed and located so that vehicles will not be required to back into any public street.

L. **Preservation of common areas.** With the exception of condominiums, which shall be governed as by State law provided, a homeowners' association created by the developer, by recorded covenants, declaration and restrictions running with the land, shall preserve and maintain for the owners and occupants of the units the land set aside for open space, parks or recreational use for the subdivision. The book and page in which these covenants, declaration and restrictions are recorded shall be shown on the final plat of the subdivision. This requirement may be granted upon the developer's filing a development plan and survey to which there is entered a covenant by the developer that the minimum open space requirement shall be applied to individual lots within the subdivision. Dedication of open space to the county may also satisfy the open space requirement.

M. **Height.** No residential dwelling unit shall exceed 45 feet in height; other structures are limited to 50 feet in height.

Sec. 207-5 Non-residential Components' Standards

The standards below shall apply to all non-residential components of a planned development.

A. **Minimum floor area** for planned nonresidential developments: 20,000 SF.

B. **Street access requirements**: These projects shall be permitted only on a site which abuts an arterial or collector. The minimum distance between curb cuts shall be 100 feet.

C. **Screening for residential property**: In addition to other buffer requirements, when the back of the development is across the street from property in a residential district, then a solid fence or hedge not less than six feet in height shall be installed and maintained by the developer to screen the back of the project from the residential property.

D. **Development*:*** All uses and activities shall be housed in a permanent enclosed structure with a single primary continuous facade, with the exception of two uses which may be

detached from the facade and independently housed in their own permanent, enclosed structure.

E. **Distance between buildings:** Buildings within the development, if separated, shall not be less than 20 feet apart, unless there is an adequate firewall.

F. **Minimum buffer**: The minimum buffer required for this development shall be in accordance with standards established for the zoning district in which the development is located.

G. **Open space**: 15 percent.

Sec. 207-6 Procedures for Approval

A. **Preapplication review.** Prior to the submittal of an application for approval of a planned development, the developer shall meet with LCPC and the building official for a review of the location, scope and nature of the proposed development.

B. **Application for approval; site plan required**. A preliminary site plan of the proposed development shall be submitted as prescribed in this subsection. Each site plan shall be prepared by an architect or engineer whose State registration is current and valid. Each site plan shall be drawn at an appropriate scale and shall show the following:

1. Names of the proposed development.
2. Names and address of the owners and the designers of the site plan and his seal.
3. Date, approximate north arrow and scale.
4. The boundary line of the tract to be developed drawn accurately to scale and with accurate linear and angular dimensions.
5. A map to an appropriate scale showing the location of the development.
6. Contours with a minimum vertical interval of five feet referred to sea level datum shall be provided for both existing and proposed topography.
7. The location of existing and platted property lines, streets, buildings, watercourses, railroads, bridges, water mains, sewers, culverts, drainpipes and public utility easements, both on the land to be developed and on that portion of the land immediately adjoining which abuts the land to be developed, and any other pertinent characteristics of the land; the name of adjoining subdivisions, or the names of record owners of adjoining parcels of unsubsidized land; and the zoning of the property.
8. The names, where appropriate, and locations and dimensions of proposed streets, alleys, sidewalks, easements, buildings, parking, recreation areas and facilities, yards and other spaces.
9. Utility and drainage plans shall be provided, including all information required by the City of Hinesville.
10. Location, dimensions and treatment of all required buffer, landscaped or planted areas including fences.
11. The general location of all stands of trees in excess of approximately 12 inches in diameter at a point three feet above the surface of the ground.

12. A preliminary outline of proposed protective covenants, including provisions for the organization and financing of a homeowners' association, where appropriate.

13. Other information required to ensure compliance with the provisions of this chapter.

C. **Approval**

1. All planned development projects shall require a Planning Commission recommendation prior to action by the governing authority, each holding a public hearing in accordance with Article 601 [Public Hearings].

2. In granting approval, the governing authority may vary any terms of this Ordinance except for provisions regulating use and density, where, in its opinion, equal performance can be obtained by means other than those specified in this Ordinance.

Article 208
Overlay Districts

Sec. 208-1 Military Installation Zoning Overlay District (MIZOD)

A. **Purpose and intent.** The purpose of the military installation zoning overlay district (MIZOD) is to regulate in a manner consistent with the rights of individual property owners and the requirements of military operations at Fort Stewart/Wright Army Airfield (WAAF), development of uses and structures that are incompatible with military operations; to sustain the economic health of Liberty County and the region; to protect the safety and welfare from the adverse impacts associated with high levels of noise from flight operations and large-caliber weapons and the potential for aircraft accidents associated with proximity to WAAF operations; and to maintain the overall quality of life of those who live, work, and recreate in Liberty County.

[The remaining provisions of Sec. 208 are included in Appendix F]

Sec. 208-2 Liberty Gateway Overlay District

A. **General.** There shall be established the Liberty Gateway Overlay District which is placed over the base zoning system to modify the development guidelines and to achieve a specific purpose for those areas which fall within the boundaries of the district. In the event of a conflict between the provisions of a base zoning district and this overlay district, the provisions of the overlay district shall apply. All land, buildings and structures within the overlay district shall be regulated by the following separate and distinct regulations:

1. The regulations of the underlying, or base, zoning system, meaning the use regulations, conditional uses, height regulations, area regulations, road and transportation requirements, subdivision regulations, and other zoning-related requirements that apply to a parcel by virtue of the zoning classification assigned to that parcel by this Ordinance; and

2. The additional regulations and design standards set forth in the Liberty Gateway Overlay District Design Guidelines, last revised in 2011 and as may be amended in the future, which shall apply to all roads, parcels, buildings, structures, and signs by virtue of their lying within the boundaries of the overlay district. The current design guidelines are included in Appendix C.

B. **Legislative purpose and intent**. Portions of U.S. Highway 84, U.S. Highway 17, Georgia Highway 119, and Islands Highway and the surrounding areas serve as significant gateways into Liberty County and each of their communities. The overall appearance of this area and the efficiency of the transportation network are of the utmost importance to the county as a whole. Therefore, these design guidelines have been developed to provide a resource to address development within this area. The purpose and intent of these guidelines are as follows:

1. Preserve and enhance natural, cultural, and historic resources of Liberty County and encourage designs compatible with these goals;
2. Develop a gateway to the county to encourage tourism and economic development consistent with Liberty County's vision;
3. Promote an attractive view from I-95 which will reflect a positive image of Liberty County to the travelling public;
4. Develop an efficient transportation network of interconnected streets and multimodal facilities;
5. Preserve and enhance the capacity and safety of regional highways, especially U.S. Highway 84; and
6. To distinguish Liberty County from other exits along Interstate 95.

C. **Establishment of the Liberty Gateway Overlay District.** The district is generally described in the Liberty Gateway District Design Guidelines with an exhibit map showing the overlay district boundaries and are specifically delineated on the official zoning map. The map and guidelines are appended to this Ordinance. Properties including Tier I and II areas shall include:

1. Parcels or any portion of a parcel within seven hundred fifty (750) feet from the right-of-way of the subject corridor.
2. For existing lots of record, if more than thirty (30) percent of the entire parcel is within seven hundred fifty (750) feet from the right-of-way of the subject corridor, then the entire parcel is included within Tier I or Tier II as appropriate.
3. The boundaries of the Tier I and Tier II areas may be adjusted based upon a natural or manmade feature upon a recommendation by the LCPC and the approval of the governing jurisdiction.

D. **Effect upon existing land uses.**

1. All existing parcels shall be considered to be in compliance with this section until the parcel is developed, redeveloped, modified, or rehabilitated, at which time all such development, redevelopment or land disturbance shall adhere to the new regulations set forth in the Liberty Gateway Overlay District.
2. Properties located within the overlay district will retain all of the rights conferred by their existing zoning classifications.
3. Nothing in this section shall preclude a property owner from petitioning the (regulating jurisdiction) for an amendment, modification or variance to any zoning classification as otherwise allowed by the jurisdiction's zoning ordinance.
4. Existing properties which are redeveloped or renovated within this district shall comply if the value of said improvements made to the property within a five-year period is fifty (50) percent or more of the assessed tax value of the property.

E. **Effect upon existing applications for development.**

1. All applications for development within the Liberty Gateway Overlay District prior to December 2, 2008, shall be exempt from the regulations herein. Any application

submitted to the LCPC for development or redevelopment on or after December 2, 2008 is subject to the requirements of the Liberty Gateway Overlay District.

2. Single-family residential uses on existing lots of record as of the effective date of this ordinance may be exempted from the requirements of this ordinance upon approval by the governing body.

F. **Action required by the Liberty Gateway Design Review Board**

The design review board shall make a recommendation within forty-five (45) days upon the receipt of a complete application. If no recommendation is made within this timeframe, the application is forwarded to the respective governing authority with a recommendation from the LCPC staff.

G. **Procedural requirements.** Presentations to the design review board must include sufficient technical and illustrative information about the proposed design for the board to reach an informed conclusion about the project's ability to be completed within the guidelines. Presentations for specific developments should include plan, elevation and section information relating to adjacent and/or opposing properties and block faces in sufficient detail to clearly demonstrate the appropriateness of the proposed designs. Three (3) dimensional representations may be requested illustrating a project from ground level and/or as part of a larger contextual framework.

H. **Zoning approval.** Master plans as required for submittal at the time of a rezoning application are not required to undergo review and approval under this overlay district to move through the zoning process. However, this provision does not remove the applicability of this ordinance to any property in the Liberty Gateway Overlay District prior to the issuance of any development permits.

I. **Master plan approval.** For developments which also include a subdivision of property, the master plan and plat may proceed through the review process, independent of architectural review. The LCPC may allow final plat approval subject to future action of the board regarding architecture and design plan submittals.

J. **Site plan approval.** For developments which require review and approval of a building(s), the site plan and building(s) shall be reviewed concurrently.

Sec. 208-3 Hinesville Downtown Redevelopment Overlay District

A. **Generally.** There shall be established within the City of Hinesville, Georgia, a zoning district which is placed over the base zoning system to modify the development guidelines and to achieve a specific purpose for that area of the City which falls within the boundaries of the district. The area within the boundaries of the district shall be known as the "downtown redevelopment overlay district." There shall be established within the downtown redevelopment overlay district four subareas, which shall be known as the "historic urban core," "mixed use corridors," "multifamily residential redevelopment," and "single-family residential redevelopment." The boundaries of the downtown redevelopment overlay district and its four subareas shall be specifically delineated on the official Zoning Map of the City of Hinesville, Georgia. All land, buildings and structures within the downtown redevelopment overlay district shall be regulated by three separate and distinct regulations, including:

1. The regulations of the underlying, or base, zoning system, meaning the use regulations, special permit uses, height regulations, area regulations, and other zoning-related requirements that apply to a parcel by virtue of the zoning classification assigned to that parcel by the City.
2. The additional regulations set forth in this section which shall apply to a parcel, building or structure by virtue of its lying within the boundaries of the downtown redevelopment overlay district; [and]
3. The additional regulations, development standards, and permitted land uses set forth in this section which shall apply to a parcel, building or structure by virtue of its lying within the boundaries of one or more subareas of the downtown redevelopment overlay district, including the historic urban core, mixed use corridors, multifamily residential redevelopment, or single-family residential redevelopment.

B. All existing parcels shall be considered to be in compliance with this section until the parcel is redeveloped, modified, or rehabilitated to the extent that improvements are equal to or greater than 50 percent of the existing fair market value of the property prior to improvements. Once improvements reach this threshold, all additions to the parcel must adhere to the new regulations set forth in this section.

1. Properties located within the downtown redevelopment overlay district will retain all the rights conferred by their existing zoning classifications. New property rights will be conferred on properties located within the downtown redevelopment overlay district that meet the criteria established in this section.
2. Nothing in this section shall preclude a property owner from petitioning the City for an amendment, modification or variance to any zoning classification as otherwise allowed by this Ordinance.

C. **Effect upon existing applications for development.** All applications for development within the Downtown Hinesville Redevelopment District prior to August 7, 2003, shall be exempt from the regulations herein. Any application submitted to the City of Hinesville for development or redevelopment after March 4, 2004 will be subject to the requirements of this section.

D. **Legislative purpose.** The specific urban design, transportation, and land use policies set forth by this section are an extension of the orderly growth policies developed for the City of Hinesville in the Liberty County Joint Comprehensive Plan. This section seeks to generate quality development, preservation of historic structures, conservation of green space, greater mixing of uses, more pedestrian-friendly design, more housing options, and additional connectivity for travelers within and through the City.

E. **Legislative intent: factors to be considered.** In resolving conflicts between this section and other zoning-related regulations, in providing for economic incentives to persons who develop land, buildings and structures within the downtown redevelopment overlay district, and at other times within the sound discretion of the governing authority of the City of Hinesville when it is called upon to interpret any provisions of this section, the intent of this legislation may be considered. By regulating the downtown redevelopment overlay district, the City of Hinesville seeks to:

1. Allow a mixture of complementary land uses that may include housing, retail, offices, commercial, and civic uses, in order to maintain and create new economic and social vitality and to encourage the linking of trips and reduce the dependence upon the automobile for the majority of trips;
2. Develop commercial and mixed-use areas that are safe, comfortable, and attractive to pedestrians;
3. Provide roadway, pedestrian, bicycle, and public transit connections to residential areas;
4. Provide transitions and buffers between high traffic streets and residential neighborhoods;
5. Encourage a mix of housing types and locations to provide for additional opportunities for people in all stages of life and incomes to enjoy safe, decent, and attractive places to live;
6. Attain greater mobility throughout the City for bicyclists and pedestrians;
7. Provide appropriate locations and design for the addition of transit services;
8. Maintain mobility along transportation corridors;
9. Preserve and enhance the character of the historic commercial and residential areas;
10. Provide for protection of natural resources;
11. The intent of the City of Hinesville's Overlay District focuses on several main themes:
    a. Public space: To preserve, enhance, or create many forms of publicly accessible open space, such as parks, plazas, water features, tree-lined streets and community gathering areas.
    b. Compact mixed-use: To create a compact concentration of land uses within each development through multiple uses in a single building or in the same general area.
    c. Street activity: To encourage a sense of place by allowing the imaginative and efficient utilization of land and to develop a sense of community by promoting year-round pedestrian and outdoor activities at the street level.
    d. Pedestrian-orientation: To reduce the dependence upon and dominance of the automobile through street design, shared parking, bicycle and pedestrian pathways and spaces, and pedestrian-scaled buildings.
    e. Design: To achieve a unique aesthetic design through high quality architecture and construction with attention to placement, relationship, and orientation of structures to provide a greater compatibility with surrounding land uses.
    f. Community cohesiveness: To provide physical linkages and opportunities for recreational and social connections throughout the community to allow residents and visitors to enhance their quality of life in Hinesville.

F. **Resolving conflicts**. Where a conflict arises between the requirements of this section and the underlying zoning classification requirements, the district regulations set forth in this

section shall ordinarily prevail. Where a conflict arises between the district and the floodplain/wetlands district, the floodplain/wetland district shall prevail.

G. **Boundaries generally**. The general boundaries of the downtown redevelopment overlay district may be those properties extending the distance from the Fort Stewart boundary at West General Stewart Way to the intersection of East General Stewart Way and East Oglethorpe Highway, westerly on West Oglethorpe Highway to the intersection of East General Screven Way, northeast along General Screven Way to the boundary of Fort Stewart. The actual zoning boundary, as well as subarea boundaries, shall be as approved by the Mayor and City Council after review and recommendation by LCPC. If a portion of a parcel lies within the overall boundaries, the entire parcel shall be considered to be within the boundaries of the overlay district.

H. **Design guidelines.** Development and design requirements that apply within the downtown redevelopment overlay district are established in-part within this section and in-part by the City of Hinesville Design Guidelines for the Downtown Overlay District, last revised in 2008 and as may be revised in the future by action of the Hinesville City Council. The design guidelines currently in effect are included in Appendix B and shall have the same force and effect as if set forth verbatim within this section.

I. **Transportation**

1. General requirements

   a. Street designs should permit safe and comfortable use of streets by motorists, pedestrians, and bicyclists. Pavement widths, design speeds and the number of motor travel lanes should be minimized to enhance safety for motorists and non-motorists alike, except in designated commercial corridors where higher volumes of traffic are desired and appropriate. The specific design of any given street must consider the building types which have frontage and the relationship of the street to the overall City street network.

   b. Streets must interconnect within a development and with adjoining developments. Cul-de-sacs shall be allowed only where topographical and/or lot line configurations offer no practical alternatives for connections or through traffic. Street stubs shall be provided within each development adjacent to open land to provide for future connections.

   c. Streets must be designed as the most prevalent public space of the town and be scaled to the pedestrian.

   d. Streets must be bordered by sidewalks on both sides, with the exception of alleys or service corridors. Sidewalks on one side of the road may be permitted by the Director of Liberty Consolidated Planning Commission as an incentive to protect water quality or to achieve other community goals.

   e. Streets must be lined with street trees on both sides, with the exception of State highways and alleys.

   f. Streets must be public. Private streets are not permitted within any new development. Alleys will be classified as public or private depending on function.

g. Streets must be the focus of buildings. Generally, all buildings will front on public streets.

2. Traffic calming. Traffic calming measures, such as neckdowns, chicanes, mid-block diverters, intersection diverters, curb bulbs, and related devices will be considered on a case-by-case basis, based on safety and appropriateness in the proposed locations, taking into consideration the overall function of the roadway.

3. Street and path connections. To improve circulation within the City's downtown redevelopment overlay district for pedestrians, bicyclists, and motorists, the following street connections should be implemented:

   a. Realignment of Memorial Drive/East Washington Avenue;

   b. Ryon Avenue/E. G. Miles Parkway/Hendry Street Intersection Modification; [and]

   c. New Multi-Purpose Trail Connection from Downtown Hinesville to the Regional Park located on Oglethorpe Highway/SR 84.

4. Access driveways. It is the intent of the City to minimize the number of separate driveways to private properties, thereby reducing the potential for vehicular crashes and pedestrian injuries. If adjacent lots have direct vehicular access to a street, the City may require that the access be through a common or joint driveway using inter-parcel connections between properties. Access from private properties onto State highways shall be coordinated through the City of Hinesville prior to requesting the access connection from the Georgia Department of Transportation.

5. Sidewalks. Refer to Overlay District & Historic Downtown Hinesville Design Guideline Manual (W.K. Dickson & Co., Inc., March 2004 edition).

6. Inter-parcel connections. Linking residential subdivisions and mixed use developments using inter-parcel connections and pathways or trails are encouraged to facilitate non-auto movements in the area. Inter-parcel connections between properties in commercial areas should be provided to minimize the need for auto traffic movements on the street system. Pedestrian paths should be direct and convenient. Overly circuitous pedestrian paths should be avoided.

7. Parking**.** Refer to Overlay District & Historic Downtown Hinesville Design Guideline Manual (W.K. Dickson & Co., Inc., March 2004 edition), Article 402 [Parking Lots], and the Bonuses and Criteria for Bonuses set forth in this section.

8. Road design speeds. Roadway design speeds should not exceed 20 miles per hour on any neighborhood street. The roadway design speeds for collector streets should not exceed 30 miles per hour. Only the speeds on arterials and State highway routes may exceed these design speeds, as specified by the Mayor and City Council.

9. Traffic control. Traffic control features, including signs, pavement markings, etc. shall be prepared in accordance with the guidance of the Manual on Uniform Traffic Control Devices (MUTCD) published by the Institute of Transportation Engineers (ITE). The developer is responsible for the initial installation of the devices and the maintenance thereof until the public (City of Hinesville or other public entity) accepts the street for maintenance.

10. Gateways**.** Refer to design guidelines. No other gateway signs shall be permitted other than those designated by the City of Hinesville.

J. **Public transit.** The City of Hinesville must plan for future public transportation facilities and services within the downtown redevelopment area. Increasing population and employment growth and land use intensities will place additional pressures on the transportation system that will not be able to be met with road widening projects alone.

1. Sidewalks for transit. Sidewalks at transit stops should be a minimum of ten feet wide. A width of 15 feet is desired in commercial areas. The desired width of sidewalks located between bus stops is eight feet wide.

2. Curbside lane. The curbside lane width on streets serving transit routes (with non-parking) is 12 feet minimum and 14 feet desired. The desired curbside lane width on streets serving transit routes (with on-street parking) is 20 feet (18 feet minimum). The desired non-curbside lane widths of streets serving transit vehicles is 12 feet (11 feet minimum). Lane widths narrower than 11 feet should be avoided since they could result in encroachment of transit vehicles into adjacent lanes.

3. Intersections. Intersections should be properly designed to allow transit vehicles to turn safely onto streets. The following guidelines should be used for the turning radii at intersections.

a. For turns into a two-lane street with parking, a turning radius of 20 feet minimum;

b. For turns into a two-lane street from a street with parking, a turning radius of 20 feet minimum;

c. For turns into a single-lane, a turning radius of 30 feet minimum;

d. For turns into a two-lane street with no parking, a turning radius of 30 feet minimum;

e. For transit facility dimensional requirements, refer to the transit design parameters graphic found in Overlay District & Historic Downtown Hinesville Design Guideline Manual (W.K. Dickson & Co., Inc., March 2004 edition); [and]

f. Parking for bicycles should be encouraged at key transit stops, especially in and near the downtown area and schools.

4. Bicycle facilities. It is the intent of the City to create safe, convenient, and adequate facilities to encourage bicycle riding as a valuable part of a balanced transportation system within the overlay district area. These can be accomplished through the development of a range of bicycle facilities as defined by the American Association of State Highway Transportation Officials (AASHTO) "Bicycle Facilities Guidebook," including bicycle lanes, bicycle paths, bicycle routes, and bikeways. Adequate bike parking facilities and signs are encouraged in key locations to facilitate safe and secure bicycling in the area.

K. **Subarea boundaries.** The boundaries of the downtown redevelopment overlay district shall be specifically delineated on the official zoning map. The following subareas will be delineated:

1. Historic Urban Core
2. Mixed-Use Corridors
3. Multifamily Residential Redevelopment Area
4. Single-family Residential Revitalization Area

L. **Historic Urban Core development standards**

1. Permitted uses - Same as in DD, R-8, ATR, MFR, OI, C-1.
2. Conditional uses are not allowed.
3. Bulk regulations.

Table 208.3 – Historic Urban Core Regulations

Bulk Regulations	Minimum	Maximum
Lot area	2,500 SF (small enough to accommodate existing historic structures)	25,000 SF (large enough to accommodate typical convenience shopping)
Front yard	Zero feet lot line construction (to the sidewalk) on Main Street and collectors, 15 ft on arterials	15-ft setback from the back of curb (BOC) to edge of building (if in keeping with average setback of existing structures), 20-ft setback on arterials
Side yard	Zero feet if attached to adjacent structure; five feet if abutting structure is not attached. Does not apply to corner lots	20 ft if abutting structure is not attached
Rear yard	60 ft (one row of parking) if parking is provided behind buildings; 20 ft if building abuts an alley; zero feet if building covers the entire depth of the lot	85 ft, to accommodate one row of parking, an alley, and a landscape buffer
Lot coverage	N/A	Building may cover entire lot, except for what is required for loading, servicing, and access
Height	N/A	Five stories heated floor space, 70 ft total on arterials and collectors; four stories heated floor space, 55 ft total on all other streets

M. **Mixed-Use Corridors development standards**

1. Boundary. The boundaries of the downtown redevelopment overlay district and the historic urban core subarea shall be specifically delineated on the official zoning map.
2. Permitted uses
   a. Same as R-8, ATR, MFR, OI, and other uses that adhere to the intent of the district as determined by the Hinesville Design Review Board.

b. Within the corridors that include: Oglethorpe from the Hinesville and Flemington City Limit boundary to General Screven; General Screven from the Fort Stewart boundary to Oglethorpe; and Memorial Drive from the Fort Stewart boundary to Welborn Street C-2 uses are permitted.

3. Conditional uses are not allowed.

4. Bulk Regulations.

Table 208.4 – Mixed Use Corridor Regulations

Bulk Regulations	Minimum	Maximum
Lot area	2,500 SF (small enough to allow transition from existing historic structures and abutting single-family residential areas)	140,000 SF (large enough to accommodate typical neighborhood shopping (typical strip commercial center))
Front yard	15 ft, or average of existing structures in surrounding districts, except that zero lot line building shall be encouraged in areas where at least one abutting district's existing setback is zero lot line or adjacent land is vacant	75 ft maximum (one row of parking plus 15-ft buffer)
Side yard	Zero feet if attached to adjacent structure; ten feet if abutting structure is not attached (to provide pedestrian access from sidewalk to adjacent uses). Does not apply to corner lots	30 ft (to provide driveway to access parking behind building(s)
Rear yard	60 ft (one row of parking) if parking is provided behind buildings; 20 ft if building abuts an alley; 15 ft if building abuts residential district;10 ft otherwise	N/A
Lot Coverage	N/A	Building may cover entire lot, except for what is required for loading, servicing, parking, buffer, and access
Height	Average of existing structures in surrounding districts	Five stories heated floor space, 65 ft total on arterials and collectors, four stories heated floor space, 55 ft total on all other streets

N. **Multifamily Residential Redevelopment Area development standards**

1. Boundary**.** The boundaries of the downtown redevelopment overlay district and the multifamily residential redevelopment subarea shall be specifically delineated on the official zoning map.

2. Permitted uses. Same as R-8, MFR, ATR and other uses that adhere to the intent of the district as determined by the Hinesville Design Review Board.

3. Conditional uses:

   a. Places of worship.

   b. Private or public elementary and secondary schools (no boarding).

   c. Group day care home, group day care center, or childcare institution; provided, that the site and construction plans for such facilities receive the written approval of the State of Georgia Department of Human Resources, and other permits as required by law.

   d. Civic or private clubs.

   e. Nursing homes.

   f. Transit shelters.

   g. Hospitals and institutions.

   h. The following shall be allowed through conditional use permits, at the discretion of LCPC, to allow for additional neighborhood commercial uses to transition from multifamily residential and commercial into single-family neighborhoods to provide needed services at the neighborhood level to allow for more vibrant multifamily and single-family residential areas. Appropriate places for these uses would be at arterial or collector street intersections:

      i. Convenience/grocery stores, not to exceed 10,000 SF;

      ii. Coffeeshops, not to exceed 10,000 SF (outdoor dining is permitted);

      iii. Mixed residential/commercial must contain at least 50 percent residential; second story or above only; [and]

      iv. Mixed residential/office must contain at least 50 percent residential; second story or above only.

4. Bulk Regulations.

Table 208.5 - Multifamily Residential Redevelopment Area Regulations		
Bulk Regulations	**Minimum**	**Maximum**
Lot area	8,000 SF, lot width—50 ft	50,000 SF, lot width—200 ft
Front yard	Zero lot line	20 feet maximum (to allow for some multifamily in in-town settings and some with small front yards and stoops or porches)
Side yard	Zero feet if attached to adjacent structure; if not attached—ten ft	30 ft
Rear yard	Ten ft	200 ft
Lot coverage	N/A	Building may cover maximum of 50 percent of lot, excluding what is required for loading, servicing, parking, landscape buffers and access
Height	N/A	Five stories heated floor space

O. **Single-family Residential Revitalization Area development standards**

1. Boundary (two separate areas). The boundaries of the downtown redevelopment overlay district and the single-family residential redevelopment subarea shall be specifically delineated on the official zoning map.
2. Permitted Uses. Same as R-8, R-12, R-20, and other uses that adhere to the intent of the district as determined by the Hinesville Design Review Board.
3. Conditional uses are not allowed.
4. Bulk Regulations.

Table 208.6 - Single-family Residential Revitalization Area Regulations		
Bulk Regulations	**Minimum**	**Maximum**
Lot area	6,500 SF, lot width—50 ft min (small enough to allow for the lowest density to support transit and affordable single-family units)	50,000 SF, lot width—200 ft (high enough to allow for the continuation of larger lots and mixed lot sizes in one district)
Front yard	Average of existing structures in district; min 15 ft (to allow for infill development, even in stable residential areas and to encourage a shift, where feasible, to residences closer to sidewalks to encourage pedestrian activities)	30 ft max (to allow for some multifamily in in-town settings and some with small front yards and stoops or porches)
Side yard	The average of existing structures, or 10 ft, whichever is less	20 ft
Rear yard	10 ft	200 ft

Table 208.6 - Single-family Residential Revitalization Area Regulations (cont'd)		
Bulk Regulations	**Minimum**	**Maximum**
Lot coverage	N/A	Building may cover max of 50% of lot, excluding what is required for loading, servicing, parking, landscape buffers and access
Height	Average of existing structures	3 stories heated floor space

P. **Development phasing**

1. **General**. All phases must conform to the Downtown Redevelopment Overlay District Ordinance and design guidelines. A project submitted without any indication that it is to be developed in phases will be considered a "single phase development" (i.e., the entire project shown on the plan will be built at one time.) To the extent practical, all developments shall provide side service loading docks in a multiple phase project. No certificate of occupancy will be issued for any building until every building in the phase under development shall have reached "substantial completion" (i.e., completion of the exterior) in the opinion of LCPC.

2. **Subdivisions**. Subdivisions within the district shall be allowed for recording ownership and development purposes provided that the following shall be adhered to:

   a. A design plan for the development showing the parking, landscaping, grading information and architectural elevations for the entire project shall be approved under the requirements of subsection (H) [Design Guidelines];

   b. The subdivision plat of the proposed development shall be approved by the City Council pursuant to Div. V of this Ordinance;

   c. No substantial change in design plan approval shall be allowed unless a revised plan shall be approved under the requirements of subsection (H) and further, the overall plan for the entire development, as revised, shall be required as a part of the submittal documents for a design plan change for a portion of the development; and

   d. Streets:

      i. Curb cuts/access roads. The subdivisions of the project shall not entitle the newly created lots to additional curb breaks or access drives unless approved by LCPC or in the event of a State highway, the Georgia Department of Transportation (GDOT).

      ii. Street alignment. Streets of new subdivisions shall be aligned with existing streets on adjoining property unless the City of Hinesville determines that the comprehensive plan, topography, requirements of traffic circulation, or other considerations make it desirable to depart from the alignment.

      iii. Lots abutting streets. Each lot in a subdivision, except a lot that fronts on a plaza and abuts an alley, shall abut a dedicated public street.

iv. Street network. An interconnected network of streets is required unless LCPC determines that good cause exists to require a different street pattern.

v. Street, alley, and pedestrian path design. Streets, alleys, and pedestrian paths shall be designed and constructed in accordance with this chapter, the City of Hinesville Overlay District Ordinance and the City's urban design guidelines.

vi. Street intersections. Street intersections, whether public or private streets, shall be designed in accordance with the provision of GDOT, Liberty County, and the City of Hinesville.

vii. Dead-end streets. Dead-end streets are prohibited unless LCPC determines that the most desirable plan requires laying out a dead-end street.

Q. **Bonuses available**. LCPC may approve any individual or combination of the following development bonuses in order to recognize design beyond that required to comply with this and other City regulations, and design which is considered to further the regulations. In order to qualify for bonuses under this section, a development should demonstrate compliance with at least 60 percent of the criteria established in subsections (E) [Legislative Intent; Factors to be Considered] and (R) [Criteria for Receiving Bonuses]. The bonuses available are as follows:

1. Increased density: Office: Not to exceed 50 percent increase. Retail: Not to exceed 50 percent increase. Residential: Not to exceed 30 percent increase.
2. Increased height: Not to exceed 65 feet (does not apply to historic urban core subarea or to properties located within a scenic vista).
3. Reduction in or shared parking: Not to exceed 25 percent.
4. Setback/buffer reduction: Not to exceed 25 percent maximum.
5. Tax incentives to include, but are not limited to, tax increment financing (TIF), and community improvement districts (CID).
6. Greenspace flexibility.
7. Facade grant.

R. **Criteria for receiving bonuses**. Performance criteria to be considered in recommending bonuses should relate reasonably to the bonuses being approved and may include the following:

1. Preservation/adaptive reuse of a historic structure to the Secretary of the Interior's Standards for Rehabilitation.
2. Dedication of a preservation easement.
3. Preserving scenic vistas.
4. Office use mixed with residential use, office not to exceed 50 percent of the project.
5. Retail use mixed with residential use, retail not to exceed 50 percent of the project.

6. Permanent bicycle racks provided in any off-street parking lot.
7. Provision of affordable housing, defined as 80 percent or less of the area median income, not to exceed 50 percent of residential portion of any project.
8. Development of special redevelopment sites, as identified by the City.
9. Placing underground or out of clear view, electric and communications appurtenances on the project site.
10. Clustering of development as demonstrated by:
11. Increasing greenspace by 15 percent over current regulations;
12. Reducing infrastructure needs (utilities, roadways, and impervious surfaces by 20 percent allowed/required under current regulations).
13. Reduction in parking through:
14. Shared parking agreement to reduce the need for additional parking as required in Section 402 [Parking Lots];
15. Payment into an established parking bank.
16. Reduction in greenspace requirement (not to exceed five percent) through:
17. Payment into an established greenspace bank;
18. Easement recorded on the deed to the property granting public pedestrian/bicycle access to the Historic Liberty Trail.
19. Develop internal roadways to discourage traffic congestion and to discourage direct access onto Oglethorpe Highway/SR 84.
20. Reducing impervious cover by 15 percent or more beyond the minimum standards allowed by this or other regulations.
21. Constructing or dedicating public facilities such as parks, roadway and right-of-way, police, fire, or emergency medical service sites, regional drainage facilities, or other facilities in excess of that required by City ordinance.
22. Using energy-conserving or water-conserving devices that reduce consumption.

S. **Hardships**. In order to qualify as a hardship under this section, the following criteria shall be demonstrated: An undue hardship imposed on a tract by the downtown redevelopment overlay district regulations or the cumulative effect of regulations, due to the peculiar configuration, topography, size or location of the tract.

T. **Variances.** The Mayor and City Council may waive one or more of the specific requirements applicable to sites located in the district to the minimum extent necessary to allow the project to be constructed. The applicant for any such waiver shall have the burden of showing that the proposed project, with such waiver granted, meets the criteria below and will be as good or better than a project developed in compliance with the downtown redevelopment overlay district regulations in terms of environmental compatibility, transportation considerations, historic accuracy, and aesthetic compatibility. The waiver shall only be granted upon:

1. A showing of good and sufficient cause;

2. A determination that failure to grant the variance would result in exceptional hardship; and

3. A determination that the granting of a variance will not adversely impact the intents and purposes of these regulations.

Sec. 208-4 Flemington OC-1 Commercial Overlay District

A. **Purpose**. In addition to the general purposes for the commercial districts in the City of Flemington, the specific purposes of the overlay commercial district are:

1. Encourage and provide a means for effectuating the development of a more desirable environment by the application of planning techniques not specifically applicable to all commercial development through the literal application of the zoning ordinance.

2. Establish a procedure for commercial development in order to ensure that the appearance and effects of buildings and uses are harmonious with the character of the area in which they are located.

3. Ensure orderly and thorough planning and review procedures that will result in quality urban design.

4. Provide a mechanism whereby the city may authorize desirable commercial development in conformity with the Comprehensive Plan without inviting speculative rezoning applications.

B. **Provisions**. The specific provisions for this District are included in Appendix D.

Sec. 208-5 Allenhurst Historical Overlay District

A. **Historical District Designation Area** (see map in appendix E)

B. **Creation of the Historic Preservation Committee.**

1. The committee shall consist of three members that reside within the City limits of the Town of Allenhurst. These persons will be appointed by the Mayor and ratified by the Council. These persons shall have demonstrated special interest, experience or education in history, architecture, or the preservation of historic resources. Committee members shall be responsible for reviewing development within the defined area of the Historical Overlay District and make recommendations related to any development to the Mayor and Council of the Town of Allenhurst. The final approval will be made by the Mayor and Council of the Town of Allenhurst.

2. Development within the Historical District is subject to the review by the Historic Preservation Committee when:

a. Any change on a parcel is proposed that will result in an expenditure that is more than 50% of the assessed taxable value as defined in the latest tax digest.

b. Any new development on an existing or subdivided parcel.

C. **Provisions.** The specific provisions for this District are included in Appendix E.

Division III

Development Provisions

Article 301
General Provisions

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Sec. 301-11 Nuisances
Sec. 301-12 Obstructions of Sight Distances
Sec. 301-13 Principal Buildings
Sec. 301-14 Road Frontage and Lot Width
Sec. 301-15 Traffic Impact Studies

Sec. 301-1 Abandoned Property

A. **Abandoned real property**

1. For any public street or alley that is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to the centerline property that is abandoned. In the event abandoned property is not divided at the centerline for abutting properties, the zoning districts applicable shall apply to such ownership line as determined by virtue of such abandonment.

2. For any public property other than streets or alleys the regulations applicable to the zoning classifications of property, which abuts the abandoned property for the greatest number of lineal feet, shall apply to the entire property.

B. **Abandoned vehicles**

Within all zoning districts except where specifically authorized, all vehicles which are inoperative and/or unlicensed shall not be abandoned in the public right-of-way or on private property more than 30 days except within a completely enclosed garage, unless permission is granted upon application to the governing authority.

Sec. 301-2 Buildings on Double Frontage Lots

Where a lot extends through from one (1) street to another, the setback requirement for each such street shall be complied with. No accessory building or other structure shall be placed on through lots if said structures would conflict with other building values or uses on the same street. On lots having frontage on more than two (2) streets, the minimum front yard shall be provided in accordance with the provisions of this ordinance on at least two (2) of the street frontages.

Sec. 301-3 Driveways

A. **Applicability**

1. It shall be unlawful to begin construction of any driveway and/or alter any driveway abutting on a public street, except those driveways abutting on a state or federal highway, until a driveway permit has been issued by the building official for such work. Driveways requiring a driveway permit shall meet the standards below.

2. Driveways under the jurisdiction of GDOT shall comply with the requirements of GDOT and the standards below; a local driveway permit shall not be required. However, if the driveway is being installed in conjunction with construction requiring a building permit, it may be required that GDOT approve the driveway prior to the issuance of the building permit.

B. **Standards**

1. The location of driveways shall meet the sight distance requirements of Sec. 301-12.

2. Driveway aprons (the portion of the driveway within the street right-of-way) shall be paved with concrete or asphalt. This shall not be required if the driveway is off an unpaved street.

3. Driveways shall be a minimum of 12 feet wide.

4. If a culvert is required under a driveway, the following standards shall apply:

   a. The size and type of pipe shall be designed in accordance with Article 405 [Drainage Control] but in all cases the culvert shall not be less than 15 inches in diameter.

   b. Where the culvert crosses under the driveway, a minimum of 2-foot wide shoulders shall be installed on either side of the driveway and the culvert shall extend the full width of the driveway and shoulders. In the instance where two driveways are closer than 4 feet to each other, one culvert shall be installed that extends to the outer edges of the shoulder of each driveway.

   c. On collector streets, the end treatment of the culvert shall be flared end sections with placement of concrete or riprap to prevent erosion at the outlet.

   d. On local streets, the end treatment may be either winged headwalls or the flared end sections described above.

Sec. 301-4 Family Restrictions in all Districts *(Hinesville only)*

A. For the purposes of this section the following definitions shall apply:

1. Neighborhood*:* Properties in any zoning district which are in proximity of ten or more single-family dwelling units, not separated by other uses or vacant property.

2. Family*:* Two or more persons residing in a single dwelling unit where all members are related by blood, marriage, or adoption up to the second degree of consanguinity, or by foster care. For the purposes of this definition, "consanguinity" means only the following persons are related within the second degree of consanguinity: Husbands and wives, parents and children, grandparents and grandchildren, brothers and sisters, aunts and uncles, nephews and nieces, and first cousins. For the purposes of this definition, a person shall be considered to reside in a dwelling unit if he or she

stays overnight in a dwelling unit for more than 30 days within a 90-day period. The term "family" does not include any organization or institutional group.

3. Minor child*:* A person under the age of 19 living with a parent or other legal guardian or in foster care.

B. It shall be unlawful for the occupants residing in or for the owner of any single dwelling unit located in any "R" district or neighborhood to have more than two unrelated individuals residing therein, nor shall any family as defined in this section have, additionally, more than one unrelated individual residing with such family. For the purposes of this paragraph (2), one unrelated individual residing with a family shall include the minor children of such unrelated individual residing with him or her.

C. Within any multifamily district, the following rules shall apply:

1. Only one family shall be allowed to occupy each dwelling unit within a zoned multifamily district.

2. If the dwelling unit is not occupied by a family, then the number of unrelated individuals living therein shall not exceed the number of bedrooms.

D. When a dwelling is located in any zoning district other than "R" district or neighborhood as defined above, one of the following is permitted:

1. Family related by blood, marriage, adoption or foster care may have two additional unrelated individuals; or

2. Unrelated individuals not exceeding four.

E. Any nonconforming use created by the definition of "family" adopted November 1, 2007 and the regulations related thereto which was a legal use at the time of adoption shall be permitted to continue through November 2, 2008. After which date, the use of such dwelling shall be in compliance herewith. Any use established prior to or subsequent to the adoption of this definition of "family," which use did violate and continues to violate the standards of this chapter, is illegal, and not nonconforming.

F. Notwithstanding the above, this section is not intended to, and does not purport to, regulate any use created by the operation of any type family or group Personal Care home whose operation is licensed and regulated by the State.

Sec. 301-5 Front Setback Requirements

A. **General**. All principal and accessory buildings shall meet the front setback requirements.

B. **Existing development**. The above notwithstanding, the front yard requirements of this Ordinance shall not apply to any lot where the average front yard on already built upon lots located within 100 feet on each side of such lot and within the zoning district and fronting on the same street as such lot, is less than the minimum required setback. In such cases, the setback on such a lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots. However, in no case shall setback be less than ten (10) feet.

C. **Corner and through lots.** In any “R” district where a lot abuts more than one street, a front yard as required by this Ordinance shall be provided along each street lot line. For lots that abut both a street and alley or lane, the front yard shall be maintained along the street and the back yard shall be maintained along the alley or lane.

D. **Lots abutting streets with a right-of-way of less than 60 feet.** When a lot abuts a street which has a right-of-way of less than 60 feet, the minimum setback for front or side yard shall be increased by the number of feet required to provide the same distance from the center of the street, as if the street had a right-of-way of 60 feet.

Sec. 301-6 Lots of Record

A. No permit for the use of any lot which is smaller in total area than the minimum size permitted for the district within which it is located shall be issued unless said lot was legally and properly recorded prior to the effective date of this Ordinance.

B. Yards or lots recorded after the effective date of this Ordinance shall comply with the requirements established by this Ordinance.

Sec. 301-7 Lot Reductions

No lot shall be reduced in size so that the total area, lot width, necessary yards or other open space, lot area per dwelling unit or other requirements is less than the requirements of the zoning district in which the lot is located.

Sec. 301-8 Minimum Living Area

No single- or multi-family living unit shall be constructed with a total living area of less than three hundred (300) square feet.

Sec. 301-9 Moving of Buildings

Whenever a building is moved from any location to a site within the county or cities, the building shall immediately be made to conform to all provisions of the building, plumbing and electrical codes, if any, and this Ordinance. The owner causing the building to be moved shall secure a building permit from the building official.

Sec. 301-10 Non-conforming Uses, Buildings and Structures

Any lawful use of any dwelling, building, manufactured home or structure existing at the effective date of this ordinance may be continued, although such land use or structure does not conform with the provisions of this ordinance provided the following conditions are met:

A. **Alterations and expansions**. A nonconforming building or structure may be altered, improved reconstructed or expanded provided the cost of such work does not exceed 30% of the current (reasonable fair market value) value of the building or structure and does not create any additional non-conformities, e.g. setback encroachments.

B. **Restoration**. Nothing in this Ordinance shall prevent the reconstruction, repairing, rebuilding and continued use of any nonconforming building or structure damaged by fire, collapse, explosion, acts of God, subsequent to the effective date of this Ordinance, wherein the expense of such work does not exceed 75% of its current (reasonable fair market value) value of the building or structure at the time such damage occurred.

C. **Changes**. No nonconforming use shall be changed to another nonconforming use.

D. **Destruction**. A non-conforming use ceases to exist when a building or structure has been destroyed by an act of force majeure.

E. **Abandonment**. A non-conforming use which has been abandoned shall not be resumed except in conformity with this Ordinance. A non-conforming use shall be considered abandoned when one of the following occurs:

1. the use has been discontinued for a period of at least 12 months regardless of whether the intent is there to resume the nonconforming use;
2. the non-conforming use has been replaced by a conforming use; or
3. a building permit to reconstruct a damaged structure that housed a non-conforming use has not been secured within 24 months of the date of occurrence of such damage or the building permit has expired, or construction has not been diligently pursued.

Sec. 301-11 Nuisances

Nothing shall be allowed on the premises in any district which would in any way be offensive or obnoxious by reason of the emission of odors, liquids, gas, dust, smoke, vibration or noise; nor shall anything be placed, constructed, or maintained that will in any way constitute an eye-sore or nuisance to adjacent property owners, residents, or to the community. All uses must satisfactorily comply with the requirements of the state department of natural resources as required by the United States Environmental Protection Agency.

Sec. 301-12 Obstruction of Sight Distances

In general, adequate sight distances shall be provided at street intersections and at driveways and other points of access to a public street and shall comply with GDOT standards for sight distances. Additionally, the following shall apply:

A. **Road intersections**

1. Within the area formed by the rights-of-way lines of intersecting roads and a straight line connecting points on such rights-of-way lines, at a distance of twenty (20) feet from their points of intersection there shall be a clear space with no obstruction to vision between the height of thirty (30) inches and a height of ten (10) feet above the average grade of each road as measured at the centerline thereof.
2. Requirements of this section shall not be deemed to prohibit any necessary retaining wall.
3. Trees shall be permitted in the clear space provided foliage is cut away within the prescribed height.

B. **Driveways and accesses to public roads.** At the intersection of any private drive, or entrance or exit with a public street, no fence, building, wall, hedge or other planting, or sign forming a material impediment to visibility over a height of 2½ feet shall be erected, planted, placed or maintained.

Sec. 301-13 Principal Buildings

A. The principal building on any lot or parcel of land shall be erected within the area bound by the building lines established by setback or yard requirements.

B. In all single-family dwelling districts, only one (1) principal building and its customary accessory building(s) may be erected on any lot of record. Any single-family dwelling shall be deemed to be the principal building on the lot on which the same is located.

Sec. 301-14 Road Frontage and Lot Width

A. No lot shall be created unless it abuts on a public street, or unless it conforms to the easements of access as outlined in Division V [Subdivisions].

B. The lot width shall be measured at the minimum front yard setback line. In the case of a lot on a cul-de-sac or a curved street or a lot which does not have a single line along the front property line, the width shall be measured as a straight line between the side property lines where they meet the street (i.e. not the curve length or the sum of the lines).

Sec. 301-15 Traffic Impact Studies

A. A traffic impact study (TIS) may be required to evaluate the impacts of a proposed rezoning action, conditional use, site plan or subdivision. Generally, the suggested baseline for requiring a TIS is when a proposed development generates 100 new trips to the adjacent street network during the peak-hour of the adjacent street traffic.

B. The TIS shall be prepared by a professional engineer, licensed in the State of Georgia and, if the project impacts a state highway, GDOT shall be consulted in its preparation. The content of a TIS varies depending upon the complexity of the proposed development and its location, however, any or all the following may be required:

1. Describe the study area which shall include all site access points, the roads being accessed and any other roads that will see increased traffic due to the development. Prior to completing the remaining items, the study area shall be reviewed and confirmed by LCPC that it accurately reflects the area impacted by the proposed project.
2. Include a trip generation table for average daily, AM peak and PM peak period trips for existing conditions and, using the Institute of Traffic Engineers Trip Generation Manual, for the proposed project and other proposed developments in the immediate vicinity. LCPC shall provide information on these proposed developments.
3. Based on the traffic information above, evaluate traffic operations and impacts at each site access for the proposed project and provide a turning movement diagram for AM and PM peak hour volumes.
4. Evaluate the ability of the road network in the study area to support the proposed project and the cumulative traffic of current and other proposed developments. Include in the evaluation the accident history in the study area. Provide turning movement diagrams for AM and PM peak hour volumes for the street intersections in the study area.
5. Consider planned roadways or improvements identified in the current Hinesville Area Metropolitan Planning Organization Transportation Plan.
6. Describe the impact of the proposed project on the roadway network within the study area. Identify specific improvements to the road network that are necessary in order to support the traffic anticipated to be generated and related costs.
7. Provide a table of level of services for existing conditions, for the proposed project without the specific improvement and for the proposed development with the specific improvements.

Article 302
Specific Use Provisions

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Sec. 302-1 Accessory Uses and Structures

A. **General.** In addition to the principal uses which are designated herein as being permitted within the several zoning districts established by this ordinance, it is intended that certain uses customarily incidental or accessory to such principal uses shall also be permitted.

For the purposes of this article, therefore, each of the following uses is considered to be a customary accessory use, and, as such, may be situated on the same lot with the principal use or uses to which it serves as an accessory. Accessory structures shall not be located in a front yard but are allowed in a side yard or rear yard if setbacks permit. Only three (3) accessory structures shall be allowed on a single-family dwelling lot.

B. **Accessory structures on corner lots in Agricultural and Residential districts**. In any Agricultural or Residential district, where a corner lot adjoins in the rear a lot fronting on the side street, no part of any accessory building on such corner lot within twenty-five (25) feet of the common lot line shall be nearer a side road lot line than the least depth of the front yard required along such side street for a dwelling on such lot, and in no case shall any part of such accessory building be nearer to the side road lot line than the least width of the side yard required for the principal building to which it is accessory.

C. **Accessory structures building setbacks.** Accessory structures shall only be located in a side or rear yard. Setbacks for the side yards shall be no less than 10 ft. and for the rear yard no less than 5 ft. On A-1 and AR-1 lots, setbacks for the side and year yards shall be no less than 10 ft. An accessory building may be erected in the front yard of waterfront properties contingent upon meeting the zoning district's front yard setbacks and pending administrative approval.

D. **Accessory structures for residential uses**

1. Private detached garage for the occupant's automobiles or vehicles. Must be non-commercial usage of garage.
2. Storage shed.
3. Swimming pool, pool house or cabana.
4. Greenhouse or slat house.
5. Gazebo.
6. Amateur radio antenna and antenna support structure; provided, antenna and antenna support structures are not used in any way for commercial purposes and provided that antennae and antenna support structures are erected, constructed and installed in compliance with this ordinance and the current State of Georgia adopted Standard Building Code.

E. **Accessory structure for places of worship**

1. Religious education buildings.
2. Parsonage, pastorium or parish house, together with any use accessory to a dwelling listed above.
3. Pavilions and playgrounds.

F. **Accessory structures for commercial and industrial uses**

1. Completely enclosed building for the storage of supplies, stock or merchandise.
2. Light manufacturing and/or repair facility incidental to the principal use; provided, that dust, odor, smoke, noise, vibration, heat or glare produced as a result of such manufacturing or repair operation is not perceptible from any boundary line of the lot on which said principal and accessory uses are located and provided such operation is not otherwise specifically prohibited in the district in which the principal use is located.
3. Shelters, awnings or canopies incidental to retail and commercial use, where such use is permitted, provided a minimum setback of 10 feet is observed.

G. **Accessory dwelling unit, guesthouse, in-law suite**

1. On parcels zoned A-1, AR-1, R-20 and R-12 for single-family dwellings as a principal use, one accessory dwelling unit on a parcel is permitted by right provided it meets the provisions herein.
2. The minimum lot size shall be 12,000 square feet.
3. The accessory dwelling unit shall conform to applicable codes for residential units.
4. The accessory dwelling unit shall have a minimum floor area of 300 square feet and a maximum of 1,000 square feet.
5. The accessory dwelling unit shall be designed so that the appearance of the building remains similar to that of the principal residence.
6. The applicant must provide evidence to certify that existing or proposed septic tank facilities, if applicable, are adequate to serve both the principal dwelling and the accessory dwelling unit.

7. A detached accessory dwelling unit shall be located to the rear of the property.
8. A second kitchen facility may be constructed and used within a single-family residence.
9. Paved off-street parking shall be provided for one (1) additional vehicle.
10. The accessory dwelling unit shall be one of the following:
    a. Attached (addition to existing building)
    b. Detached
    c. Within existing house (renovations to basements, wings or attics converted into separate living unit)
    d. When attached to a garage, the square footage of the garage does not apply as heated floor area

Sec. 302-2 Adult Entertainment Establishments *(Not applicable in Hinesville)*

Adult entertainment establishments in Hinesville are subject to Article V of The Hinesville Code of Ordinances. All other jurisdictions shall be subject to the provisions below.

A. **Restrictions.** Adult entertainment establishments are only allowed in the C-3 and A-1 Districts. Such uses shall require approval from the governing authority after a public hearing and the location shall comply with the provisions below, as applicable. All distances shall be measured pursuant to O.C.G.A. § 3-2-2 and Regulation 560-2-2.32 [Ga. Comp. R & Regs. § 560-2-2-.12] of the State Revenue Commission (2007).

B. **C-3 Districts**. In C-3 Districts, adult entertainment establishments shall not be located within:
    1. one thousand (1,000) feet of any church, school, college campus, children's day care, public park or other property zoned AR-1, R-20, R-12, R-8, SFMH, MFR, MHP, AT-R, I-1, or PUD;
    2. one thousand (1,000) feet of any other activity which provides the same type entertainment;
    3. one thousand (1,000) feet of any residential dwelling located on property zoned A-1 or C-2 (and occupied for residential purposes); or
    4. one thousand (1,000) feet of any historic property identified in the historic properties inventory prepared by the Liberty County Cultural and Historic Resources Committee (or any successor entity) and approved by the board; or
    5. five hundred (500) feet of any parcel of land upon which any establishment authorized to sell alcoholic beverages or malt beverages and wine for consumption on the premises.

C. **A-1 Districts.** In A-1 Districts, adult entertainment establishments shall not be located within:
    1. one thousand five hundred (1,500) feet of any church, school, college campus, children's day care, public park or other property zoned AR-1, R-20, R-12, SFMH, MFR, MHP, I-1, or PUD;
    2. one thousand five hundred (1,500) feet of any other activity which provides the same type entertainment;

3. one thousand five hundred (1,500) feet of any residential dwelling located on property zoned A-1 or C-3 (and occupied for residential purposes);
4. one thousand five hundred (1,500) feet of any historic property identified in the historic properties inventory prepared by the Liberty County Cultural and Historic Resources Committee (or any successor entity) and approved by the board; or
5. five hundred (500) feet of any parcel of land upon which any establishment authorized to sell alcoholic beverages or malt beverages and wine for consumption on the premises.

Sec. 302-3 Agricultural and Public Use Exceptions

A. **Agricultural uses.** Except for compliance with minimum yard requirements, visibility across corner lots, and for the commercial raising of fur-bearing animals, or hog farms, nothing in this Ordinance shall prohibit the use of any land for agricultural purposes as defined herein, or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, in any Agricultural district.

B. **Public or semipublic uses.** Nothing in this ordinance shall prohibit the erection, construction, alteration or maintenance of essential services, by public utilities or county, city, or other governmental agencies and no zoning certificate shall be required for any such structure; provided, however, that the provisions of this paragraph shall not apply to buildings, towers, or storage yards of such public utilities or governmental agencies except when conforming to the procedures specified by state law.

Sec. 302-4 Cemeteries and Private Burials

Cemeteries shall be approved by the governing authority after a public hearing. No land for which a plat has not been recorded shall be used for any burials. The deceased shall not be buried or placed closer than ten (10) feet to any property line. The minimum size for a cemetery shall be one (1) acre.

Sec. 302-5 Daycare Facilities

Daycare facilities shall be located on a lot fronting a collector or arterial street except for family daycare facilities.

Sec. 302-6 Dilapidated Buildings

Dilapidated and/or burned-out buildings or mobile/manufactured homes shall be removed from the property on which they are located within ninety (90) days after notice by the building official.

Sec. 302-7 Drainage and Utility Easements

Drainage and utility easements shall remain unobstructed in order to provide satisfactory access for maintenance vehicles and equipment. No fences, screens, concrete pads or other permanent structures shall be erected or placed on or within any drainage or utility easement.

Sec. 302-8 Excavation of Earth Materials

A. Excavation of earth materials (i.e. borrow pits, quarries, etc.) for commercial sale or off-site use and not associated with an agricultural operation certified or registered with the State of Georgia shall be considered a temporary use, and shall be permitted as a conditional use only in agricultural districts, and when required, excavations shall conform to criteria as

outlined in the applicable soil erosion and sedimentation control ordinance. No borrow pit existing prior to the effective date of this Ordinance may be expanded without a conditional use approved by the governing authority.

B. Excavations of earth materials shall be subject to the following conditions.

1. The removal area shall be completely enclosed with a wall or fence in good repair not less than six (6) feet in height.
2. Drainage plans and a plan for the redevelopment of the site when the removal is complete shall be submitted with the application for a development permit.
3. The use shall not be within 1,000 ft. of a residence and 600 ft. of any other building, including a public right-of-way or highway.
4. Nothing herein shall prohibit the grading of the site for land development purposes upon issuance of a land disturbing activity permit in accordance with the provisions of this Ordinance.

Sec. 302-9 Fencing and Retaining Walls

A wall or fence six (6) feet in height or higher if a retaining wall, may be erected in the side or rear yard but not extending beyond the front setback line. Any wall or fence in the front yard beyond the front setback line, not including a retaining wall, shall be limited to forty-eight (48) inches in height. Fencing shall not be allowed within the right-of-way.

Sec. 302-10 Home Occupations

A. **General Provisions**

1. Certain occupational uses termed "home occupations" are allowed in dwelling units on the basis that such uses are incidental to the use of the premises as a residence. In this regard, such home occupations shall be subject to special regulations to ensure that the same will not be a detriment to the character and livability of the surrounding neighborhood.
2. This section ensures that the home occupation remains subordinate to the residential use and the residential viability of the dwelling is maintained. It also recognizes that many types of jobs can be done in a home with little or no effect on the surrounding neighborhood. As such, a home occupation may be permitted provided it meets the following general criteria:
    a. It is incidental to the use of the premises as a residence; no more than twenty (20) percent of the floorspace of the dwelling unit (including an attached garage) shall be used for a home occupation.
    b. No exterior evidence of the home occupation; no outside operations or exterior storage of inventory, equipment, or materials to be used in conjunction with the home occupation.
    c. No use or activity that may create an offensive noise, dust, glare, vibration, smoke, smell, electrical interference or any fire hazard, unsightly or unhealthful condition, or other nuisance or disturbance.
    d. No type of repair or assembly of vehicles or equipment with internal combustion engines (such as autos, motorcycles, lawn mowers, chain saws or other small

engines) or of large appliances (such as washing machines, dryers, and refrigerators) or any other work related to automobiles and their parts.

e. No more than one vehicle associated with the home occupation (no larger than a standard van or pick-up truck).

f. Are limited in extent and do not detract from the residential character of the neighborhood.

g. Signage advertising the business shall not be permitted on site.

B. **Type A and Type B Home Occupations**

In addition to meeting the general criteria above, home occupations are further regulated as two types as herein described. These types of home occupations are included in the district use tables in Article II.

1. Type A home occupations shall meet the following requirements:

a. Residents use their home as a place of work, home office, per business telephone, and electronic communications. Customers or clients are not permitted to physically come to the home/office.

b. Employees, other than members of the family residing on the premises, are not authorized to meet, park or work at the home.

c. Supplies, materials or debris are not to be located, stored, stockpiled or kept on the property outdoors where the home is located.

d. There shall be no exterior evidence that a residence is used for a home occupation.

e. Applicants living in a multi-family residential dwelling (apartments, condos, townhouses, etc.) or in manufactured homes in a MH park shall present a consent statement from either property owner, property management, or property owner's association.

2. Type B home occupations are not permitted in Hinesville. In unincorporated Liberty County and its other municipalities, Type B home occupations shall not be conducted in multi-family residential districts or MH park districts. Additionally, Type B home occupations shall meet the following requirements:

a. No more than 1 (one) nonresident employee

b. Customers may come to the residence on an infrequent basis during daytime hours; not more than one (1) or two (2) at a time.

c. Retail sales of goods may only be incidental to the home occupation.

Examples for Type “B”: craftspeople, consultant, hairdresser, barber, beautician, tutor, tax preparer, accountant, music instructor.

C. **Additional requirements.** The foregoing requirements for home occupation shall be in addition to those requirements for business licenses generally, and any violation of these requirements shall be grounds for denial, suspension or revocation of the subject business license and vice versa. Upon any violation of this Ordinance, the home occupation may be suspended, denied or terminated as with business licenses generally.

D. **Renewal application.** All persons wishing to renew their home occupation from the previous year shall make application for such renewal at the same time as provided for

renewals of business licenses generally. However, the granting of a home occupation for one (1) year shall in no way vest any rights or privileges whatsoever to any renewal or subsequent permit, and such person must satisfy in full the requirements for such business license established by ordinance at the time of such renewal whether Type A or Type B.

Sec. 302-11 Junkyards

A. All junkyards shall be completely screened from roads or developed areas with a solid fence or wall a minimum of eight (8) feet, maintained in good condition as determined by the local governing authority, and painted except for masonry construction, or with suitable plantings.

B. No operations shall be conducted which shall cause a general nuisance or endanger the public health.

C. All existing junkyards shall have complied with these requirements within one (1) year of the date of this Ordinance or shall then have terminated their operation.

Sec. 302-12 Living Units in Zones Other than Residential *(Not applicable in Hinesville)*

Dwellings shall not be permitted in any business or industrial zone as a principal use. However, living units may be established within the principal commercial building in a C-2, C-3, LI and I-1 district. Living units may be permitted as a separate accessory use on existing lots of record within the same districts so long as they have direct access to an abutting street.

Sec. 302-13 Manufactured Homes

A. The location and relocation of manufactured homes shall require a building permit.

B. All new manufactured homes and pre-owned manufactured homes located in any jurisdiction of Liberty County shall conform to the minimum construction standards by the U.S. Housing and Urban Development promulgated in 1976, as required by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, *et seq.* (The HUD Code) and shall be installed in accordance with O.C.G.A. 8-2-160 *et seq.* Pre-owned manufactured homes shall not have been altered in such a way that the home no longer meets the HUD Code.

C. In addition to the requirements of this section, manufactured housing shall comply with the provisions below.

1. Utilities**.** Manufactured homes shall be connected to public, community, or individual water and sewer infrastructure.

2. Steps and landings. Steps and landings shall be in conformance with the applicable building code and shall be required for all new and pre-owned manufactured homes at all exterior exits/entrances.

3. Roof**.** Roofs shall be structurally sound and have no obvious defects that might admit rain or cause moisture to collect on the interior portion of the home.

4. Exterior siding. The exterior siding shall consist of wood, hardboard, vinyl, brick, masonry, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in conventional residential construction.

5. Doors and windows. Doors and windows shall be operable, watertight and in good working condition.

6. Exterior condition. The exterior of all pre-owned manufactured homes shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or to occupied spaces. The exterior siding shall be free of rot and deterioration.

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

8. Towing apparatus. The tongue, axles, transporting lights and towing apparatus shall be removed after placement on the lot and before occupancy.

9. Wind zone. No manufactured or mobile home shall be allowed to be moved or to be occupied if it is not rated for at least a wind zone II or higher.

10. Skirting.

    a. A foundation or curtain wall, commonly called “skirting”, shall be constructed and installed on all manufactured homes. The skirting shall enclose the area located under the manufactured home to the ground level and shall be unpierced except for required ventilation and access.

    b. The materials used for the skirting shall comply with Table 302.1 below where:

    Type A Skirting: Masonry

    Type B Skirting: Vinyl, treated lumber or masonry

    Type C Skirting: Heavy-duty vinyl, treated lumber or masonry

    Type D Skirting: All manufactured homes in R-8 and along the Gateway Tier I corridors of EB Cooper Highway and Coastal Highway 17 shall provide skirting with required ventilation and access and be underpinned. The skirting shall be masonry and/or stucco; exterior concrete or cement board, which comes in different styles such as simulated rock, brick, etc. (e.g. Duraskirt™); or, as determined and approved by the Zoning Administrator and Riceboro Mayor and Council, heavy-duty vinyl skirting which has a reinforced vinyl panel design with the exterior panel being flat and being backed by an interior panel girded with vertical rigid ribs for superior durability (e.g. Titan Xterior Prime™). All areas outside the Tier 1 locations indicated above shall provide Type B skirting.

Table 302.1 – Skirting Requirements

Jurisdiction	A-1&AR-1	R-8	R-12	MHP	SFMH
Allenhurst	Type B	Type A	N/A	Type B	Type B
Flemington	Type B	Type A	N/A	Type B	Type B
Gum Branch	Type B	Type A	N/A	Type B	Type B
Hinesville	Type C	N/A	N/A	Type C	Type C
Liberty County	Type B	Type A	N/A	Type B	Type B
Midway	Type B	Type B	Type B	Type B	Type B
Riceboro	Type D	Type D	Type D	Type B	Type D
Walthourville	Type B	Type B	N/A	Type B	Type B

N/A - manufactured homes are not allowed in this district.

Sec. 302-14 Outdoor Sales Displays

A. Except for permitted C-3 uses with an approved outdoor sales/rental lot including, but not limited to vehicles, trailers, equipment, building and farm supplies, nurseries and garden centers, boats, manufactured homes and storage buildings, all merchandise and sales displays in commercial zoning districts shall be inside an enclosed building.

B. Additional exceptions include the following:

1. Propane tanks (20-pound) are allowed, provided the tanks are in a locked storage container. No more than four storage containers are allowed per property. The storage container(s) shall not exceed 50 cubic feet in volume and six feet in height and it shall comply with all applicable fire and safety codes.
2. Coolers for bagged ice are allowed up to 60 cubic feet.
3. Newspaper racks, pay telephones, air pumps, vacuum machines and automatic teller machines are not considered or regulated as vending machines.
4. Vending machines for purposes of selling or dispensing merchandise including, but not limited to, beverages, candy, food, movies, toys, etc.
5. Self-contained, all-weather kiosks for the display of food, beverage and automotive supplies for sale as an accessory use to an approved vehicle fueling center with a canopy, provided that all sales display fixtures are located completely underneath the canopy.

Sec. 302-15 Swimming Pools

A. **Private swimming pools.** A private swimming pool in the ground or permanent installations above the ground, but not including farm ponds, shall be any pool, lake or open tank not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than one and one-half (1½) feet. No such swimming pool shall be allowed in an A-1, AR-1 or any R district except as an accessory use and unless it complies with the following conditions and requirements.

1. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located, and their guests, and no fee shall be charged.
2. It may not be located, including any walks or paved areas or accessory structures adjacent thereto, closer than ten (10) feet to any property line of the property on which it is located.
3. The swimming pool, or the entire property on which it is located, shall be so walled or substantially fenced as to prevent uncontrolled access by children from the street or from adjacent properties, and said fence or wall to be not less than four (4) feet above ground level and maintained in good condition and grounded for electricity. Pools shall conform to the department of health standards.

B. **Community or club swimming pools.** A community or club swimming pool shall be any pool constructed by an association of property owners, or by a private club solely for use and enjoyment by members of the association or club and their families and guests of members. Community and club swimming pools shall comply with the following conditions and requirements:

1. The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than ten (10) feet to any property line of the property on which it is located.
2. The swimming pool and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties. The said fence or wall shall not be less than four (4) feet in height and maintained in good condition and grounded for electricity. The area surrounding the enclosure, except the parking spaces, shall be suitably landscaped with grass, hardy shrubs and trees and maintained in good condition.

Sec. 302-16 Temporary Use Permit

A. **General**

1. The zoning and the building official are authorized to issue temporary use permits for the uses below, subject to the applicable conditions for each individual temporary use and provided it is determined such uses will cause no traffic congestion and will not adversely affect surrounding areas.
2. Appeal of a denial for a temporary use permit shall be to the governing authority.
3. A temporary use permit does not exempt the applicant from attaining a business license.

B. **Allowable temporary uses** – All Jurisdictions

1. Religious meeting in a tent or other temporary structure, in an approved open area for a period not to exceed 40 days.
2. Open lot sale of pumpkins, Christmas trees, or other seasonal items/produce in an approved open area and on a parcel of land zoned agricultural or commercial.
3. Contractor's office and equipment sheds, and temporary real estate sales office for a period of 12 months; provided, that such office is placed on the property to which it is appurtenant when construction, development, or sale is underway.
4. Food trucks meeting the business license requirements of the applicable jurisdiction.

C. **Allowable temporary uses (part of business license procedures)** - Hinesville and Flemington only

1. Transient merchants wishing to locate in a C-2 or C-3 district for a period not to exceed 45 days in Hinesville and not to exceed 30 days in Flemington.
2. Temporary outdoor sales displays in a C-2 or C-3 district for up to 72 consecutive hours duration and for up to four (4) times per calendar year. A temporary use permit shall be required each time.

Article 303
Sign Regulations

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Sec. 303-1 Purposes and Intent

A. **Legislative Purposes**

1. Liberty County governments find that signs and advertising are proper and necessary uses of private property, are a means of personal free expression, are a necessary component of a commercial environment, and constitute a legitimate business enterprise. As such, signs are entitled to the protection of the law. The purpose in enacting these sign regulations is to create a comprehensive and balanced system of sign control that accommodates both the need for a well maintained, safe and attractive community, and the need for effective business identification, advertising, communication, and free speech.

2. Liberty County governments recognize that courts require protection of the individuals' rights to erect signs for a possible means to expressing ideas.

3. The provisions herein are no more extensive than necessary to serve the substantial governmental interests articulated herein. It is the intent of this article to not regulate the content of the signs, but only their composition, type, location, distance from right-of-way, height, size, illumination, duration, and other non-content based restrictions implied herein. These regulations shall not be construed as limiting the message content of any sign or foreclosing important and distinct mediums of expression for political, religious, or personal messages.

B. **Intent**. The intent and objectives of this Article are as follow:

1. To protect public health, safety, morals, welfare of citizens, and property values by regulating the manner of erection, location, number and maintenance of signs.

2. To protect the public investment in the streets and highways, to promote industry and commerce, and to eliminate visual clutter and aesthetically blighted thoroughfares.
3. To ensure the compatibility with surrounding land uses.
4. To improve the safety of motorists, pedestrians, cyclists, and other users of public streets. The number, size, location, lighting and movement of signs can divert the attention of drivers which can cause accidents.
5. To enable the fair and consistent enforcement of this Article.
6. To reduce the competition among competing sign owners for visibility of their signs which can cause safety hazards and can undermine the sign owners' original purpose of presenting a clear message of its idea or identification of premises.
7. To regulate billboards along highways and the interstate.
8. To regulate changeable electronic variable message signs or LED signs as they can be the cause of distracted driving.
9. To prohibit portable and vehicular signs which generally create a higher degree of distraction and danger to the public, are less attractive aesthetically, are more difficult to monitor and regulate and are more likely to be placed in areas which create traffic hazards.
10. To establish a permit system that allows adequate amount of signage for all properties and to set parameters based on zoning districts and/or location.

Sec. 303-2 Applicability

A. The requirements of this Article apply to all signs that are visible from a street, public right-of-way, or property in public ownership except signs which are erected by a City, County, or State government.

B. The following are not considered signs and are not regulated by any provision of this Article.

1. Seasonal and holiday decorations
2. Window displays of goods available within a business
3. Address numerals
4. A building design and color that is associated with a particular establishment or organization, but which conveys no message.

Sec. 303-3 Sign Permits and Procedures

A. **Permit required**. Unless specifically exempted from obtaining a permit under provisions of this Article, no person shall post, display, erect, construct, replace, restore, alter, or relocate any sign or billboard, as defined in this article without first obtaining a permit in the manner set forth in this section. No permit shall be required for ordinary and necessary repairs and maintenance of an existing non-conforming sign permitted by this article or of an existing conforming sign.

B. **Application for permit**. Application for permits shall be made upon forms provided by the building official in unincorporated Liberty County and Hinesville and by the zoning official for all other jurisdictions, referred in this Article as the "applicable official". Any change in the information contained in the application, such as change of address, shall be submitted to

the applicable official within 30 days of the change. Each application shall contain or have attached thereto the following information.

1. Name, mailing address, and telephone number of the applicant.
2. Address of the building, structure, or lot to or upon which the sign is to be attached or erected.
3. Position of the sign in relation to nearby buildings or structures and property lines.
4. One accurate scale drawing of the plans, specifications, and method of construction and attachment to the building or the ground for the sign, as well as a scale drawing of the site showing drives, structures, property lines, set back lines, and any other limiting site features.
5. Sign installation must be certified by a structural engineer as being designed to meet or exceed a 110-m.p.h. wind load. This requirement shall not apply to temporary signs.
6. Electrical load calculations and a wiring plan, if the proposed sign will include electrical components of any kind. The load calculations and wiring plan must be in accordance with NFPA 70 and other documents.
7. Name of person, firm, corporation, or association erecting the structure.
8. Written consent of the owner of the building or land to which, or on which the structure is to be erected.
9. Such other information as the reviewing entity shall require to show full compliance with this and other applicable ordinances.

C. **Issuance of permit.**

1. Upon the filing of an application for a permit and the payment of all necessary fees, it shall be the duty of the building and zoning official to examine all plans and specifications submitted and the premises upon which the sign is proposed to be erected, replaced, restored, altered, or relocated. Such review shall be completed within 30 days of submission of a completed sign application. If it appears from review of the permit application and the site that the proposed sign is in compliance with the requirements of this article and all other ordinances and laws, the applicable official shall issue a permit no later than 30 days from receipt of the completed application.
2. The building official shall deny permits to applicants who submit applications for signs that do not comply with the provisions of this article, are incomplete, or contain any false material statements. Violation of any provision of this article will be grounds for revoking a permit granted by the applicable building official for the erection of a sign. Should it be determined that a sign permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a permit has been erroneously issued in violation of this article, the applicable official shall revoke the permit.

D. **Procedures upon denial of permit application or revocation of existing permit**.

1. Should the building official deny a permit, the reasons for denial shall be stated in writing and delivered to the applicant by certified mail or by first class mail to the address on the permit application, or to the applicant's last known address, on or before 30 days after receipt of the application. Alternatively, the building official may personally serve the sign applicant with a copy of the written notice of denial within 30 days after the receipt of the application. Any application denied and later resubmitted

shall be deemed to have been submitted on the date of resubmission, instead of the date of the original submission.

2. Should the building official revoke an existing permit, the reasons for revocation shall be stated in writing and delivered to the permittee or sign owner by certified or by first class mail to the address on the permit application, or to the permittee's or sign owner's last known address. Alternatively, the building official may personally serve the permittee or sign owner by in-hand delivery of the notice of revocation. Alternatively, if the permittee or sign owner cannot be located and mailings are returned undeliverable, the building official may notify the permittee or sign owner by posting and affixing the notice of revocation on the sign itself.

3. No permit shall be denied or revoked, except for due cause as hereinafter defined, and after the applicant, permittee, or sign owner is given ten business days written notice containing a statement of the reasons for the denial of the permit application or the revocation of a permit. "Due cause" is the violation of any provision of this article, or other applicable ordinances, State or Federal law, or the submission of an incomplete application or an application containing false material statements.

4. Citizens Sign Appeals Board *(Hinesville Only)*. An individual whose permit application has been denied or whose permit has been revoked may appeal the decision to the Citizens Sign Appeals Board, provided such appellant files a written notice of appeal with the City Clerk within ten business days from the postmark date of the building official's notice, or, alternatively, within ten business days of the date the notice was hand-delivered to the applicant, permittee, or sign owner or was posted to the sign itself pursuant to subsection D.2. above. If a notice of appeal is not timely filed, the building official's notice shall constitute the City's final determination. The Citizen Sign Appeals Board shall hear and make recommendations to the Mayor and City Council on all such appeals.

   a. The Mayor and City Council shall issue a written decision, through the City Manager, to the appellant no later than 30 days following the issuance and delivery of a written recommendation from the Citizens Sign Appeals Board to the Mayor and City Council. Decisions of the Mayor and City Council to affirm the decision of building official or to overrule the decision of the building official and grant or continue the permit for which appeal is taken shall be reduced to writing and served upon the appellant in the same manner as the original notice to deny or notice of revocation, or in any other manner allowed by this section. Such decision shall constitute a final determination by the City.

   b. If an appellant is dissatisfied with the City's final determination, the appellant may petition for writ of certiorari to the Superior Court as provided by law.

   c. If an individual appeals the building official's denial or revocation, no action to erect a sign or to remove an existing sign shall be taken by either party pending an appeal to the Citizens Sign Appeals Board. After final determination to revoke an existing permit, the sign shall be removed as provided in this article.

E. **Permit expiration**. If the work authorized by a permit has not been completed within six months after the date of issuance, the permit shall become null and void. No refunds will be made of permit fees for permits that expire due to failure to erect a permitted sign; provided that, where an applicant can demonstrate that a commercial entity was timely engaged to construct the permitted sign but the fabrication has not yet been completed. One 90-calendar day extension may be granted by the Director of Inspections on the duration of the

permit. Where a permit has expired for failure to erect the sign, if an individual later desires to erect a sign at the same location, a new application must be processed and another fee paid in accordance with the fee schedule in effect at the time of resubmission.

F. **Display of permit**. Every sign or billboard constructed, erected, or maintained for which a permit is required by this article shall be plainly marked with the permit decal issued for said structure firmly affixed thereon in such manner that the information therein contained shall be readily accessible and durable. If, however, affixing the decal to the sign is unreasonable or impracticable, the Director of Inspections, or his/her authorized designee, shall authorize the permittee to place the decal on file at his or her place of business or at the site on which the sign is physically located.

G. **Permit fees**. A fee for each sign permit shall be paid at the time of filing the application. An application for a permit is incomplete if it is not accompanied by payment of the required fee.

H. **Removal of temporary signs; procedures**. The notice and appeal provisions set forth in this section shall apply whenever the building official intends to remove a temporary sign from private property; no notice and appeal rights attach, however, to temporary signs erected on public property or in a public right-of-way.

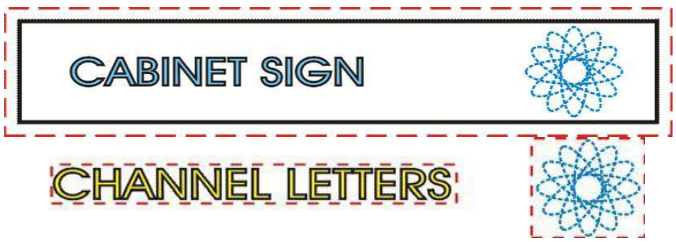
Sec. 303-4 Basic Standards

A. **Sign area**

1. The area of a sign shall include all lettering, wording, designs and symbols, together with the background, whether open or enclosed, on which they are displayed. The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message or face of the sign. This type of measurement shall be referred to as a box measurement because a rectangle or square may be drawn around the letters, emblems, or picture for computation purposes. Any backlit area shall be considered part of the face of the sign.

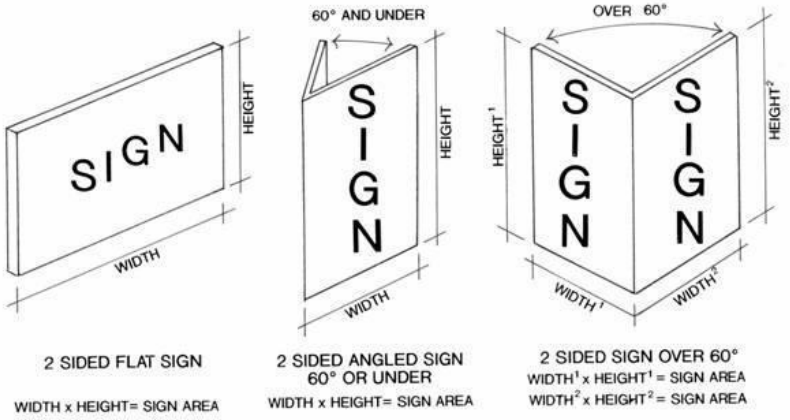
   Commentary: The “golden arches” at McDonald’s, if used as support for a sign, are clearly integral to the sign message and would be included in the computation of the area of the sign face.

2. Where a sign consists of individual letters, words or symbols attached to a surface, building, canopy, awning, wall or window and all such elements are located in the same plane, the sign area shall be the area of the smallest rectangle which completely encompasses all such letters, words or symbols and any accompanying background of a color different than the natural color of the wall. Where such sign includes multiple words, each word located in the same plane shall be computed separately



Commentary: Channel letter signs, mounted logos, and similar devices are treated differently than signs in cabinets – the wall area between multiple elements does not count as sign area.

3. On all signs, like stanchion, monument, or billboards, with two identical sign faces only one side of the sign face is used for computation purposes of the sign area unless the angle at which the two sign faces are installed exceed 60 degrees. If the two faces of a double-faced sign are of unequal area, the area of the sign shall be taken as the area of the larger face.



Commentary: It is presumed that where sign faces are placed less than 60 degrees apart, both faces are not readable from any one point.

4. The entire surface area of a multi-tenant sign that depicts the names of the individual tenants shall count toward the total aggregate area of the sign.

B. **Location**

1. All signs shall be located outside the public right-of-way.

2. Signs shall be located in a way that there is at every intersection and driveway clear sight distance for pedestrians, cyclists, and motorists traveling on or entering any street, road, or highway.

3. On any corner lot, signs shall not be located within the sight distance triangle, the area of which is described below.

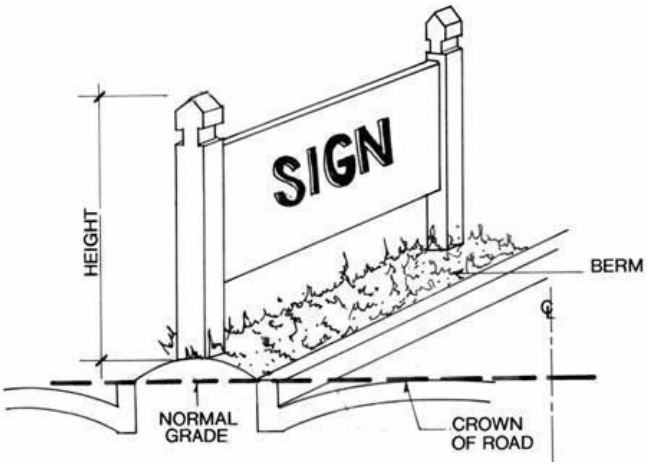
   a. Streets and roads. The area formed at a corner intersection of two public roads and streets whose two sides are 25 feet, measured along the right-of-way line of the two roads/streets, and whose third side is a line connecting the two sides.

   b. Driveways/alleys. The area formed at a corner intersection of public right-of-way and a driveway, whose two sides are 15 feet, measured along the right-of-way line of the street and the edge of the driveway, and whose third side is a line connecting the two sides.

C. **Height**

The height of a sign shall be computed as the distance from the base of the sign at a computed grade to the top of the highest attached component of the sign (including the sign face, sign structure, or any other appurtenance). The computed grade shall be the elevation of the nearest point to the proposed sign location of the crown of the nearest public street

providing access; or the grade of the land at the principal entrance to the principal structure on the lot, whichever is higher.



D. **Illumination**

1. Signs may be illuminated from within or from an external source, but such illumination shall be in a manner which avoids glare or reflection which in any way interferes with traffic safety. The illumination of signs in which the light source is concealed or contained within the structure itself and which becomes visible in darkness by shining through a translucent surface shall not exceed 12-foot candles of incident light measured at a distance of ten feet from such structures.

2. Signs illuminated by flood lights, spotlights or gooseneck reflectors shall be positioned in such a manner that none of the light spills over onto adjoining property or glares or shines into the eyes of motorists or pedestrians.

3. Sign lighting shall not be detrimental to adjacent residential property. Property directly across a public right of way shall be considered adjacent property. Unless otherwise permitted within this Ordinance, signs shall not be illuminated by moving lights, flickering lights, or a string of lights placed around the sign.

4. No electronic message sign or LED sign shall be illuminated at a density of greater than 12-foot-candles measured from the nearest point of any highway or public road. All such signs shall be equipped with a dimmer control and or a photocell which shall consistently monitor ambient light conditions and adjust sign brightness accordingly.

E. **Maintenance**. All signs regulated by this Article shall be kept in good condition and not show signs of deterioration, dilapidation, or neglect as described below and be clean, neatly painted, and free from all electrical and mechanical hazards, including, but not limited to, faulty wiring and loose connections, and the premises surrounding same shall be maintained by the owner thereof in a sanitary and inoffensive condition, free and clear of all weeds, rubbish, and debris. A sign which has any of the following characteristics shall be considered dilapidated or deteriorated:

1. elements of the surface or background cannot be seen as viewed from the normal viewing distance, where portions of the finished material or paint flaked, broken off, or missing, or otherwise not in harmony with the rest of the surface;

2. the structural support or frame members are visibly bent, broken, dented or torn;

3. where the panel is visibly cracked, or materials are disintegrating in such a way as to constitute an unsightly or harmful condition;
4. the sign or its elements are twisted or leaning or at angles other than those at which it was originally erected such as a result of a failure of a structural support; or
5. the message or wording can no longer be clearly read under normal viewing conditions.

Sec. 303-5 Construction Standards

All signs shall conform with O.C.G.A. § 32-6-75(9) (the Georgia Outdoor Advertising Control Act) and shall also meet the requirements below.

A. **Wind pressure and dead load requirements.** All freestanding (monument, stanchion) signs and billboards shall be designed and constructed to withstand the minimum wind load pressures and dead loads as specified in the International Building Code (IBC).

B. **Electrical.** Electrical load calculations and wiring plan must be in accordance with NFPA 70 and other documents, if required; all signs must bear the "U.L." label.

C. **Materials**. Signs shall be constructed of permanent and durable materials and permanently affixed to the ground or building except for temporary signs.

D. **Surface of signs**. All signs shall have a smooth surface, and no nails, tacks, or wires shall be permitted to protrude therefrom, except electrical reflectors and devices which may extend over the top and in front of the advertising structures.

E. **Moveable parts**. Chains or hinges shall securely fasten any movable part of any sign or billboard.

Sec. 303-6 Standards by Sign Type

Upon issuance of a sign permit in accordance with Sec. 303-3 [Sign Permits and Procedures], the following signs shall be allowed subject to the following requirements.

A. **Awning sign:** A sign which is part of a fabric or other non-structural awning.

1. The sign shall be flat against the surface of the awning.
2. The awning containing the sign shall maintain a clearance of 8’ above a public right-of-way, sidewalk, or required front yard.
3. The sign shall not be closer than two feet, measured in horizontal distance, from the curb line of any street
4. Any fabric awning valance may not extend more than one foot below the rigid mount of the awning.
5. The area of all permitted awning signs shall be included in the area of permitted number of wall signs and permitted as wall sign face area.

B. **Canopy sign:** A sign imposed or painted upon any permanent roof-like structure projecting from a building. The canopy’s purpose most often is to shield pedestrians from the weather and is placed over walkways or entrances to buildings, etc.

1. The sign area shall not exceed 10 % of the largest vertical surface of the canopy.
2. In no case shall the sign extend beyond the vertical edge of the canopy to which it is attached.

C. **Electronic message sign:** A sign or portion thereof which results in the illuminated display of messages or information by the use of a matrix of electric lams (e.g., digital, LED or similar or refined display technology), movable discs, movable panels, light apertures, or other methods, which allow the message change to be actuated by a control mechanism rather than manually changing the message and which changes the message more often than twice daily.)

1. Displayed copy shall not be animated, blinking, chasing, flashing, or have other moving effects.
2. This provision shall not restrict the copy from merely changing from one message to another without any special effects.
3. Electronic changeable message signs can be located on stanchion signs, monument signs and shall not exceed 50 square feet or 25 percent of existing allowable sign area, whichever is more restrictive. Such signs could also be allowed on billboards exceeding the dimensions of 50 sq. ft. and 25 percent of existing allowable sign area, whichever is more restrictive as long as other local billboard and State billboard requirements are met.
4. Each message shall remain fixed for at least 15 seconds. Within the City of Flemington, the message shall remain fixed for at least 15 minutes.
5. The transition from one message to another shall occur in two (2) seconds or less.
6. The transition shall not occur with any special effects such as: swiping, fading, or any other special effect transition method.
7. The illumination of an electronic message sign shall not exceed 12 foot-candles as measured from the nearest point of the highway or public road. All such signs shall be equipped with a dimmer control and a photocell which shall constantly monitor ambient light conditions and adjust sign brightness accordingly.
8. A certified statement of a structural engineer that the footing of the sign is adequate to securely anchor the sign into place.
9. All changeable electronic variable message signs shall be distanced at least 200 feet from any of the following, as measured from the sign to the property line:
    a. Residentially used properties
    b. Residentially zoned properties
    c. Structures that are not residentially zoned, but are residentially used
    d. Undeveloped residential properties
10. Changeable electronic variable message signs shall include a default designed to freeze a display in one still position if a malfunction occurs.
11. Within the City of Hinesville, any changeable electronic variable message sign shall not be permitted within the Downtown Redevelopment Overlay District Area as defined in this Ordinance, excluding the following corridors within said district: General Screven Way, Oglethorpe Highway, and General Stewart Way.

D. **Freestanding sign:** A sign having its own supporting structure independent of any building**.** There are three types of this sign: stanchion, monument and billboard. No portion of any freestanding sign (monument, stanchion, billboard) shall be less than ten (10) feet off any street right-of-way unless exempted by this article.

1. Stanchion sign. No stanchion sign shall be nearer than 25 feet to any other freestanding sign. A sign which is six square feet or more in area shall not be closer than 75 feet to any other sign which is six square feet or more in size. Corner, double frontage lots shall be allowed a secondary stanchion sign on the secondary frontage. Secondary freestanding signs shall not be more than half the height and one half the sign area of the principal freestanding sign.
2. Monument sign. The base shall be as wide as or wider than the sign body. No monument sign shall be nearer than 25 feet to any other freestanding sign. A sign which is six square feet or more in area shall not be closer than 75 feet to any other sign which is six square feet or more in size. Corner, double frontage lots shall be allowed a secondary monument sign on the secondary frontage. Secondary freestanding signs shall not be more than half the height and one half the sign area of the principal freestanding sign.
3. Billboard. Billboards shall only be permitted on the interstate highway and the state highway system of Georgia. Billboards shall meet all federal and state requirements (O.C.G.A. 32-6-70 et seq) necessary to obtain a permit under the Georgia Outdoor Advertising Control Act. Furthermore, billboards shall be in compliance with the regulations of this article.
    a. No billboard shall be located within one thousand (1,000) ft. in any direction (radius) of any other billboard. Furthermore, no billboard shall be located within five hundred (500) ft. in any direction from a public park, public playground, public recreation area, public forest, marshland, scenic area, cemetery, or historic site.
    b. Billboards along the interstate shall be a minimum of ten (10) feet in height above the highest point of pavement; however, cannot exceed seventy (70) feet in height above the center of the interstate. Two (2) signs in the same location, whether back-to-back or in a “V” formation shall be the same height above the surface of the Interstate.
    c. Billboards located along non-interstate highways shall not be more than 32 feet in height. This distance shall be measured from the highest point of paved or unpaved highway to the highest point of the billboard. Two signs in the same location, whether back-to-back or in a "V" formation, shall be the same height above the surface of the highway.
    d. No billboard shall be permitted which, because of its size, shape, or location, may obscure or obstruct vehicular or pedestrian traffic or be confused with any authorized traffic control sign, signal, or device.
    e. Billboards can only be installed on undeveloped property; zoning districts that allow billboards are shown in Table 303.9. However, an existing billboard on a parcel shall not preclude businesses on the same parcel to be able to have a stanchion or monument sign.
    f. All billboards adjacent to an interstate shall not exceed outside measurements of twelve (12) feet in height and fifty (50) feet in length per sign face, including trim.
    g. All billboards adjacent to non-interstate highways shall not exceed three hundred seventy-eight (378) square feet for one sign face. However, a two-faced billboard cannot exceed 600 sq. ft.

h. No more than one (1) sign face shall face in any one (1) direction per location. This means that there shall be a maximum of two (2) sign faces per location to allow back-to-back signs or signs in a "V" formation.

i. Billboard signs may have an apron directly beneath the face of the signs which shall not be used for advertising purposes and shall only be permitted to display the agency holding the permit and the permit number. The aprons shall be uniform in size, measuring three (3) feet in height and forty-five (45) feet in length.

j. No part of any billboard shall be installed closer than 10 ft. from the public right-of-way, in or over any public property, or any utility or drainage easement, or upon telephone or utility poles, or natural features such as trees and rocks.

k. No billboard shall be erected or maintained upon or above the roof of any building structure.

l. All billboards shall be constructed entirely out of steel, shall be supported by a single steel pole (monopole) and shall have a steel face on all facings.

m. All billboard construction shall meet applicable building codes and all signs shall always be kept in good structural condition and well-painted.

E. **Projecting sign:** A sign forming an angle with a building which extends from the building and is supported by the building.

1. The sign shall maintain a clearance of 12 feet above a sidewalk and shall not extend nearer the curb line than one (1) foot
2. No projecting sign shall be permitted which, because of its size, shape, or location, may obscure or obstruct vehicular or pedestrian traffic or be confused with any authorized traffic control sign, signal, or device.
3. Only one sign shall be permitted per establishment.
4. This type of sign shall count towards the wall signage allowance.

F. **Gas station/fuel center sign:** In addition to all the principal building signage, the following signage shall be allowed on a gas station/fuel center canopy.

1. One canopy sign shall be permitted on each side of a freestanding gas canopy. Such sign shall not cover more than ten (10) percent of the fascia of the freestanding canopy where the sign is located upon and be no larger in sign face area than nine (9) square feet, whichever is less. These signs shall be in addition to any wall and monument sign in relation to the adjunct store building.
2. Additionally, refer to subsection L below and Sec. 303-8 [Signs Allowed in All Districts without a Sign Permit] for gas pump signage.

G. **Common development entrance sign** (Apartments, office parks, residential subdivisions, condos, and townhouses etc.)

Up to two stanchion or monument signs may be placed at each entrance to identify the subdivision or multi-family development. Signs shall be incorporated into a permanent landscape feature such as a wall or masonry columns. Said structure shall be made of durable materials including, but not limited to: brick, stone, wrought iron, or composite materials, but in no case will a wood sign be permitted. Columns may be incorporated into the signage with a

maximum allowable height of eight (8) feet. Sign(s) must be located outside the ROW. Additional requirements for these signs are included in Table 303.9.

H. **Wall sign**: Any sign which is permanently attached to or painted on any wall, mansard, or parapet of a building. A sign forming on an awning or a canopy shall also be considered a wall sign for purposes of this Article.

1. A wall sign shall not extend more than twelve (12) inches from the wall of the building.
2. If a wall sign is attached to a wall at a height of less than ten feet above any sidewalk or walking path, then that wall sign shall not extend from the surface of the wall more than eight inches.
3. Wall signs shall not cover wholly or partially any wall opening, nor project beyond the ends or top of the wall to which it is attached.
4. The sign may not extend beyond the edges of the wall to which it is attached, except when the sign is contiguous on two adjacent walls of the same building. The total sign area shall be the sum of all signs affixed parallel to the wall not protruding more than eight (8) inches from the wall if located less than ten (10) feet off the ground., signs on awnings or canopies, door signs, signs on the lower slopes of roofs or canopy roofs, signs on parapets, suspended signs, projecting signs and all similar other signs shall be considered wall signs concerning sign area regulations – see window signs.

I. **Mansard sign:** A sign imposed, mounted, or painted on a steeply roof-like façade architecturally similar to a building wall. This type of sign shall count towards the wall signage allowance. Mansard Signs are considered wall signs concerning sign area regulations.

J. **Parapet sign:** A sign imposed, mounted or painted on, and not extending above the top of the extension, false front or wall above the roofline. This type of sign shall count towards the wall signage allowance.

K. **Temporary sign:** Any sign which is intended for temporary use and not permanently mounted. The sign shall only be permitted for a temporary period. The following temporary signs are allowed and require a permit and shall meet the requirements below and in Table 303.9:

1. Temporary Subdivision Sign: One temporary subdivision sign structure per development.
2. Windblown Sign: Pennants, flags, balloons, etc., which act to attract attention to an area shall be permitted only in commercial and industrial districts.
3. Banner Sign: A lightweight fabric or similar material which is either suspended between poles or mounted against a rigid surface like a wall, roof, or similar structure shall be permitted only in commercial and industrial districts.
4. Temporary Stanchion Sign: Only permitted in commercial districts.

L. **Vending machines, automatic tellers machines and gasoline pump kiosk signs**: Signs that display the name, trademark or logo of the company or brand or prices provided the display is an integral part of the vending machine, automatic teller machine or gas pump. Such signs shall be an integral part of the vending machine, automatic teller, etc. However, in no case shall these signs exceed 32 sq. ft. See also Sec. 303-8 [Signs Allowed in All Districts with a Sign Permit].

Sec. 303-7 Prohibited Signs

The following signs or characteristics of signs shall be prohibited:

A. **Roof signs.** A sign that is mounted on, applied to, or otherwise structurally supported by the roof of the building.

B. **Vehicular signs and electronically generated signs on vehicles**. A "vehicular sign" includes any name, insignia, logo, or sign attached to, mounted on, pasted on, painted, drawn on, or otherwise affixed to any vehicle (motorized or drawn) or conveyance placed, parked, or maintained at one particular location for the primary purpose of advertising or promoting a product or service, or directing people to a business or activity. For purposes of this section, the length of time a vehicle is present at one particular location shall raise a presumption that its primary purpose is to serve as a vehicular sign, except where the business has no reasonable alternative location on the site to park the vehicle. This definition shall not apply to the following:

1. When such vehicles are in motion or are "actively" used to transport persons, goods, or services in the normal course of business (i.e. delivery service, construction trailer, etc.), or to portable signs as defined herein. However, electronic signs shall be prohibited.
2. When such vehicles are parked in an inconspicuous area.
3. When such vehicles are actively being used for storage of construction materials for, and on the same lot with a bona fide construction project for which building and other applicable permits have been issued and where construction is underway and provided said vehicles or conveyance are located within designated storage areas.

C. **Fluctuating/animated/or motion signs**. Any attraction device or signs which flashes, blinks, is animated, giving the optical illusion of action, motion, or color changes, or has any change in appearance, meaning not being static and fixed, is scrolling and/or fluctuates in light intensity (e.g., running lights) shall be prohibited.

D. **Rotating or revolving signs**. Any sign that rotates around its axis or revolves around an object.

E. **Signs emitting sound**. Any sign or attachment thereto capable of producing sound.

F. **Inflatable signs**. Signs that are either expanded to its full dimensions or supported by gases contained within the sign, or sign parts, at a pressure greater than atmospheric pressure if larger than 5 ft in height and 4 ft. in width.

G. **Dilapidated or damaged signs.** A sign that has missing or broken panels, broken or damaged supports or frame, or otherwise displays inadequate maintenance, dilapidation, obsolescence or abandonment. See also Sec. 303-12 [Removal of Signs].

H. **Signs constituting traffic hazards**

1. Any sign which constitutes a hazard to traffic including, but not limited to, signs located within the sight distance triangle of an intersection.
2. Signs imitating warning signals are prohibited. No sign shall display lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles, regardless of the color; nor shall any signs use the words, slogans, dimensional shape and size, or colors of governmental traffic signs.

3. Signs shall not closely resemble or approximate a shape, form and color of official traffic signs, signals, or devices.

I. **Obscene signs**. Signs which contain words, pictures, or statements which are obscene, as defined by O.C.G.A § 16-12-80.

J. **Portable signs.** Any sign not permanently attached to the ground or other permanent structure designed to be moved easily, including, but not limited to, mobile signs, trailer signs, and A-frame/sandwich board signs. This notwithstanding, one (1) A-frame/sandwich board sign may be permitted per business if the height does not exceed 4 ft., does not create a hindrance on any public sidewalk and is taken inside during inclement weather and when the establishment is not open.

K. **Private signs on public property**. Such sign means an illegal sign posted on a utility pole, street sign, or other street furniture; or any other sign placed within a public right of way or public property or on private property such that it is visible from a public right of way or public property. It generally has less than six (6) square feet or less of advertising area.
It can be made of any material and is often tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, fences or other objects.

Sec. 303-8 Signs Allowed in All Districts without a Sign Permit

A. **General**. The following signs are allowed in all districts without a sign permit:

1. Vending machines, ATMs and gasoline pump kiosk signs.

2. Temporary signs on construction sites.

3. Banners mounted on a pole, otherwise known as “quill flags”. However, only one (1) per business or tenant is allowed and such pole-mounted banners must be located no closer than ten (10) feet from the right-of-way or other property line, shall not be larger than 24 sq. ft. in area and shall be placed on poles no more than eight (8) feet in height. They shall be maintained in good physical condition with no tattered edges or tears.

4. Any sign attached to a vehicle or trailer that is used in the normal day-to- day operation of the business advertised on the vehicle. The primary use of any vehicle or trailer which contains a sign must serve a useful function in the transportation or conveyance of persons or commodities from one place to another, including transportation to and from work. A vehicle or trailer primarily used for advertising shall not be considered a vehicle or trailer used in the conduct of business and is prohibited.

5. Signs that are attached to, painted on, or etched into a window or displayed within 12 inches (measured horizontally) of the window and are legible from outside of the window. Such signs shall not exceed 10% of the window area on each façade and, in combination with all other window, wall, projecting, canopy, or awning signs on the lot, shall not exceed the maximum permitted sign area for the building.

B. **Lighting**. Except for the signs in subsection A.1. above, no signs allowed without a permit listed above shall be illuminated.

Sec. 303-9 Additional Sign Requirements

Additional requirements for signs are described in Table 303.9 below.

Table 303.9 Commercial/Industrial Zoning District Signs	
Wall Signs *(also see Sec. 303-6.H)*	
Zoning Districts: **C-1** **OI** **DD**	Two wall, projecting, mansard or awning signs, of which the total area of signage cannot exceed ten percent of the building front of the business.
Zoning Districts: **C-2** **C-3** **LI** **I-1**	Four wall, projecting, mansard or awning signs, of which the total area of signage cannot exceed fifteen percent of the building front.
Monument and Stanchion Signs *(also see Sec. 303-6.D.1 and .2)*	
Zoning Districts: **C-1** **OI** **DD**	● One (1) stanchion sign is allowed per parcel ○ Maximum height: Twelve (12) ft. ○ Maximum sign area: forty (40) sq. ft. per business; ○ Not to exceed one hundred (100) sq. ft. of sign area for multiple (more than two) businesses. ● One (1) monument sign is allowed per parcel ○ Maximum height: five (5) ft., incorporated columns eight (8) ft. ○ Maximum sign area: same as stanchion signs
Zoning Districts: **C-2** **C-3**	● One (1) stanchion sign or one (1) monument sign is allowed for one primary and one secondary street on which the property fronts. The parcel(s) must have a frontage of at least 100 feet on any secondary street or streets to qualify for an additional stanchion or monument sign and it shall be half the size and height of the principal sign. ● Stanchion Sign: ○ Maximum sign height: twenty (20) ft. <u>In Flemington sixteen (16) ft.</u> ○ Maximum sign area: one hundred (100) sq.ft. per business. ○ Maximum sign area: two hundred (200) sq.ft. for multiple businesses (more than one business) ● Monument Sign: ○ Maximum height: twenty (20) feet. <u>In Flemington sixteen (16) ft.</u> ○ Maximum sign area same as for stanchion signs

Monument and Stanchion Signs (cont'd)	
Zoning Districts: **LI** **I-1**	● One stanchion or monument sign is permitted per entrance for properties not part of an industrial park or not developed under a masterplan. ● Stanchion Sign: ○ Maximum height: twenty (20) ft ○ Maximum Sign Area: two hundred (200) sq. ft. ● Monument Sign: ○ Maximum height: Twenty (20) ft. ○ Maximum Sign Area: two hundred (200) sq. ft. ● In any master planned industrial development, the types and sizes of all signs shall be approved by the Planning Commission and the governing authority.
PUD Zoning Districts	The size, height, and setback limitations for signs in a PUD shall be the same as the size, height, and setback limitations that apply to the most analogous use district.
IC District in Midway	The size, height, and setback limitations for signs in an IC zone shall be the same as the size, height, and setback limitations that apply to the most analogous use district.
Billboards *(also see Sec. 303-6.D.3)*	
Undeveloped properties in: **C-3** **LI** **IC** **I-1** **I-1 in Flemginton**	● Along interstate and state highways only. ● Billboards are only allowed on undeveloped properties and in zoning districts as indicated to the left.
Temporary Signs *(also see Sec. 303-6.K)*	
Windblown and Banner Signs	● Permitted thirty (30) days at a time, four (4) times during a twelve (12) month period. ● Size of a banner shall not exceed 60 sq. ft.
Temporary Stanchion Signs	● One temporary stanchion sign per parcel ● Maximum height: 6 ft. ● Maximum signable height: 32 sq. ft. ● Duration: No more than 6 months in a year

Common Development Entrance Signs *(also see Sec. 303-6.G)*	
Permanent Entrance Signs to Common Developments (subdivision, office park, apartments, townhouses, condos, etc.)	● No more than two stanchion or monument signs may be placed per entrance. ● Signs shall be incorporated into a permanent landscape feature such as a wall or masonry columns. Said structure shall be made out of durable materials, including, but not limited to: brick, stone, wrought iron, or composite materials, but in no case shall a wood sign be permitted. ● Maximum height: eight (8) ft. ● Maximum sign area: twelve (12) sq. ft. These signs shall be located outside of the right-of-way within easements.
Temporary Entrance Signs to Common Developments and for Construction	● Construction Entrance Signs: ○ Shall be limited to three (3) signs per site ○ Maximum height: six (6) ft. ○ Maximum sign area: thirty-two (32) sq. ft. ○ To be removed when construction is complete. ● Temporary Common Development Entrance Signs: ○ Shall be limited to the entrance(s) of development. ○ Maximum height: Six (6) ft. ○ Maximum Sign Area: thirty-two (32) sq. ft. ○ Shall be removed: when 80 % of the subdivision is built out or after two (2) years whichever occurs first.
Signs in Residential and Agricultural Districts	
All residential districts (individual parcels)	● Only temporary signs, one or more per parcel allowed ● Maximum height: five (5) ft. ● Combined maximum sign area: sixteen (16) sq. ft. ● Non-illuminated ● Allowable duration: Not to exceed 6 months in one calendar year
Institutional/civic and non-residential uses (churches, day cares, cemeteries, schools, etc.) in residential districts <u>along arterial and collector streets</u>	● One monument sign ● Maximum height: eight (8) feet ● Maximum sign area: fifty (50) sq. ft. ● Electronic changeable message and/or illuminated signs: ○ only if at least 100 ft. from residences ○ shall not shine or cause glare into residences ○ shall not exceed 12-foot candles of incident light measured at a distance of ten feet. ○ Exception: In Hinesville, variable message signs are not permitted in the downtown area.

Signs in Residential and Agricultural Districts (cont'd)	
Institutional/civic and non-residential uses (churches, day cares, cemeteries, schools, etc.) in residential districts along local streets	● One monument sign ● Maximum sign height: Six (6) ft. ● Maximum sign area: thirty-six (36) sq. ft. ● Only externally illuminated ● Not to shine or cause glare into residential areas
Zoning Districts: **A-1** **AR-1**	● One sign per parcel ● Maximum height: eight (8) ft. ● Maximum sign area: thirty-two (32) sq. ft. ● Non-illuminated

Sec. 303-10 Design Standards for Signs in the OC-1 District

(Applicable in Flemington only)

The City of Flemington Mayor and Council shall review each sign application for height and sign area requirements and for aesthetics and compatibility with the architecture of the building especially in the OC-1 District for compliance with the following design standards, which shall apply to existing and new development:

A. Sign structures shall be architecturally designed and incorporate design details, materials, and colors of the associated buildings.

B. When a building contains several store fronts, signs for the individual businesses shall relate well to each other in terms of locations, height, proportion, color, and illumination. Individual tenant sign panels should be uniform or similar in size. Maintaining continuity will enhance the appearance of the buildings and the common areas.

C. Internally lit illuminated cabinet signs are discouraged. The use of signs with a projected light source (spotlight), individually illuminated letters, either internally illuminated or backlit solid letters (reverse channel) are preferred, as they are easier to integrate into the design of the building.

D. If institutional/civic/community uses are located in residentially zoned areas, only non-illuminated or externally illuminated signage shall be allowed.

Sec. 303-11 Nonconforming Signs

A. **General.** A nonconforming sign is any sign existing on the effective date of this Ordinance which does not conform to the standards of this article and which was legal at the time it was erected. Nonconforming signs shall be permitted provided that the signs are maintained as required by this article.

B. **Replacement**. A nonconforming sign shall not be replaced by a sign which does not comply with the requirements of this article, except that the substitution or interchange of poster panels, removable sign faces, or changeable copy on nonconforming signs shall be permitted.

C. **Changes.**

1. No changes in shape, size, location or design, nor any changes to its sign cabinet shall be permitted except to make a nonconforming sign comply with all requirements of this article. This notwithstanding, the following exceptions apply:

   a. If proposed changes to a nonconforming sign meet the requirements of this article in regard to size of sign face and sign height, the required setback requirements may be waived if relocation of the sign would be impractical and/or hindering traffic flow.

   b. Replacement of a poster panel or a sign cabinet to a digital panel on non-conforming signs shall be permitted only if the size of the sign face and sign height are in conformance with this article.

2. If changes are allowed to a non-conforming sign, such changes shall not impede sight distances at driveways and street intersections and, as applicable, evidence shall be presented that any potential increase in dead and live loads to the foundation and structural members of the sign is in conformance with applicable building codes to prevent structural failure.

D. **Minor repairs and maintenance**. Minor repairs and maintenance of nonconforming signs, such as repainting, electrical repairs, and neon tubing, shall be authorized. Signs may be restored to their original non-conforming condition if they are damaged by fire, act of God or other cause demonstrated by the owner of the sign by clear and convincing evidence to be outside the owner's control.

Sec. 303-12 Removal of Signs

A. The following circumstances shall warrant removal of a sign:

1. Traffic hazards. Any sign constituting a traffic hazard or a menace to the motoring public or pedestrians shall be removed.

2. General maintenance. Every sign, including those signs for which permits are required and those for which no permit or permit fees are required, shall be maintained in a safe, presentable and good structural condition at all times. The sign owner shall be responsible for repair or replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of the sign. If the sign is not made to comply with adequate safety and maintenance standards, the building official shall require its removal in accordance with this section.

3. Dangerous or defective signs. No person shall maintain or permit to be maintained on any premises owned or controlled by that person any sign that is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the premises or owner of the sign. Upon failure of the owner to remove or repair a dangerous or defective sign, the building official shall require its removal in accordance with this section.

4. Unlawful signs. The Building official shall require the removal of any sign which does not comply with the provisions of this article.

B. The following are the procedures for removal of signs.

1. The Building official shall cause to be removed any sign that endangers the public safety, such as an abandoned, dangerous, or electrically or structurally defective sign,

or a sign for which no permit has been issued or has been revoked, or which is otherwise in violation of this article.

2. Whenever the Building official intends to remove a sign, the reasons for removal shall be stated in writing in a notice of removal. The notice of removal shall describe the sign and specify the violations which require removal. The notice shall state that if the sign is not removed or the violation is not corrected within ten business days, the sign shall be removed in accordance with the provisions of this section.
3. The notice of removal shall be served upon the holder of the sign permit, the owner of the property on which the sign is located, the owner of the sign, and the occupant of the property.
4. The notice of removal may be personally served by in-hand delivery, or sent by certified or by first class mail to the address on the permit application, or to the last known address of the permittee, the owner of the sign, the owner of the property on which the sign is located, or the occupant of the property. If any person to whom notice of removal must be delivered cannot be located and mailings are returned undeliverable, the Building official may notify that person by posting and affixing the notice of removal on the sign itself.
5. Any time periods provided in this section shall be deemed to commence on the date received if hand-delivered, the postmark date of any mailing, or the date of posting and affixing the notice on the sign itself.
6. Any person having an interest in the sign or the property may appeal the notice of removal, provided such person files a written notice of appeal with the Building official within ten business days from the notice.
7. Appeals shall be conducted in the same manner as other sign appeals or other appeals to the governing authority whichever applies.
8. If the Building official's final determination is to remove the sign, then he/she shall proceed to have the sign removed or corrected to bring such sign into compliance with this article or to remove any unsafe condition.
9. When it is determined by the Building official that the sign would cause imminent danger to the public safety and contact cannot be made with the sign owner or building or property owner, no written notice shall have to be served prior to removal. In such emergency situation, the Building official shall document the unsafe condition and may correct the danger, with all costs being charged to the sign owner or the property owner.
10. If it shall be necessary for the Building official to remove the sign pursuant to the provisions of this Section, and it should be practicable to sell or salvage any material derived in the removal, the Building official may sell or salvage any material derived in the removal. The Building Department may sell the same at public or private sale at the best price obtainable and keep an account of the proceeds thereof. Such proceeds, if any, shall be used to offset the cost of removal to be charged to the sign owner or property owner.
11. Any sign removed by the Building Department shall become the property of the governing authority and may be disposed of in any manner deemed appropriate by such governing authority. The cost of removal shall constitute a lien against the property on which the sign was located and shall be recoverable in the same manner

as property taxes. The cost of removal shall include all incidental expenses incurred in connection with the sign removal.

Sec. 303-13 Sign Variance

A. Variances from the provisions of this article shall be limited to the following hardship situations:

1. Where compliance with the regulations of this article would constitute a physical impossibility based on existing trees, plants, natural features, signs, buildings or structures on the lot in question and the variance proposed would not create a safety hazard to vehicular traffic or pedestrians; or

2. Where visibility of a conforming sign from the proposed street and within 50 feet of the proposed sign would be substantially impaired by existing trees, plants, natural features, signs, buildings or structures on a different lot; and

   a. Placement of the sign elsewhere on the lot would not remedy the visual obstruction;

   b. Such visibility obstruction was not created by the owner of the subject property; and

   c. The variance proposed would not create a safety hazard to vehicular traffic or pedestrians.

B. Variances shall be limited to the minimum relief necessary to overcome the hardship. No variances shall be granted to allow a greater number of signs than would be allowed if the hardship did not exist.

C. Relief from the application of this article by use of variances granted by the applicable jurisdiction shall be granted only upon a finding of hardship as previously defined. Hearing on such variances shall be noticed using the same time frames and notice requirements as for variances from zoning decisions.

Sec. 303-14 Citizens Sign Appeals Board *(Applicable in Hinesville only)*

A. **Establishment of the Board.** There is hereby established a commission which shall be called the “City of Hinesville Citizens Sign Appeals Board” hereinunder referred to as the “Board.”

B. **Board members**. The Board shall consist of six members appointed by the Mayor and City Council, with each such elected official responsible for the selection of one Board member. The terms of office of Board members shall be for three-year staggered terms. The Board shall elect from its membership a chairperson and such other officers as may be desired. Officers shall be elected on a calendar year basis but may be reelected for succeeding terms. All members of the Board shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

C. **Vacancies**. Any vacancy in membership of the Board shall be filled for the unexpired term by the elected official responsible for the initial selection of the departing Board member. The Mayor and City Council shall have the authority to remove any member for cause, on written charges, after a public hearing.

D. **Powers of the Board**. The Citizens Sign Appeals Board shall be authorized to perform the duties below. The procedures of the Board are described in subsection F below.

1. To hear and make recommendations to the Mayor and City Council in all hardship and other common sense appeals.

2. To hear any and all challenges to the enforcement of any provision or requirement of the City's sign ordinance as set forth herein or later amended.

3. To hear any and all challenges to any decision, determination, or order made by the City's Director of Inspections in enforcing the provisions of this Article and any amendments thereto.

E. **Powers of the Mayor and City Council.** In exercising the above powers, the Mayor and City Council may reverse, affirm, or modify the Board's recommendations, and to that end, shall have the powers of the Director of Inspections from whom the appeal is taken and may issue the necessary permit.

F. **Procedures of the Board**.

1. Rules and regulations. The board shall establish rules and regulations for its own procedure not inconsistent with the procedures of this Code. The board shall meet on call of the chairman. The board shall meet within 30 days after notice of appeal has been received.

2. Decisions. The Citizens Appeals Board shall, in every case, reach a decision and make a recommendation to the Mayor and Council without unreasonable or unnecessary delay. Each board recommendation shall be in writing and shall include the reasons for the decision. A certified copy of the recommendation shall be promptly forwarded to the Mayor and Council.

Article 304
Telecommunication Facilities and Towers

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Sec. 304-1 Purpose

The purpose of this Article is to impose certain permitting requirements for the siting of all wireless, cellular, television and radio telecommunications towers and antennas; to encourage the location of towers in nonresidential areas; to minimize the total number of towers within the community necessary to provide adequate personal wireless services to residents for all of Liberty County and surrounding areas; to encourage the joint use of new and existing tower sites among service providers; to locate telecommunications towers and antennas in areas where adverse impacts on the community are minimized; to encourage the design and construction of towers and antennas to minimize adverse visual impacts; and to enhance the ability of the providers of telecommunications services to deliver such services to the community effectively and efficiently.

Sec. 304-2 Administrator

The Administrator for this Article is the zoning and/or building official.

Sec. 304-3 Applicability

A. General applicability. The requirements, provisions and limitations of this article shall govern the location of all wireless telecommunication, cellular telecommunication, television, microwave, radio or similar transmission towers or antennas installed.

B. Governmental exemption. The provisions in this article shall not apply to the governing authority's properties, facilities or structures. Private facilities and structures placed upon the government authority's property shall be governed by a lease agreement or similar instrument between the governing authority and the provider.

C. Amateur radio and receive-only antennas. This article shall not govern any tower, or the installation of any antenna, that is thirty-five (35) feet or less in height and is owned and operated by a federally-licensed amateur radio station operator from the operator's residence or is used exclusively as a receive only antenna; provided, however, only one (1) such tower or antenna per residence shall be excluded from this article.

D. Pre-existing towers and antennas. Any tower or antenna for which a permit has been properly issued prior to the year 2000 shall not be required to meet the provisions of this article, other than Secs. 304-8 [Federal Requirements] and 304-9 [Building Codes and Safety Standards].

Sec. 304-4 General Provisions

A. A tower and/or antenna is considered a principal use if located on any lot or parcel of land as the sole or primary structure, and is considered an accessory use if located on a lot or parcel shared with a different existing primary use or existing structure. An existing use or structure on the same lot or parcel shall not preclude the installation of an antenna or tower.

B. For purposes of determining whether the installation of a tower or antenna complies with zoning district requirements, including, but not limited to, setback, buffer and other requirements, the dimensions of the entire lot or parcel shall control, even though the antenna or tower may be located on a leased area within such lot or parcel.

C. Towers that are constructed, and antennas that are installed, in accordance with the provisions of this article shall not be deemed to constitute the expansion of a nonconforming use of structure.

D. All towers over 35 ft. in height shall be designed and certified by a professional engineer licensed in the State of Georgia as structurally sufficient. The tower owner shall provide an inspection report at the time of the original constructions, and upon the addition of any new antenna to the tower. The report shall be signed and sealed by a professional structural engineer licensed by the State of Georgia, and shall certify that the tower meets all building codes, and FCC and ANSI operating specifications.

E. No tower shall be located in DM Districts.

F. Upon the transfer of an ownership interest in any tower, alternative tower structure, or lot upon which such a structure has been erected, the tower permittee shall notify the administrator of the transaction in writing within thirty (30) days.

Sec. 304-5 Co-Location

A. **Co-location on existing towers**. All towers, except amateur radio towers, shall be designed to accommodate the co-location of cellular telecommunication antennas according to the following:

1. For towers up to one hundred fifty (150) feet in height, the structure and fenced compound shall be designed to accommodate at least three (3) providers or the maximum number of users as determined by the most current technology, whichever is greater.

2. For towers greater than one hundred fifty (150) feet in height, the structure and fenced compound shall be designed to accommodate at least four (4) providers or the maximum number of users as determined by the most current technology, whichever is greater.

B. **Co-location preferred.** No new tower, except amateur radio towers, shall be permitted unless the applicant demonstrates to the satisfaction of the administrator and/or governing authority (as the case may be) that no existing tower or existing alternative tower structure can accommodate the applicant's proposed antenna. All evidence submitted shall be signed and sealed by appropriate licensed professionals or qualified industry experts. Evidence submitted to demonstrate that no existing tower or structure can accommodate the proposed antenna shall consist of the following:

1. That no existing towers or suitable alternative tower structures are located within 5,280 feet from the proposed site which will allow for the effective operation of the proposed antenna (as informed by industry standards);
2. That existing towers or structures are not of sufficient height to allow for the effective operation of the proposed antenna (as informed by industry standards);
3. That existing towers or structures do not have sufficient structural strength to support the applicant's antenna and related equipment (as informed by industry standards);
4. That the applicant's proposed antenna would cause electromagnetic interference with the antenna(s) on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna, and such interference cannot be effectively remedied;
5. That the cost or contractual provisions required by the tower owner to share an existing tower or structure or to adapt an existing tower or structure for sharing substantially exceed the cost and requirements of new tower development and are otherwise entirely unreasonable;
6. That the applicant adequately demonstrates that there are other limiting factors that render existing towers and structures unsuitable, other than economic reasons.

C. **Inventory of existing sites**

1. To facilitate the co-location of antennas, each applicant seeking to locate a new tower, alternative tower structure or antenna, or modify any such existing structure, shall provide to the administrator an inventory of its existing towers or alternative tower structures. The inventory shall include all such structures that are within the jurisdiction of the governing authorities of Liberty County; within a municipality located, in whole or in part, within Liberty County; or, within one (1) mile of the border of Liberty County, and shall include specific information about the location (latitude and longitude coordinates), height, design, tower type and general suitability for antenna co-location of each tower, and other pertinent information as may be required by the administrator.
2. The administrator may make such information available to members of the public, to include, without limitation, other organizations seeking to locate towers or antennas within Liberty County, and in such form and manner as the administrator deems appropriate; provided, however that the administrator is not, by sharing such information, in any way representing or warranting that such sites are available or otherwise suitable.

Sec. 304-6 Design and Construction Requirements

The guidelines set forth in this section shall govern the design and construction of all towers, and the installation of all antennas, governed by this Article.

A. **Engineer certification**. All towers over thirty-five (35) ft. in height shall be designed and certified by a professional engineer licensed in the State of Georgia as structurally sufficient. The tower owner shall provide an inspection report at the time of the original constructions, and upon the addition of any new antenna to the tower. The report shall be signed and sealed by a professional structural engineer licensed by the State of Georgia, and shall certify that the tower meets all building codes, and FCC and ANSI operating specifications.

B. **Appearance.**

1. Towers and/or antennas shall either maintain a galvanized steel or concrete finish or, subject to any applicable standards of the FAA, be painted a neutral color to reduce visual obtrusiveness.

2. At all tower sites, the design of all buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and building environment. Any equipment or cabinet that supports telecommunication facilities must be concealed from public view and made compatible with the architecture of the surrounding structures or placed underground. Equipment shelters or cabinets shall be concealed from public view by using landscaping and materials and colors consistent with the surrounding backdrop. The shelter or cabinet must be regularly maintained.

D. **Equipment design on alternate towers**. For antennas installed on a structure other than a tower, the antenna and supporting electrical and mechanical ground equipment shall be of a neutral color to make the antenna and related equipment visually unobtrusive.

E. **Lighting**. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views. The lighting shall be dimmed or changed to red lights from the sunset to sunrise.

F. **Signage**. No signage or other identifying markings of a commercial nature shall be permitted upon any tower or alternative tower structure except one sign not more than three square feet identifying the owner of the tower and “No Trespassing” signs.

G. **Historical sites and scenic views**. To the extent practical, telecommunication facilities shall not be placed in a direct line of sight with historic or scenic view corridors as designated by the governing authority or by any state or federal law or agency.

H. **Access**. Access to the tower site shall be restricted to minimize visibility of the access. Where possible, existing roads shall be used. Where no roads exist, access shall follow the existing contours of the land to minimize the visual impact of the site on the surrounding area.

I. **Other**. Such other additional requirements as the administrator and/or governing authority (as the case may be) shall reasonably require minimizing the visual impact of the site on the surrounding area.

J. **Security.** All towers and supporting equipment shall be enclosed by fencing not less than six (6) feet in height and shall also be equipped with appropriate anti-climbing devices. Fencing shall be of chain link, wood or another approved alternative.

K. **Landscaping**. The following requirements shall govern landscaping surrounding all towers.

1. Where adequate vegetation is not present, tower facilities shall be landscaped with a landscaped strip of plant materials which effectively screens the view of the tower compound. Landscaped strips shall be a minimum of ten (10) feet in width and eight (8) feet in height at planting and located outside the fenced perimeter of the compound.

2. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible. Where natural vegetation around the perimeter of the site would provide an adequate visual screen, an undisturbed buffer may be utilized. The applicant shall provide a site plan showing existing significant vegetation to be removed, and vegetation to be replanted to replace that lost.

3. Landscaping shall be maintained by the provider and shall be subject to periodic review by the administrator to assure proper maintenance. Failure to maintain landscaping shall be deemed a violation of this article.

L. **Maintenance impact**. Equipment at a transmission facility shall be automated to the greatest extent possible to reduce traffic and congestion. Where the site abuts or has access to a collector or local street, access for maintenance vehicles shall be exclusively by means of the collector or local street, utilizing existing access to the property on which such facility is to be located, where possible.

Sec. 304-7 Setbacks and Separations

The following setbacks and separation requirements shall apply to all towers:

A. Towers shall be set back a minimum distance equal to the height of the tower from its base to any public right-of-way or occupied structure, or property line of the lot or parcel containing the tower.

B. Guy wires and accessory buildings and facilities shall meet the minimum accessory use location and setback requirements.

C. Towers shall not be located closer than five thousand two hundred eighty (5,280) feet from any existing tower; however, that requirement might be waived if the tower is required due to technological reasons or if it is visually superior.

Sec. 304-8 Federal Requirements

A. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas.

B. If such standards and regulations are changed, the permittee, owner or the lessee of the tower and/or antenna governed by this article shall bring such tower and/or antenna into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a more or less stringent compliance schedule is mandated by the controlling federal agency.

C. Failure to bring such tower and/or antenna into compliance with such revised standards and regulations shall be deemed to be a declaration of abandonment of the tower and/or antenna and constitute grounds for the removal of the tower or antenna at the owner's, permittee's, or lessee's expense. Any such removal by the governing authority shall be in the manner provided by the code governing unsafe and abandoned structures.

Sec. 304-9 Building Codes and Safety Standards

A. All towers over thirty-five (35) ft. in height shall be designed and certified by a professional engineer licensed in the State of Georgia as structurally sufficient. The tower owner shall provide an inspection report at the time of the original constructions, and upon the addition of any new antenna to the tower. The report shall be signed and sealed by a professional structural engineer licensed by the State of Georgia, and shall certify that the tower meets all building codes, and FCC and ANSI operating specifications.

B. To ensure the structural integrity of towers, the owner, permittee or subsequent lessee of a tower or alternative tower structure shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time.

C. If, upon inspection, the administrator concludes that a tower fails to comply with all applicable codes and standards, or constitutes a danger to persons or property, then upon receipt of written notice by the owner, permittee or lessee of the tower, said party shall have fifteen (15) days to bring the tower into compliance with such standards.

D. Failure to bring such tower into compliance within fifteen (15) days shall be deemed a declaration of abandonment of the tower and constitute grounds for removal of the tower as provided in code sections, governing unsafe or abandoned structures. Prior to the removal of any tower, the administrator may consider detailed plans submitted by the owner, permittee or subsequent lessee for repair of substandard towers, and may grant a reasonable extension of the above referenced compliance period.

Sec. 304-10 New Tower Application Requirements

Application for a permit for any telecommunications facility shall be made to the administrator by the person, company, organization, or duly authorized agent thereof, that will own and operate the telecommunications facility. An application will not be considered until it is complete. The administrator is authorized to develop application forms to assist in providing the required information and facilitate the application process. Except for a co-location information submittal, the following information shall be submitted when applying for any permit required by this article and must be submitted for an application to be considered complete:

A. Site plan or plans to scale specifying the location of telecommunications facility, transmission building and/or other accessory use, access, parking, fence, landscaped area, and adjacent land uses. Applicants shall submit both a paper location map and, if requested by the administrator, a digitized location map in a format compatible with the GIS software utilized by Liberty County, Georgia.

B. Landscaped plan to scale indicating size, spacing and type of plantings as required per this ordinance.

C. A full description of the environment surrounding the proposed telecommunications facility, including any adjacent residential structures and districts, structures and sites of historic significance, streetscapes, or scenic view corridors.

D. A description of anticipated maintenance needs for the telecommunications facility, including frequency of service, personnel needs, equipment needs, and traffic, noise or safety impacts of such maintenance.

E. Report from a professional qualified engineer licensed in the State of Georgia, or other appropriate qualified industry expert, documenting the following:

1. Tower or antenna type, height, and design;
2. Engineering, economic, and other pertinent factors governing selection of the proposed design;
3. Total anticipated capacity of the telecommunications facility, including numbers and types of antennas which can be accommodated;
4. Evidence of structural integrity of the tower or alternative tower structure;
5. Structural failure characteristics of the telecommunications facility and demonstration that site and setbacks are of adequate size to contain debris; and
6. Certification that the antenna(s) and related equipment or appurtenances comply with all current regulations of the FCC.

F. Identification of the geographic service area for the subject installation, including a map showing the site and the nearest or associated telecommunications facility sites within the network. Describe the distance between the telecommunications facility sites. Describe how this service area fits into and is necessary for the service network (i.e., whether such antenna or tower is needed for coverage or capacity).

G. If the proposed site is zoned residentially or PUD, applicants must describe why an alternate site zoned A-1, AR-1, C-2 or C-3, LI, or I-1 was not proposed by identifying:

1. What good faith efforts and measures were taken to secure such an alternate site;
2. Why such an alternate site was not technologically, legally or economically feasible and why such efforts were unsuccessful; and
3. How and why the proposed site is essential to meet service demands for the geographic service area.

H. The administrator will review with special care justifications that appeal only to undue expense and/or to undue difficulties in entering into a lease or similar agreement. The administrator shall carefully weigh such claims, and the evidence presented in favor of them, against a project's negative impacts at the proposed site.

I. The applicant must provide a utilities inventory showing the locations of all water, sewage, drainage and power line easements impacting the proposed tower site.

J. The applicant must provide any other information which may be requested by the administrator to fully evaluate and review the application and the potential impact of a proposed telecommunications facility.

Sec. 304-11 Tower Co-location Application Requirements

Any person or entity co-locating an antenna or antennas which will add no more than ten (10) feet to the height of the tower and related equipment or appurtenances on or around a tower for which a permit has already been issued shall submit the following information only:

A. The name of the person or entity co-locating the antenna.

B. The name of the owner of the tower.

C. The tower's permit number.

D. The location of the tower.

E. The remaining structural capacity of the tower.

F. Certification that the antenna(s) and related equipment or appurtenances comply with all current regulations of the FCC.

G. Such other information as may reasonably be required by the administrator.

Sec. 304-12 Administrative Approval

A. **Uses allowed without conditional use.** The following uses may be approved by the administrator after conducting a review:

1. If it is adequately demonstrated that antenna co-location is not possible for a given geographic antenna placement area, construction of a new monopole or stealth tower (no guyed towers) up to a height of one hundred and fifty (150) feet, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna, may be permitted in the A-1, AR-1, C-2, C-3, LI and I-1 Districts provided that it is minimum of 500 ft. from the closest residential zoning district (R-20, R-12, R-8, MFR, ATR, MHP, SFMH) as measured from the tower structure to the property line.

   Such tower and all structures shall meet the setback, screening and buffer requirements contained herein, together with such additional conditions which may be reasonably imposed by the administrator to minimize the adverse effects of such placement on surrounding properties.

2. For co-location on alternate tower structures, if the addition of said antenna adds no more than ten (10) feet to the height of the existing alternative tower structure:

   a. Installation of an antenna on an existing alternative tower structure in any zoning district, and further including the placement of additional structures or other supporting equipment used in connection with said antenna, provided that if such installation is proposed on an existing alternative tower structure located in in residential zoning districts, the applicant shall be required to (i) place all additional structures or other supporting equipment within the existing tower compound, and (ii) meet such additional conditions which may be reasonably imposed by the administrator to minimize the adverse effects of such placement on surrounding properties; or

   b. Installation of an antenna on an existing county owned alternative tower structure in any zoning district, provided a lease or similar agreement authorizing the antenna has been approved by the governing authority.

3. For co-location on existing telecommunication towers, if the addition of said antenna adds no more than ten (10) feet to the height of the existing tower:

   a. Installation of an antenna on an existing tower of any height in any zoning district, and further including the placement of additional structures or other supporting equipment used in connection with said antenna, provided that if such installation is proposed on an existing tower located in residential zoning districts (R-1 through MH) the applicant shall be required to (1) place all additional structures or other supporting equipment within the existing tower compound, and (2) meet such additional conditions which may be reasonably imposed by the administrator to minimize the adverse effects of such placement on surrounding properties, or

b. Installation of an antenna on an existing tower located on property owned, leased or otherwise controlled by the county in any zoning district, and further including the placement of additional buildings or other supporting equipment used in connection with said antenna, provided a lease or similar agreement authorizing the tower has been approved by the governing authority.

B. **Review of submittals**

1. The administrator shall respond to each application within forty-five (45) days of its receipt by either approving, approving with conditions, or denying the application. One (1) forty-five-day extension of this review period may be exercised by the administrator if such additional time is deemed necessary to adequately assess the request. If the administrator fails to respond to the applicant within a maximum of ninety (90) days, the application shall be deemed to be approved.

2. Any decision by the administrator that results in the denial of a request to place, construct, or modify a telecommunications facility shall be in writing and supported by substantial evidence.

C. **Appeal of administrator's decision**. If a permit application for a tower as a permitted use (without a conditional use) is determined by the administrator to not meet all applicable criteria of this article, and the administrator disapproves the application, the applicant may appeal the determination of the administrator to the governing authority in accordance with the appeal procedures of this Ordinance. The governing authority shall dispense with the appeal by either:

1. A determination that the application is valid and meets all applicable criteria of this article, which shall result in the issuance of a permit as set forth herein.

2. A determination that the application does not satisfy all applicable criteria of this article for approval without processing a conditional use. Applications which do not satisfy all applicable criteria must, as a result, be processed through the conditional use permit process.

3. Review of the decision of the governing authority shall be made within thirty (30) days by writ of certiorari to the superior court of Liberty County.

Sec. 304-13 Conditional Use Review

A. **General**

1. If the proposed location, height, setback or other aspect of a proposed telecommunication facility cannot comply with the requirements for administrators' approval established in Secs. 304-7 [Setbacks and Separations] and 304-12 [Administrative Approval], then a conditional use permit shall be required for the construction of a tower or the placement of an antenna in any zoning district.

2. In granting a conditional use permit, the governing authority may impose additional conditions to the extent that it concludes such conditions are necessary to minimize adverse effects from the proposed tower on adjoining or nearby properties.

B. **Application**

1. All applications for conditional use permits shall be submitted to the administrator who shall present the application to the Planning Commission and then forward the same to the governing authority for its consideration.

2. Each application shall contain as a part thereof detailed plans and specifications. An application for a conditional use permit shall not be accepted for processing without the information required in this article. An application fee shall be charged by the administrator in the amount stated in this article.

C. **Conditional use**. Adjoining property owners' notifications and the public hearing shall be administered in conformance with the conditional use requirements of Division VI. Conditional use considerations are listed under Sec. 304-14 below.

Sec. 304-14 Considerations for Conditional Use Permits

A. **Considerations for conditional use permits***.* Any denial of a request to place, construct or modify a telecommunications facility shall be in writing and supported by substantial evidence contained in a written record. The following factors may be taken into consideration in acting upon a conditional use permit application under the provisions of this article:

1. The height and setbacks of the proposed tower, antenna, and equipment and structures;
2. The proximity of the tower, antenna, and equipment and structures to residential structures and residential district boundaries;
3. The nature of uses on adjacent and nearby properties;
4. The surrounding topography;
5. The surrounding tree coverage and foliage;
6. The design of the tower, antenna, and equipment and structures, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
7. The proposed ingress and egress;
8. The availability of suitable existing towers or other structures for antenna co-location;
9. The impact of the proposed tower, antenna, and equipment and structures upon scenic views and visual quality of the surrounding area;
10. The needs of the applicant as balanced against the detrimental effects on surrounding properties;
11. The impact of the proposed tower or antenna(s) on adjacent and nearby properties; and such other considerations as may be implicated by the provisions of this article.

B. **Requirements for issuance of conditional use permit.** The conditional use permit may be issued by the governing authority only upon satisfaction of the following requirements:

1. A proper application filed in accordance with this ordinance;
2. The applicant complies with the special conditions imposed by the governing authority for the purpose of reducing the harmful effects of the use on surrounding uses and ensuring compatibility with surrounding uses;
3. The governing authority determines that the benefits and need for the proposed conditional use are greater than any possible depreciating effects or damages to neighboring or nearby properties; and
4. All fees and other expenses required have been paid in full.

Sec. 304-15 Resubmittal of a Conditional Use Permit

An application for a conditional use permit which has been denied shall not be resubmitted for a period of six (6) months and then only if the applicant can document a substantial change in need for a tower or antenna at the same location.

Sec. 304-16 Removal of Abandoned Facilities

A. **Notice of abandoned antenna and structures.** The owner or lessee of a tower or antenna shall promptly notify the administrator of its intent to abandon, or the abandonment of, any tower or antenna.

B. **Removal [measures] of abandoned antennas and towers***.* Any tower, antenna, or other equipment and structure in support thereof that is not operated for a continuous period exceeding twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove the structure within ninety (90) days of such abandonment.

If said tower or antenna is not removed within said ninety (90) days, the governing authority may, in the manner provided in the code section, governing unsafe and abandoned structures, take such action as may be deemed necessary to remove, or cause to be removed, such tower, antenna, or other equipment and structure in support thereof at the owner's expense. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease utilizing the tower.

Article 305
Solar Energy Systems

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Sec. 305-1 Purpose

The purpose of this Article is to facilitate the siting, construction, installation, operation, maintenance, and decommissioning of solar energy systems (SES) in all of Liberty County in a manner that encourages local economic development and protects the health, safety, and welfare of the citizens of said county, and at the same time mitigates any adverse impacts to wildlife, agricultural lands, forests, and other natural landscapes.

Sec. 305-2 Applicability

This Article applies to the siting, construction, installation, operation, maintenance, and decommissioning of any new SES (as defined below) within all of Liberty County.

Unless otherwise expressly stated herein, an SES shall still comply with all applicable federal, state, and local laws and regulations, including the requirements of the Unified Zoning Ordinance.

Sec. 305-3 Definitions

The definitions below apply to the Article.

A. **Permit** - Any permit required by federal, state, or local law or regulation, including this article.

B. **Solar energy system** (SES) - A device or structural design feature that provides for the collection of solar energy for electricity generation, consumption, or transmission, or for thermal applications, and all components and other improvements supporting or forming a part thereof; provided that such term shall refer to (1) photovoltaic SES that convert solar energy directly into electricity through a semiconductor device, or (2) solar thermal systems that use collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling. As used in this article, SES shall exclude concentrated solar systems that use mirrors to focus the energy from the sun to create thermal energy that can be used to produce electricity.

C. **Building-integrated solar energy system** - An SES where solar materials are used in place of traditional building components such that the SES is structurally an integral part of

a house, building, or other structure, for example as a building facade, skylight, shingles, or canopy.

D. **Rooftop solar energy system** ("rooftop SES")- An SES that is structurally mounted to the roof of a house, building, or other structure.

E. **Ground-mounted solar energy system** - An SES that is structurally mounted to the ground and does not qualify as a building-integrated SES. For purposes of this Article, the acreage of land occupied by a ground mounted solar energy system is calculated by drawing a perimeter around the outermost SES solar panels and auxiliary structures, not to include visual buffer, perimeter fencing, or shading buffer. Substations and transmission lines outside this perimeter shall not be included in the calculation.

F. **Small scale ground-mounted solar energy system** ("small scale SES") - A ground-mounted SES that occupies less than three (3) acres.

G. **Intermediate scale ground-mounted solar energy system** ("intermediate scale SES") - A ground mounted SES that occupies between three (3) and fifteen (15) acres.

H. **Large scale ground-mounted solar energy system** ("large scale SES") - A ground-mounted SES that occupies more than fifteen (15) acres.

I. **Visual buffer -** Natural vegetation, plantings, earth berms, and/or decorative fencing as required in the applicable article about Tree Protection, Landscaping and Buffering. The visual buffer is not part of the SES and shall not be included when (1) calculating the acreage of land occupied by the SES, or (2) determining whether the SES adheres to applicable setback requirements.

J. **Residential solar energy system** ("residential ground mount SES") – A ground-mounted SES not to exceed 600 square feet that is located on a residentially zoned property and exclusively services residential structures.

Sec. 305-4 Required Approvals

A. **Building integrated SES** - Permitted in all zoning residential, commercial, industrial and agricultural districts, subject to any applicable building permit. Such SES's are considered an accessory use even if visible from a public right-of-way.

B. **Rooftop SES** - Permitted in all zoning residential, commercial, industrial and agricultural districts, subject to any applicable building permit. Such SES's are considered an accessory use even if visible from a public right-of-way.

C. **Ground-mounted SES** (small, intermediate and large) – Requires conditional use approval in all residential, commercial, industrial and agricultural districts and is subject to any applicable building permit in accordance with Article 603 [Conditional Uses]. Additionally, site plan approval is also required in accordance with Div. IV [Site Plan Review].

D. **Residential ground-mounted SES –** Permitted in residentially zoned districts and subject to applicable building permit. Such SES's are considered an accessory use and are to be permitted in the same manner as a rooftop installation. These can be approved administratively by the LCPC and the applicant must sign and submit the Decommissioning Affidavit.

Sec. 305-5 Easements for Adequate Exposure to Sunlight

Consistent with O.C.G.A. § 44-9-20 et seq., a property owner may obtain a solar easement from another property owner for the purpose of ensuring the building-integrated SES adequate exposure to sunlight.

Sec. 305-6 Requirements for Rooftop SES

A. **Safety**

1. The SES shall have a clear perimeter between it and the roofline to ensure emergency access and egress on the roof and to provide smoke ventilation opportunities.
2. The SES shall not extend beyond the exterior perimeter of the building unless the SES is explicitly engineered to do so.

B. **Height**

1. The SES mounted on a flat roof shall be given an equivalent exemption to the underlying zoning district's height standards as roof-mounted mechanical devices or equipment.
2. The SES mounted on a sloped roof shall not vertically exceed the highest point of the roof to which it is attached.

Sec. 305-7 General Requirements for Ground-mounted SES

The requirements below apply to all small, intermediate, and large scale ground mounted SES, in addition to the specific requirements in this Article that apply to each SES size.

A. **Visual buffer**. A visual buffer along any perimeter where the SES is within one hundred (100) feet of residentially used property or public right-of-way or other public space.

a. For a Residential Ground Mount SES, the buffer shall consist of a minimum 15-foot preserved or planted vegetative buffer.

b. For any other Ground Mount SES (small, intermediate, or large), the buffer shall consist of an 8-foot privacy fence and a minimum 25-foot preserved or planted vegetative buffer.

B. **Impervious surface**. The SES shall comply with federal, state, and local stormwater management, erosion, and sediment control provisions and impervious surface coverage requirements. For purposes of compliance with such regulations, the SES shall be considered pervious if it maintains sheet flow and allows for water to infiltrate under and around the panels through a pervious surface and into the subsoil.

C. **Lighting**. To reduce light pollution, lighting shall:

1. be limited to the minimum reasonably necessary for its safe operation;
2. be directed downward where reasonably feasible;
3. incorporate full cut-off fixtures; and
4. reasonably utilize motion sensors.

D. **Trees**. The SES shall comply with the applicable requirements of Article 404 [Tree Protection, Landscaping and Buffering].

E. **Maintenance**. The SES shall be maintained in good working order and condition. Maintenance shall include, but not be limited to, painting, structural and mechanical repairs, integrity of security measures and general maintenance of the grounds (mowing, etc.).

F. **Abandonment**. The SES shall be considered abandoned if it ceases to produce electricity on a continuous and regular basis for twelve (12) months or a shorter period not less than four (4) months if appropriate assurances are not given by the owner of the SES that said interruption in electricity production is temporary. The SES shall also be considered abandoned in the event that the decommissioning plan applicable to said SES is not strictly and fully observed and performed.

G. **Decommissioning**. When the SES has reached the end of its reasonable life or is abandoned, it shall be decommissioned in accordance with the decommissioning plan approved as part of the permit application (see Sec. 305-9D).

Sec. 305-8 Specific Requirements for Intermediate and Large Scale SES

The specific requirements below shall apply to intermediate and large scale SES unless it is otherwise indicated to apply to one or the other.

A. **Setbacks**. The SES shall be located no closer than:

1. the lesser of (a) fifteen (15) feet from any property line or easement or (b) the setback standards for the underlying zoning district, if any;
2. the lesser of (a) twenty (20) feet from any public right-of-way or (b) the setback standards for the underlying zoning district, if any; and
3. 50 feet and 100 from any residential dwelling unit for intermediate and large scale SES, respectively.

B. **Signage**. Signage for the SES shall comply with Article 26 [Signs]. Additionally, the following shall apply:

1. The SES shall have the following warning signs
   a. displaying the dangers associated with an intermediate scale SES,
   b. identifying the owner or operator of the intermediate scale SES, and
   c. providing a 24-hour emergency contact phone number.
2. The SES may have signs that contain educational information about the SES.

C. **Electrical connections**. If the intermediate scale SES is connected to the public grid, then reasonable efforts shall be made to place underground all utility connections from the SES, depending on appropriate soil conditions, shape, and topography of the property and any requirements of the utility provider.

Sec. 305-9 Plans and Permits

A. **Permit application.** An application for a conditional use approval shall be submitted containing the following:

1. The address of the SES property;
2. The applicant's name, address, telephone number, and email address;
3. The property owner's name, address, and contact information (e.g. telephone number or email address);

4. If known, the SES operator's name, address, telephone number, and email address;
5. If known, the installation company's name, address, telephone number, email address, and license number; and
6. Evidence of the applicant's control of the property, such as a deed, lease, or option agreement with the landowner.

B. **Site plan.** The applicant shall submit a site plan that contains the following:

1. A diagram of the property and directly adjacent properties showing the locations of all existing and proposed structures (including solar arrays, inverters, transformers, electrical substations, and buildings), property lines, rights-of-way, roads, required setbacks, required signage, and required visual buffers;
2. A topographical map from the U.S. Geological Survey, or equivalent, that depicts in detail any vegetative cover, watersheds, floodplains, or wetlands on the property;
3. A topographic drawing of the property that indicates how stormwater currently drains from the property, identifies the location of discharge points or areas, and identifies any conditions present on the property that may contribute to significant soil erosion;
4. A map or list from the Georgia Department of Natural Resources that identifies any habitat for state endangered, threatened, or candidate species as well as archaeologically and historically significant resources on or adjacent to the property (for example, using the Georgia Biodiversity Portal and Historic Preservation Division);
5. A map or list from the U.S. Department of Fish and Wildlife (FWS) that identifies any habitat for federally endangered, threatened, or candidate species on or adjacent to the property (for example, using the FWS IPaC tool).

C. **Certifications.** The applicant shall submit an affidavit that provides, to the best of the applicant's knowledge:

1. Construction and operation of the SES will comply with all applicable federal, state, and local laws and regulations, including the requirements of this Ordinance unless otherwise expressly stated in this Article;
2. Before operation, a fire safety and evacuation plan will be filed with the appropriate fire code and emergency management officials, and will be available in workplace for reference and review by employees working on the premises; and
3. General liability insurance will be maintained throughout the life of the SES project.

D. **Decommissioning plan.** The applicant shall submit for review and approval a decommissioning plan that, based on the best available information at the time of the application, contains the following:

1. The name, address, telephone number, and e-mail address of the person(s) or entity(ies) responsible for implementing the decommissioning plan;
2. A statement of conditions that require the decommissioning plan to be implemented (e.g. termination of lease, condition of potential public safety hazard, etc.);
3. A removal plan that (a) identifies all structures, components, and non-utility owned equipment that shall be removed (as well as a reliable, itemized estimate of the cost for such removal and disposal activities, together with estimates of the current salvage value of such items, and (b) includes a plan for recycling or otherwise reusing all materials to the extent reasonably practicable;

4. A restoration plan to return the property to its condition prior to the installation of the SES or to some other condition reasonably appropriate to the designated land use after the SES is removed; and

5. A schedule for completion of all removal and decommissioning activities.

6. Updates to all decommissioning plans shall be submitted to LCPC for administrative review and approval no less than once every seven (7) years or immediately prior to any material improvement, alteration, or other modification to the SES, whichever first occurs, to reflect current information (e.g. current description of SES, cost estimate for removal, cost estimate for disposal activities, etc.). Such updates shall also certify that the SES currently complies with the requirements of this article and all other applicable local, state, and federal laws.

E. **Owner agreements.** To the extent requested by the governing authority, the owner of the SES and owner of the real property whereupon the SES is located shall execute such agreement(s) as may be furnished by the governing authority specifically acknowledging the obligations imposed under this article, including, without limitation, the consequences of failing to perform the terms of an approved decommissioning plan and the lien which will result from any removal and restoration activities undertaken by the governing authority pursuant to an order issued under Sec. 305-10 provided that the failure to request or execute any such agreement(s) shall in no way act to waive the requirements of this article or impair the rights and remedies of the governing authority hereunder.

Sec. 305-10 Enforced Decommissioning Ground-Mounted SES

A. **Abandonment**. The owner of any ground-mounted SES which is deemed abandoned by applicable governing authority following a hearing as provided below shall remove all facilities, equipment, and other improvements constituting or supporting the SES and restore the affected site to its condition prior to the installation of the SES or to some other condition reasonably appropriate to the designated land use. All such removal and restoration activities shall be undertaken in accordance with applicable local, state, and federal laws within such time and upon such additional conditions as set forth in an order from the applicable governing authority issued pursuant to this section, notwithstanding any previously approved decommissioning plan.

B. **Hearing**

1. Prior to requiring the decommissioning of an abandoned ground-mounted SES, the governing authority (or its designated public officer) shall furnish the owner of the SES, as well as the record owner of the real property whereupon the SES is located, a complaint stating the conditions which warrant removal of the SES, and containing a notice that a hearing shall be held before a public officer designated by the county administrator to hear such matters.

2. The hearing will be held at a place within the county as designated in the complaint on a day and time certain which shall not be less than ten (10) days after the date of said complaint.

3. The owner of the SES and the owner of the real property whereupon the SES is located shall be given the right to file a response to the complaint with the public officer and to appear in person or otherwise to give testimony at the hearing at the place and time specified in the notice.

4. The public officer shall preside at the hearing, and shall be authorized to administer oaths or affirmations, examine witnesses, and receive evidence at the hearing. The rules of evidence prevailing in courts of law or equity shall not be controlling in the hearing.

5. The proceedings at the hearing shall be recorded or taken down or made by such other procedure as may be undertaken either in verbatim or summary form to be reasonably accurate.

C. **Removal order**. If, after the hearing indicated above, the public officer determines that removal and restoration activities are required, the public officer shall cause to be delivered to the owner of the SES and owner of the property whereupon the SES is located an order which shall:

1. state in writing the findings of fact in support of such determination;

2. specify the remedial action required;

3. establish a specific period of time, reasonably established in relationship to the remedial action, during which such action must be commenced and completed, including, if necessary, separate commencement dates as to separate work; and

4. advise that failure to comply with the order shall authorize the governing authority and its employees, agents, and contractors to enter the property and undertake such removal and restoration activities, the cost and expenses of which shall constitute a lien on the SES and real property upon which it is located as provided for below.

D. **Performance by the applicable governing authority**. Failure to comply with any order issued pursuant to this section shall authorize the governing authority to undertake the removal and restoration activities prescribed in said order. In this connection, the governing authority shall be authorized to remove and dispose of the SES in such manner and on such terms as it determines appropriate. In no event shall the governing authority be obligated to salvage, store, sell, or preserve the SES, but may destroy or otherwise dispose of the same as it determines appropriate, without liability of any kind.

E. **Lien**

1. The cost of removal and restoration activities undertaken by the governing authority or its designee, and all actions and proceedings incidental thereto or authorized hereunder (including, without limitation, the fees and costs of legal counsel and experts) shall be a lien for such amount against the SES and the real property upon which it is located, and enforced and collected in the same manner as ad valorem property taxes.

2. The lien shall attach to the SES and related real property immediately upon the issuance of any order authorized under this section provided that, following the payment of all costs of associated with any remedial and related action authorized by the governing authority or its designated public officials with respect to said SES, the governing authority shall cause to be filed an itemized statement of the total sum of said costs in the office of the county clerk on a lien docket maintained by the said clerk for such purposes. The failure to file such itemized statement as provided above shall not invalidate or otherwise impair the effectiveness or priority of any related lien.

3. If any portion of the SES is sold for salvage which results in payment to the governing authority, the net proceeds of such sale shall be credited against the cost of the removal and restoration activities and all other enforcement cost incurred by the

governing authority; provided that the governing authority shall be under no obligation to sell any portion of the SES and may dispose of the same as it deems appropriate.

Article 306
Manufactured Home and Recreational Vehicle Parks

Sec. 306-1 Required Approvals

Manufactured home (MH) and recreational vehicle (RV) parks shall require site plan review and approval pursuant to Division IV [Site Plan Review]. In addition to the site plan criteria in that division, MH and RV parks shall conform to the requirements of this Article.

Sec. 306-2 MH and RV Parks' Design Standards

A. **Co-location**. MH parks and RV parks can co-exist on the same parcel of land. However, the two uses shall not be intermixed but, instead, shall be located in separate areas and meet the minimum parcel area requirements for each distinct use.

B. **Permits**. It shall be unlawful for any person to operate a MH or RV park unless the applicant holds a valid permit issued by the local health department pending an approval by the building official and LCPC and a business license if applicable, as well as all required local, state and federal licenses.

C. **Signs**. A MH or RV park identification sign shall not be located within the right-of-way.

D. **Lot identification**. All MH or RV lots shall be clearly marked with a number.

E. **Lighting**. All roads, walkways, and service areas shall be provided with lighting adequate to ensure the safety of pedestrian and vehicular traffic. All lighting shall be designed to reduce light pollution and minimize light leaving the site vertically as well as horizontally.

F. **Garbage**. There shall be at least one container for garbage collection per MH or RV lot. Garbage cans shall be enclosed so that they are protected from animal intrusion.

G. **Accesses to lots**. No MH or RV lot within the park shall have direct access to a public street. Each lot shall have access to an approved internal roadway meeting the requirements of Sec. 306-5 [Roadways for MH and RV Parks].

H. **Non-permitted uses**. No part of any RV or MH park shall be used for the parking or storage of any heavy equipment or trucks being used for commercial distribution, towing, or other commercial-related activities.

Sec. 306-3 MH Park Design Standards

A. **Minimum park area**. The minimum area for a MH park shall be five net acres.

B. **Lot area and density**. All manufactured home lots shall have a minimum area of 3,600 SF where public (government owned) water and sewer is available and in areas where no public (government owned) water and sewer services are available, a minimum area of 8,000 SF shall be required even if a central system (privately owned) is available. However, the density shall not exceed eight manufactured homes per acre.

C. **New park**. A new park must have a minimum of 20 lots completed with all utilities and other required improvements, including roadways, before any lot may be occupied.

D. **Recreation area.** At least ten (10) percent of the MH park shall be set aside as a common recreation area. Recreation facilities shall be provided to meet the anticipated needs of the residents of the MH park. The recreation area shall be easily identifiable and accessible to the park residents.

E. **Buffers and screening**

1. A 20 ft. vegetative buffer setback consisting of evergreen shrubs at least 6 ft. in height around the perimeter of the park along the property lines or a privacy fence of the same height.

2. A MH park shall be screened along the public road frontage by a planting of evergreens at least six feet high and a privacy wall or fence of equal height.

F. **Accessory uses**. A park office, laundromat, maintenance buildings and recreation facilities are permitted in the MH park for the convenience of park occupants.

G. **Setbacks**

1. All manufactured homes and all buildings and structures within a MH park shall have a front setback of at least 35 feet from the right-of-way of any public street or highway; a minimum setback of ten feet from the right-of-way of any street or drive within the MH park; a minimum setback of ten feet on each lot side; the manufactured home shall have a setback of ten feet to the rear lot line.

2. Manufactured homes shall be located at least 30 ft. from any common building.

3. For replacement units for existing MH parks, no manufactured home shall be located closer than ten feet to another manufactured home.

4. No accessory structure shall be erected within five (5) feet of any manufactured home or within ten (10) feet of any common building (i.e. offices or laundry facilities).

H. **Off-street parking**. Every manufactured home shall have two paved off-street parking spaces and a paved sidewalk to the front door.

I. **Pets**. No pets shall be sheltered in the crawlspace underneath a manufactured home.

J. **Utility connections**. Every manufactured home shall have its own water and sewer connection and other utility connections. All utilities shall be underground.

K. **Stormwater**. A MH park shall be so graded and drained so that stormwater will not stand in pools and puddles.

L. **Access for haulers**. Easy access for a manufactured home hauler shall be provided.

M. **Tie-downs and skirting**. All manufactured homes shall be secured to an approved foundation by tie-downs and be fitted with a foundation type or skirt around the entire base of the units. Such wall or skirt shall extend from the bottom (floor level) of the unit to the ground so that no open space remains between the unit and surface of the ground. Tie-downs, foundations, foundation walls and skirting shall comply with the applicable building codes and other related codes and ordinances.

N. **Wind zone II**. All manufactured homes shall be at a minimum rated as a wind zone II. This notwithstanding, pre-owned manufactured homes not rated as a wind zone II may be relocated after review by the zoning and building officials.

O. **Gas tanks**. There shall be no storage of liquid or gas fuels within MH parks except in storage areas authorized by the local fire department or the authorized representative.

P. **Flood zone**. If located in a flood hazard area, the following additional requirements apply for new parks:

1. All requirements of the Article 406 [Flood Damage Prevention] shall be met.
2. Lots must be elevated on compacted fill or on piers so that the lowest floor of the manufactured home will be at least one foot above the base flood elevation.
3. Notify each purchaser, renter or lessee that the manufactured home is located in a flood hazard area.
4. Prepare an evacuation plan to be used in case of flood and file it with disaster preparedness authorities. (See local emergency management plan.)

Sec. 306-4 RV Park Design Standards

A. **Minimum park area**. The minimum area for an RV park area shall be at least three acres.

B. **Lot size and density.** Each RV lot shall have the minimum dimensions of 30 feet by 70 feet. The maximum density of RV lot spaces shall be no more than eight lots per acre.

C. **Registration office and staff**. Each RV park shall have an office on the premises which shall be open during normal business hours Monday through Friday. Additionally, each RV park shall require at least one staff member to live on site in the event of weekend and evening arrivals and for emergencies.

D. **Duration of stay**

1. RVs do not meet HUD standards and are not designed for permanent living quarters. As such, no RV shall remain in an RV park for a consecutive period of more than twelve months. Minimum re-entry time shall be 14 days.
2. The owner of an RV park shall keep a chronological RV lot guest register showing the arrival and departure dates of each vehicle. This register shall be open for the building official and LCPC to review and shall be made available on request.

E. **Screening**. An RV park shall be screened along the public road frontage and abutting other properties by a planting of evergreens at least six feet high or a six-foot high privacy fence.

F. **Accessory buildings**

A park office, a small shop, laundromat, maintenance buildings, and storage buildings are permitted in an RV park for the convenience of park management and occupants.

Permitted accessory uses of a commercial nature and parking areas serving such accessory uses shall not exceed 2% of the land area of the RV park (exclusive of wetlands) nor more than 2,000 sq. ft., whichever is more, and shall be laid out and designed to serve the frequent trade or service needs of travelers patronizing the RV park.

No accessory building shall be permitted on an RV lot or attached to an RV.

G. **Setbacks**

1. There shall be a boundary setback of 20 feet around any RV park.
2. Service buildings, small retail buildings, service areas, and recreational areas shall be located at least 20 feet from any internal road, drive, or RV lot.
3. There shall be a minimum distance of ten feet between recreational vehicles.

H. **Green space and recreational area**. A minimum of 20 percent of the total usable area of an RV park shall be devoted to green space exclusive of wetlands and marshlands. At least one active recreation area which consists of a minimum of ten (10) percent of total usable acreage of the recreational vehicle park parcel (e.g. community centers, laundromats, swimming pools, playgrounds, and/or other recreational equipment or sites) shall be provided. The recreation area shall be easily identifiable and accessible to the park residents.

I. **Parking pad**. Each lot shall have a paved pad a minimum of 10 feet by 40 feet for the RV itself and a paved parking area for an automobile a minimum of 10 feet by 30 feet.

J. **Additional parking**. Adequate common area shall be set aside for parking of vehicles, boats, or other recreational equipment. This area shall be paved.

K. **Utilities**

1. RVs shall be provided with all utilities, including sewage, but not gas, unless gas is to be the method of heating. All utilities shall be underground. Electric utilities shall comply with current building codes. Water and sewer utilities shall meet all state and local requirements.

2. If public sewer services are available to all RV spaces, service stations shall not be required. If public sewer services are not available to all RV spaces, then a sanitary station shall be provided according to Board of Health Rules and Regulations, and Georgia Environmental Health regulations.

L. **Lighting**. All roads, walkways, and service areas shall be provided with lighting adequate to ensure the safety of pedestrian and vehicular traffic. All lighting shall be designed to reduce light pollution and minimize light leaving the site vertically as well as horizontally.

M. **Weather alert system**. A public weather alert system like a siren shall be installed to forewarn RV park occupants about dangerous weather conditions.

N. **Flood zone**. Each RV located in a flood zone shall meet the minimum requirements of the applicable flood ordinance. RVs shall remain mobile and able to be moved from its location at any given time. Therefore, no structures or buildings shall be attached to an RV.

O. **Maintenance**. RV parks shall be maintained in good condition and not permitted to create any public nuisances. The recreational vehicles shall also be maintained so as not to create a visual nuisance and to ensure they remain roadworthy in the event that they are required to be evacuated at a moment's notice due to dangerous weather conditions. The RV park owner shall create additional covenants or park rules to regulate the day-to-day operations (noise, pets, etc.).

Sec. 306-5 Roadways for MH and RV Parks

A. The entrance road into the park shall have a pavement width of 30 ft. with an adequate curb radius.

B. All roadways within the park shall have a minimum right-of-way of 30 feet, exclusive of parking, and shall have a minimum paved width of 22 feet.

C. No access roadway the park shall be located closer than 150 feet to any public street intersection.

D. The number of entrances and/or exits shall not exceed the ratio of one per 150 feet of park frontage. Parks with less than 150 feet frontage are only allowed one combination ingress and egress road.

E. Roadway intersections within the park shall be at least 150 feet apart and no greater than 1,000 feet apart.

F. All roadway intersections shall be provided with a full cut-off streetlight. New parks shall be provided with adequate security lights within the park and at each entrance of the park.

G. All dead-end roadways shall terminate in a cul-de-sac with a minimum turning radius of 80 feet, exclusive of parking. In lieu of a cul-de-sac, other methods to achieve vehicular turnaround may be approved by the building official or LCPC.

Division IV

Site Plan Review

Article 401
Site Plan Review

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Sec. 401-1 Purpose

The purpose of this Article is to promote orderly development of the County and the cities within it that complies with the provisions of this Ordinance.

Sec. 401-2 Terms Defined

Some terms used in this Article apply only to this Article and are defined below.

A. **New development** – Development, as defined in Division VIII, of a parcel which currently has minimal to no improvements.

B. **Major redevelopment** - Redevelopment of land, as defined in Division VIII, from which most or all previous improvements have been or are proposed to be removed.

C. **Existing development** – A parcel that is currently developed and may or may not have an approved site plan.

D. **Modification to existing development** – Any change to an existing development which may include a change to a structure, change to the parking lot, change of use, redevelopment (not major), etc.

E. **Major site plan review** – Review of a site plan which requires compliance with all site plan criteria.

F. **Minor site plan review** – Review of a site plan which requires compliance with one or more, but not all, of the site plan criteria.

G. **Plan reviewer** – The applicable personnel designated herein to conduct site plan reviews (this is dependent on the location of the subject property).

H. **Site layout** - A drawing of existing and/or proposed improvements to a given lot, typically used to show minor changes which do not require licensed professionals to design.

Sec. 401-3 Applicability and Procedures

A. In general, site plan approval is required for all development except lots used for single-family dwellings and duplexes and as otherwise exempted below.

B. New development or major redevelopment shall require major site plan review.

C. Modifications to existing development shall require minor site plan review if such modifications affect any of the site plan criteria. Compliance with those criteria is required and, if there are elements of an existing site that are unsafe or are a hazard to the public, minor site plan review shall also require compliance with any criteria it is determined will correct or help mitigate the deficiency or hazard.

D. All reviews, determinations and decisions on site plans required in this Article are conducted and made by LCPC except for development in Liberty County, in which case they are conducted by staff of the County Building and Licensing Department. The applicable staff is referred to in this Division as the "plan reviewer." This notwithstanding, Liberty County may delegate its plan review responsibilities to LCPC at any time.

E. Conditions may be imposed on any decision provided it is relevant to an applicable criterion and is needed for a project to meet that criterion.

F. Prior to issuance of a Certificate of Occupancy by the building official, the development shall be closed out as specified in this Article.

G. The above notwithstanding, modifications to existing development may only require a site layout if the plan reviewer determines a layout, rather than a site plan, will be sufficient to determine compliance with any applicable criteria where such criteria are not required to be prepared by a licensed professional such as an engineer, surveyor, architect, or landscape architect. Site layouts shall not have to comply with the application, site plan requirements and project close-out provisions herein. Site layouts shall be on one or more sheets no smaller than 8½" x 11" and, while they don't have to be to scale or professionally drafted, they shall be proportional and neatly drawn.

Sec. 401-4 Complete Applications

No minor or major site plan review will take place until an application has been deemed complete. For an application to be complete, it shall contain the following, as a minimum:

A. Applicable fees.

B. General engineering review application and any other forms provided to the applicant.

C. One full-sized paper copy and one electronic copy in pdf format of the site plan which shows the information outlined below.

D. Other submittals required by the applicable review criteria (i.e. hydrology report, etc.).

Sec. 401-5 Site Plan Requirements

Site plans shall conform to the requirements and contain the elements listed herein, as applicable. Specific elements may be waived where it is determined by the plan reviewer that such information is not relevant to the application or the applicable criteria.

A. **General requirements**

1. Site plans shall be at a sufficient scale to permit the review of all elements of the plan and shall not exceed 2' x 3' in size unless requested and necessary for the review.

2. Each sheet of the plans shall have the following information:

   a. title of development

   b. address of the property

c. preparation date and any revision dates

d. north arrow

e. scale stated and shown graphically

f. name and address of owner of record and name of applicant if not the owner

g. name, seal (as applicable) and signature of all professionals engaged by the applicant in preparing the sheet or page such as planners, engineers, architects, surveyors, etc.

B. **Required elements**

1. Cover sheet with vicinity map.
2. Road names and the names of all owners of record of all abutting properties.
3. Location and dimensions, including square footage of footprints, of all existing and proposed structures.
4. Limits of disturbance.
5. Location and layout of provisions and facilities for vehicular, pedestrian and bicycle traffic.
6. Calculation of required parking, loading and stacking, as applicable.
7. Landscaping plan (see Article 404 [Tree Protection, Landscaping and Buffering]).
8. Calculation of size of impervious and pervious areas and greenspace, in square feet.
9. Grading plan.
10. Information regarding all proposed lighting, including fixture type, mounting location and height, illumination levels and distribution (see also Article 402 [Parking Lots] and subsection C below).
11. Location of outdoor use areas with indication of use if not evident.
12. Location of existing and proposed site features, including retaining walls, fences, etc.
13. Utility plan showing, as applicable, existing and/or proposed potable water, sewer, stormwater, reuse water and drainage systems.
14. Additional information as may be necessary to demonstrate compliance with the applicable site plan criteria.

C. **Photometric lighting plan**

1. If a photometric lighting plan is required pursuant to Article 402 [Parking Lots], it shall meet the requirements of this subsection.
2. The photometric lighting plan shall be drawn to a scale no larger than one inch equals 50 feet and shall contain the following information:

   a. 2.0 foot-candle contours;

   b. The type of lamp to be used in each fixture, including lamp wattage, lumen output and diagram showing typical illumination pattern;

   c. The type of fixtures, including a picture of the fixture;

d. Operational information (i.e. off or dimmed during non-business hours, motion-sensor, photo-sensor, etc.); and

e. The seal of a qualified Georgia-registered design professional.

Sec. 401-6 Review Criteria

The plan reviewer shall approve a site plan, with or without conditions, if the proposed development meets all of the following criteria for major site plan review or all the applicable criteria for minor site plan review.

A. **Compliance with ordinance and other Standards**

The proposed development shall comply with the applicable provisions in Division II and the applicable standards and specifications, if any, of the municipality.

B. **Parking lots** – See Article 402 [Parking Lots].

C. **Pedestrian provisions** – See Article 403 [Pedestrian Provisions].

D. **Outdoor lighting**

In addition to the parking lot lighting required in Article 402 [Parking Lots], the following lighting requirements shall apply.

1. Outdoor lighting fixtures shall be recessed, shielded or fully-cut off fixtures.

2. Lighting shall be designed to minimize glare on adjacent properties and public streets. Such design may include utilizing LED lighting with a color temperature of 3000K or lower, operating the lighting with motion-or photo-sensors, reducing lighting during non-business hours, etc.

E. **Outdoor uses**

1. Exposed areas used for accessory uses such as storage, service, HVAC and other equipment, solid waste bins, utility buildings, etc., shall be located so as to have a minimum adverse effect on adjacent properties, and shall be screened if reasonably necessary to ensure compatibility with surrounding properties.

2. The requirement above shall not apply to outdoor areas used as an integral part of the principal use (i.e. outdoor retail sales, event venues, etc.).

F. **Landscaping**

In addition to the requirements of Article 404 [Tree Protection, Landscaping and Buffering], additional landscaping or screening shall be required if needed to shield residential properties from headlights and glare.

G. **Wetlands** – See Article 407 [Wetland Protection]

H. **Flood damage prevention** – See Article 406 [Flood Damage Prevention]

I. **Groundwater** – See Article 408 [Groundwater Protection]

J. **Drainage** – See Article 405 [Drainage Control]

K. **Erosion, sediment and pollution control** – See Article 409 [ES&PC]

Sec. 401-7 Project Close-out Requirements

A. **General**

Prior to issuance of the certificate of occupancy by the building official, the plan reviewer shall close-out the project if it meets all the requirements in this section.

B. **Procedure**

As the project is nearing completion, the plan reviewer will provide a letter to the developer and their engineer outlining the requirements herein to close out the project, as applicable and as determined by the plan reviewer. The plan reviewer may require additional information than what is included in this section provided it is pertinent to determining compliance with this Ordinance.

C. **Required submittals**

1. A written certification by the engineer that they have inspected the development and finds all construction in substantial compliance with the approved plans and specifications and the standard specifications of the governing authority.
2. A signed and sealed set of record drawings as set forth in subsection F below.
3. A detention pond certification in a form provided by the plan reviewer.
4. A signed Stormwater Management Agreement and the associated Stormwater Facilities' Maintenance Plan.
5. A signed and sealed as-built hydrology report indicating compliance with the requirements of Article 405 [Drainage Control].
6. A copy of the Notice of Termination.
7. A landscape establishment bond pursuant to Article 404 [Tree Protection, Landscaping and Buffering]. The plan reviewer shall provide documentation as to the amount required and the form of the bond.
8. Dedication plat and deed for any lands being dedicated to the municipality.

D. **Site considerations**

1. All control measures for the final phase of the erosion, sedimentation and pollution control plan shall be in place and stabilized.
2. All temporary control measures shall be removed.

E. **Final inspection and compliance with the approved site plan**

1. Upon receipt of the record drawings, the plan reviewer shall coordinate with the building official and other municipal officials to schedule a final site inspection.
2. The plan reviewer shall inspect the site for substantial compliance with the approved site plan. Such compliance is required to close out the project.

F. **Record drawings**

1. Drawing requirements

a. In general, record drawing shall be a marked-up or annotated copy of the site plan.

b. The record drawing shall show as-built information for the following, as a minimum:

i. Location of all buildings and other above-grade improvements (i.e. dumpsters, parking, sidewalks, etc.)

ii. Location of underground utilities (water, stormwater, sewer, irrigation, grease traps, etc.) and coordinates for the appurtenances (i.e. hydrants, valves, catch basins, cleanouts, meters, etc.).

iii. Inverts and other elevations for which a design invert or elevation was specified on the site plan, including but not limited to manholes, culverts, flumes, overflow control structures. The design invert or elevation shall be crossed out and the as-built invert elevation shall be indicated.

iv. Final contours of drainage facilities.

v. Easements, including the purpose and to whom they are dedicated.

c. Coordinates shall be used to locate buildings and at- or above-grade features.

2. Review and acceptance procedures

a. The initial submittal of the record drawings shall include one paper copy and one pdf copy.

b. The plans shall be forwarded to, and comments solicited from, appropriate municipal officials such as the manager, mayor or administrator, building official, municipal engineer, emergency services personnel and utility department personnel.

c. Record drawings shall be reviewed by the plan reviewer who shall accept them upon a determination that the drawings are complete. Once accepted, one paper copy and one pdf copy shall be submitted to the plan reviewer. Additionally, a dwg file may be required in some jurisdictions.

d. By accepting the record drawings and supporting documentation, the plan reviewer is concurring that the drawings are complete and contain the information required by this Ordinance. The plan reviewer does not assume responsibility for the accuracy of the documents, as that remains with the professional engineer who signed and/or sealed the documents.

Article 402
Parking Lots

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Sec. 402-1 Purpose and Applicability

A. The purpose of this Article is to reduce hazards to public safety and ensure efficient traffic flow by establishing standards for vehicle parking and stacking and for loading areas.

B. For every building hereafter erected, extended or changed in use, and for every lot hereafter developed, there shall be provided off-street parking, stacking and loading as set forth in this Article.

C. References herein to “parking” and “loading” shall mean “off-street parking” and “off-street loading,” respectively, unless specifically stated otherwise. References to “parking lots” shall mean all accommodations for vehicles including parking spaces, loading spaces, internal driveways and vehicle stacking.

Sec. 402-2 General Parking Lot Requirements

A. **Use of parking lots**

Parking lots shall not be used for the solid waste facilities, storage or sale of merchandise, vehicles for sale, vehicle repair or vehicle storage except for company vehicles. Non-required spaces or areas within a parking lot that will be used for such things shall be designated on the site plan.

B. **Location**

Parking shall be provided on the same parcel as the principal building it is serving. An off-site parking lot may be allowed provided it complies with the following:

1. it provides for no more than 30% of the required parking or is used exclusively for valet or attended parking;
2. it is no more than 300 feet from the main parking lot as measured along the nearest ADA-compliant path of travel;
3. it is under the same ownership as the principal use and a restrictive deeded covenant running with the land to be used for off-street parking purposes states that such land shall not be encroached upon, used, sold, leased, or conveyed for any other purpose until such time as the principal building ceases to be required to provide such off-street parking facilities. Such deed shall be duly recorded.

C. **Surfaces and pavement markings**

1. Unless otherwise allowed herein, all parking lots shall be asphalt, concrete, permeable pavers or some other durable hard, all-weather material.
2. Parking lots shall be striped or marked with paint for the following, as applicable:
   a. parking spaces and any designations (e.g. accessible, compact, etc.)
   b. accessible aisles
   c. stacking lanes
   d. fire lanes and other no parking areas
   e. crosswalks
   f. arrows or other means to direct on-site traffic circulation

D. **Accesses**

1. Each parking lot shall have access for ingress and egress to a public street right-of-way.
2. Access shall be a minimum of 12 feet wide for one-way traffic and 24 feet wide for two-way traffic but not wider than 40 feet exclusive of any turning radii. Modifications to these widths may be allowed if it is demonstrated that such modifications are needed due to site constraints and not the project as designed and are not to the detriment of the public and overall safety of the project.
3. In no case shall there be unrestricted access along the length of a collector or arterial street and, where necessary, landscaping, curbing or other effective barriers shall be provided along lot boundaries to control access of vehicles in areas not designated as an access.
4. Accesses to state highways shall comply with GDOT standards and demonstration of such compliance (i.e. permit or other official correspondence) may be required.

E. **Internal driveways**

1. There shall be provided adequate interior driveways to connect each parking and loading space with a public right-of-way.
2. Internal driveways shall be at least 24 feet wide where used with 90° angled parking; 16 feet wide for 60° angled parking; 14 feet wide for 45° angled parking and at least 12 feet wide for parallel parking or where there isn't any adjacent parking. This notwithstanding, a driveway for two-way traffic shall be a minimum of 24 feet wide.
3. No parking or vehicle stacking shall be allowed in the internal driveways.

F. **On-site traffic circulation**

1. In general, the parking lot shall incorporate an integrated, functional and safe on-site circulation system for vehicles and pedestrians that minimizes vehicular-pedestrian conflicts, allows for safe vehicle stacking at signalized accesses and drive-thru lanes, and minimizes vehicle maneuvering within high-traffic lanes (i.e. near accesses and drive-throughs).
2. Vehicle lanes, pedestrian crossings and sidewalks connecting buildings and parking lots shall be provided as needed to ensure vehicular and pedestrian safety and convenience.
3. Signs or other markers shall promote vehicular and pedestrian safety.
4. Parking lots with dead-ended aisles are not allowed unless an adequate area for vehicles to turn around is provided at the end of the aisle so vehicles do not have to back up if no space is available.

G. **Lighting**

1. All areas of the parking lot shall have a minimum illumination level of 2.0-foot candles in all locations. This notwithstanding, levels as low as 0.5-foot candles may be allowed in low activity areas with minimal to no pedestrian traffic.
2. All parking lots accessible by the public shall be illuminated during night business hours of the applicable business.
3. Pole-mounted lights shall not exceed 20 feet in height unless it is demonstrated that a taller pole is needed for reasons such as safety or vehicle clearance.
4. Lighting fixtures shall be shielded or fully-cut off to reduce glare onto adjacent properties and streets and to reduce light pollution into the night sky.
5. A photometric lighting plan shall be required if the proposed use will be open on a regular basis after 9 PM or if the parking lot contains more than 12 parking spaces. If a photometric lighting plan is required, nationally recognized lighting recommendations for illuminance levels and uniformity ratios shall be followed, such as contained in the most current Illuminating Engineering Society of North America (IESNA) Lighting Handbook.

H. **Vehicle overhang**

Parking spaces shall be designed so that vehicle overhang from parked cars and vans does not obstruct the clear width of adjacent accessible routes and sidewalks nor negatively

impact any landscape plantings. If such design (i.e. wheel stops) effectively shortens the parking space, a longer overall length may be required to maintain a minimum usable depth of 18 feet for the space.

I. **Modifications**

1. Any modifications to an existing parking lot that impacts the number or configuration of parking, stacking or loading spaces or changes the on-site traffic circulation shall conform with the requirements of this Article.

2. Any area designated for required parking, loading or stacking shall not be changed to another use or otherwise altered until other parking facilities in conformance with this Article are established elsewhere to serve the site.

Sec. 402-3 Parking Spaces

A. **Number of parking spaces required**

1. The number of vehicle parking spaces required shall be as specified in Table 402.1 (at end of Article) and the number of accessible parking spaces required shall be as specified in Table 402.2.

2. In calculating the requirements in Table 402.1, the following shall apply:

   a. Fractional spaces - If requirements result in the calculation of a fractional parking space, the number of required spaces shall be rounded up to the nearest whole number (i.e. 5.1 = 6).

   b. Seats – If the number of required spaces is based on seats, it shall include any outdoor seating.

   c. Employees - If the number of required spaces is based on people (i.e. doctors, staff, employees, etc.), it shall be the maximum number of such people on site at any one time.

   d. Occupancy – If the number of required spaces is based on occupancy, it shall be the maximum occupancy allowed by local and/or state authorities.

3. If more than one use listed applies (i.e. bowling alley and indoor recreation), the requirements for the more descriptive use shall apply (i.e. bowling alley).

4. For uses that are not listed in Table 402.1, the required parking shall be based on a comparable use or, if there are no comparable uses, the applicant shall provide documentation which demonstrates the number of spaces provided are adequate for the use.

5. A business which has two distinct uses (e.g. retail sales and restaurant), parking shall be provided for the use that requires the most spaces.

6. In the case of multiple uses occupying the same building (i.e. shopping/commercial plaza) or multiple buildings on the same lot, the total requirements for parking shall be the sum of the requirements for the various uses computed separately. This notwithstanding, shared parking shall be allowed and the required parking reduced up to 20% if a parking study or other documentation indicates the peak hours for the uses

do not overlap and the proposed amount of parking is sufficient to accommodate the anticipated demands for each of the uses at peak hours.

7. In cases where it is demonstrated that the need for the number of spaces required is affected by the availability of public parking, public transit, etc., or services provided for residents (e.g. assisted living or elder housing), the required parking may be reduced up to 20%.

8. Accessory uses shall not be required to have additional parking spaces other than those required by the principal use.

B. **Supplemental requirements**

In addition to the parking space requirements above, the following shall apply, as applicable.

1. Places of worship – Of the total required parking, 40% of the spaces may be in an unpaved area.

2. Elder housing – An area shall be designated for future expanded parking should the use change and/or more spaces are required.

3. Guest parking – Any required guest parking shall be specifically reserved, restricted and clearly designated as reserved for guest parking only.

4. Gas stations – If a gas station is associated with a retail store, 1 space shall be credited toward the number of required spaces for the associated retail store for every 2 pump dispensers.

5. Garages - If residential garage space is provided, 1 space shall be credited toward the number of required spaces for every 2 bays in the garage.

6. Shopping cart corrals – Spaces used for shopping cart corrals shall not count toward the number of required spaces. Site plans shall indicate how many corrals will be used within the parking lot.

C. **Parking space dimensions**

1. Standard - Except as otherwise allowed herein, each parking space shall be not less than 9 feet wide, nor less than 20 feet deep, exclusive of interior driveways.

2. Compact - The above notwithstanding, compact car parking spaces are allowed, subject to the following provisions:

   a. Compact car parking spaces shall be not less than 8 feet wide, nor less than 16 feet deep, exclusive of interior driveways.

   b. Compact car parking spaces may only be used for a use requiring 25 or more parking spaces as determined in this Article.

   c. Up to 10 percent of the parking spaces may be designed for compact cars.

   d. Compact car parking spaces shall be located to be as convenient as standard parking spaces and shall be grouped or placed in clusters of three or more rather than being scattered simply to solve parking layout difficulties.

e. Compact car parking spaces shall be clearly marked with the words "Compact Car Only" and/or identified with appropriate signage in compliance with the Manual on Uniform Traffic Control Devices (MUTCD).

3. Accessible - All provisions for accessibility within parking lots are included in Sec. 402-4 and Table 402.2.

D. **Changes to a structure or use**

1. Should a structure be physically altered or enlarged in such a manner that it increases a parameter upon which the require parking is based (i.e. floor space, number of units, etc.), then the number of parking spaces available must be increased according to Table 402.1. This notwithstanding, additional spaces shall not be required if a parking study indicates the existing number of spaces is adequate for the change in the structure. Such study shall include, at a minimum, the number of available spaces in the existing parking area at various time of day and week with data collected over a period of at least a month.

2. Should the use of a structure be changed, the number of parking spaces shall be increased if the new use requires more than 10% additional spaces than what is currently available.

3. Prior to any change to a structure or its use, written notification describing the changes and, as applicable, a site layout of the changes shall be provided so a determination can be made by LCPC as to whether additional parking spaces are required.

Sec. 402-4 Accessible Parking Requirements

A. **Applicability**

All parking lots shall comply with the ADA Standards for Accessible Design, as currently in effect and as may be amended in the future, and the provisions herein. If there are any discrepancies between these provisions and the ADA Standards, the ADA Standards shall govern.

B. **Number of spaces**

The number of accessible parking spaces provided shall be as specified in Table 402.2. If only one accessible parking space is provided, it shall be van-accessible. For every six or fraction of six accessible spaces that must be provided, one shall be a van-accessible space.

C. **Access aisles**

1. Each accessible parking space shall have an adjacent access aisle. The aisle shall:

a. be a minimum of 5 feet in width;

b. extend the full length of the parking spaces they serve;

c. be marked so as to discourage parking in them; and

d. adjoin an accessible route.

2. Two parking spaces are permitted to share a common access aisle.

3. Access aisles may be on either side of the parking space except for van-accessible spaces which shall have the aisle located on the passenger side of the space.

D. **Size**

1. All accessible spaces shall be a minimum of 20 feet long.
2. Regular accessible spaces shall be a minimum of 9 feet wide.
3. Van-accessible spaces shall be a minimum of 11 feet wide. This notwithstanding, if it is adjacent to an 8-foot wide access aisle, a van-accessible space may be a minimum of 9 feet wide.

E. **Location**

Accessible parking spaces shall be located on the shortest possible accessible route from parking to an entrance. Where parking serves more than one accessible entrance, accessible parking spaces shall be dispersed and located on the shortest accessible route to the accessible entrance.

F. **Identification**

1. Each accessible parking space shall be designated by markings on the pavement and signage with the international symbol for accessible parking.
2. Signs shall meet MUTCD guidelines and be at least 12 inches in width and 18 inches in length and installed a minimum of 7 feet above the finished grade as measured to the bottom of the sign.
3. Signs for van-accessible spaces shall contain the designation “van accessible” either on the sign itself or as a sign appendage.

Sec. 402-5 Vehicle Stacking

All development that includes a drive-through lane or requires vehicle stacking (i.e. car washes or oil change establishments where customers typically remain on-site) shall comply with the provision of this section.

A. All stacking spaces shall be provided off-street.

B. Stacking spaces shall be a minimum of 8 feet wide and 20 feet long.

C. Number of Required Stacking Spaces

1. The number of stacking spaces required shall be as specified in Table 402.3 (at end of Article).
2. For uses that are not listed in Table 402.3, the required stacking shall be based on a comparable use or, if there are no comparable uses, the applicant shall provide documentation which demonstrates the number of stacking spaces provided are adequate for the use.
3. The required stacking space number includes the space at the point of service. In the case of a drive-through that has both an ordering station and a service window, the point of service shall be the ordering station.

4. The number of required stacking spaces may be reduced one-for-one if drive-through pull-out spaces are provided.

D. Each entrance to a drive-through lane and direction of traffic flow shall be clearly designated by signs and pavement markings. Raised medians may be required if deemed necessary to ensure compliance with the provisions of this Section.

E. Each drive-through lane shall be separated from the circulation routes necessary for access to the property and parking spaces.

F. Stacking spaces shall not impede on- or off-site traffic and pedestrian movements nor block parking spaces.

Sec. 402-6 Loading Areas

A. **Applicability and general provisions**

1. Every use which requires the receipt or distribution by vehicles of material or merchandise shall provide loading areas which are sufficient for their requirements and conform to the provisions of this Section. A loading area shall include loading space(s) and may also include internal driveways and maneuvering areas.

2. Loading spaces shall not be used to satisfy parking or stacking space requirements.

3. Loading areas shall be clear and free of obstruction at all times.

B. **Access**

Loading spaces shall be provided with a means of unobstructed ingress and egress to an alley or public street wide enough to accommodate expected vehicles. Where such ingress and egress are made to a public street, it shall be through driveways which meet required standards.

C. **Location**

1. Required loading areas shall be located on the same lot or parcel of land as the structure they are intended to serve.

2. Loading spaces may be either inside or outside the building.

3. To the extent feasible, loading areas shall be located to minimize visibility from public rights-of-way.

D. **Safety considerations**

1. A sufficient maneuvering area shall be provided on-site that allows all vehicles utilizing a loading area to enter a public street in a forward manner and that does not require any turning movements within a public street.

2. Loading areas shall not hinder the movement of traffic or pedestrians.

3. Loading spaces shall be adequate so that no vehicle being loaded or unloaded in connection with normal operations shall stand in or project into a public street, walk, alley or way.

4. Permanent wheel stops or curbing shall be provided where needed to prevent any vehicle using the loading area from encroachment on any required buffer, adjacent property, parking space, public street, sidewalk or internal driveway.

E. **Surface**

All loading areas shall be paved with a hard-surface, all-weather pavement of concrete or asphalt designed to carry the heaviest vehicle loads that can commonly be expected, including fire and sanitation equipment as well as delivery vehicles.

F. **Lighting**

Loading areas shall be adequately lit. Lighting shall be minimized during periods when the loading area is not in use during non-business hours or when it faces a residential district or a structure with first-floor residential uses.

G. **Setback from residential uses**

A minimum setback of 50 feet shall be required where loading spaces face a residential district or a structure with first-floor residential uses unless the loading area is completely screened from view.

H. **Size**

Each loading space shall be sized to accommodate the expected vehicles but shall be, at a minimum, 10 feet wide, 25 feet long and 14 feet high.

I. **Number of required loading spaces**

1. The uses below shall require, at a minimum, 1 loading space. Additional loading spaces may be needed to meet the requirements of the use
    a. Retail stores with a minimum of 3,000 SF to a maximum of 25,000 SF in total floor area
    b. Schools with 15,000 SF or more of gross floor area
    c. Hospitals (in addition to any ambulance space)
    d. Non-residential uses (other than retail) with 10,000 SF or more of gross floor area
2. Multifamily residences with less than ten dwelling units shall not be required to provide a loading space. Multifamily residences with between 10 to 30 dwelling units shall be required to provide 1 loading space. Multifamily residences with more than 30 dwelling units shall be required to provide 1 loading space for each 30 dwelling units or fraction thereof.

Table 402.1 – Required Parking Spaces	
Use	**Required Spaces**
Residential	
Single-family (att. or det.) and two-family dwellings	2 spaces per dwelling unit
Multi-family dwellings	1½ spaces per dwelling unit and 1 guest space for every 4 units *(see supplemental requirements in Sec. 402-3)*
Elder housing and assisted living facilities	¾ space per dwelling unit *(see supplemental requirements in Sec. 402-3)*
Manufactured home park	2 space per lot and 1 guest space for every 2 lots *(see supplemental requirements in Sec. 402-3)*
Places of lodging *(e.g. hotels, motels, campgrounds, inn, etc.)*	1 space per guest room or camper space, 1 space per employee and 1 guest space for every 10 guest rooms or camper spaces *(see supplemental requirements in Sec. 402-3)*
Boardinghouses and bed and breakfasts	1 space per guest room and 2 spaces for residents of house
Places of Assembly	
Places of worship, community halls, theaters, etc.	1 space for every 3 seats in main assembly area *(see supplemental requirements in Sec. 402-3)*
Conference facilities/function halls	1 space for every 4 seats
Funeral homes	1 space for every 3 people of maximum occupancy, 1 space for every employee and 1 space for every company vehicle
Medical	
Hospitals	1 space for every 2 hospital beds, 1 space per medical professional and 1 space for every 3 employees
Health care services	10 spaces per doctor/medical professional or 2 for every dentist and dental hygienist, as applicable
Veterinary offices	2 for every veterinarian doctor and technician
Skilled nursing facilities and group personal care homes	1 space for every 4 patient beds and 1 space for every 2 employees
Offices, Restaurants and On-site Services (Non-retail)	
Fitness centers *(e.g. gyms, dance and martial arts studios)*	1 space for every 150 SF of floor area open to the public
Personal service shops *(e.g. barbers, nail salons, hair salons)*	3 spaces per station, chair, etc.

Table 402.1 – Required Parking Spaces (cont'd)	
Use	**Required Spaces**
Offices, Restaurants and On-site Services (Non-retail) *(cont'd)*	
Services with minimal customer time on-site *(e.g. banks, dry cleaners, shoe repair, pet grooming, daycare, etc.)*	1 space per employee, 1 space per business vehicle and 1 space for every 250 SF of gross floor area
Offices, primarily serving clients off-site *(e.g. engineering, law firms, publishing, real estate, etc.)*	1 space for every 200 SF of gross floor space and 1 space for every company vehicle
Bars and nightclubs	1 space per 3 persons of maximum occupancy
Restaurant	1 space for every 75 SF of gross floor space
Fast food restaurant	1 space for every 75 SF of space open to the public and 1 space for every 3 seats
Laundromat	1 space for every 200 SF of gross floor space
Retail	
Indoor retail, high-volume *(e.g. convenience store, liquor store, drug store, etc.)*	1 space per employee and 1 space for every 200 SF of floor area open to the public
Indoor retail, general merchandise *(e.g. hardware store, clothing store, gift shop, flower shop, etc.)*	1 space for every 250 SF of floor area open to the public
Indoor retail, large merchandise *(e.g. furniture, mattresses, carpeting, appliances, etc.)*	1 space for every 400 SF of floor area open to the public
Indoor retail over 50,000 SF in gross floor space *(e.g. big box store, shopping center, etc.)*	4 spaces for every 1,000 SF of gross floor space
Semi-outdoor retail *(e.g. building supplies, nursery/garden center, equipment rental, etc.)*	1 space per employee and 1 space for every 300 SF of floor area open to the public (excludes bulk storage area, even if open to the public)
Outdoor retail *(e.g. auto dealership, boat sales, trailer sales, monuments, etc.)*	1 space per 2,500 SF of outdoor display area open to the public

Table 402.1 – Required Parking Spaces *(cont'd)*	
Use	**Required Spaces**
Educational and Cultural	
Elementary and middle schools	1 space per employee, 1 space for every 17 classroom seats or 1 space for every 4 seats of maximum seating capacity in principal assembly area, whichever is greater
Schools with driving-aged students	1 space for every 3 full- or part-time equivalent students, based upon maximum enrollment, and 1 space per employee
Fraternities/sororities and dorms	1½ space for every 2 beds
Cultural facilities *(e.g. libraries, art galleries, museums, etc.)*	1 space for every 400 SF of floor area open to the public
Child care facilities	1 space for every employee, including teachers and administrators, and 1 space for every 3 children of maximum occupancy
Recreational	
Sporting clubs *(e.g. country clubs, golf clubs, gun clubs, etc.)*	1 space for every 5 members
Indoor recreation with fixed seating	1 space for every 3 seats
Indoor recreation without fixed seating	1 space for every 200 SF of gross floor area
Outdoor recreation with spectator seating *(i.e. bleachers)*	1 space for every 4 seats
Outdoor recreation without spectator seating	5 spaces per acre
Bowling alleys	4 spaces per alley
Industrial	
Auto services, *customers generally drop-off vehicle*	1 space per employee and 1 space for each 400 SF of floor area in garage
Auto services, *customers generally stay on-site*	1 space per bay and 1 space per employee

Table 402.1 – Required Parking Spaces *(cont'd)*	
Use	**Required Spaces**
Industrial *(cont'd)*	
Industrial, warehousing and manufacturing without retail	2 spaces for every 3 employees, 1 space per company vehicle and 1 guest space per 10 employees
Industrial, warehousing and manufacturing with retail sales or service	2 spaces for every 3 employees, 1 space per company vehicle and 1 space for every 150 SF of floor area open to the public for retail sales or service

Table 402.2 – Required Accessible Parking Spaces	
Total Req'd Parking Spaces	**Required Accessible Spaces**
1 to 25	1 (shall be a van-accessible space)
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
More than 1,000	20 plus 1 for each 100 over 1,000

Table 402.3 – Required Vehicle Stacking Spaces	
Use	**Req'd stacking spaces**
Oil change/auto repair (customers stay on premises), per bay	3
Carwash full-service, per bay	6
Carwash self-service, per bay	3
Non-food pick-up/drop-off, per lane	3
Food and beverages, per lane	9
Gas/fuel pump, per pump	2
School or daycare pick-up/drop-off	3

Article 403
Pedestrian Provisions

Sec. 403-1 Applicability

A. Public sidewalks

1. To ensure current and future connectivity, for all new development and major redevelopment, sidewalks shall be constructed within the right-of-way of streets adjacent to the development. If site constraints render constructing the sidewalk within the right-of-way not feasible, the sidewalk shall be constructed within the required setback area and an easement shall be granted to the governing authority for the sidewalk that includes a 2-foot wide green strip between the sidewalk and the back of curb.
2. For modifications to existing development, construction of sidewalks described above shall not be required.
3. It shall be the developer's responsibility to obtain all required permits and approvals from GDOT for sidewalks or other related work within state highway rights-of-way.

B. On-site sidewalks

1. For all new development and major redevelopment, an accessible route shall be provided from the adjacent public sidewalk, either existing or proposed, to the closest entrance that serves the primary function of the building. If a development is on a corner lot, to the extent feasible, an accessible route shall be provided from each street.
2. The provision above shall apply to modifications to existing development unless it is not feasible to install a sidewalk without impacting existing drainage facilities, required landscaping or tree quality points or required buffers.

C. Waivers

The applicability requirements above may be waived or modified if:

1. there is no public sidewalk within 1,000 feet of the subject property;
2. there are no plans for a public sidewalk in the vicinity of the subject property; and
3. there will be no detrimental impact to the overall development pattern of the area nor to the general public if the sidewalk were not constructed.

Sec. 403-2 Design Standards

Construction of sidewalks shall comply with the standards and specifications of the applicable jurisdiction. At a minimum, the standards below shall also apply. Should there be a conflict between these standards and other standards such as applicable design review standards or the jurisdictional specifications and standards noted above, the other standards shall apply.

A. Sidewalks shall be constructed of concrete.

B. Sidewalks shall be constructed a minimum of 5 feet wide.

C. Sidewalks shall meet ADA standards for accessibility.

D. Crosswalks shall be provided across all accesses. This shall not apply to driveways serving single-family residences or duplexes.

E. For off-site sidewalks, a green strip with a minimum width of 2 feet shall be installed between the sidewalk and the traveled portion of the adjacent street. If this is not possible or feasible and the sidewalk directly abuts the street, a high-back curb shall be installed along the street.

F. On-site sidewalks shall comply with the following:

   1. Crosswalks shall be provided across internal driveways.

   2. To the extent feasible, sidewalks shall cross internal driveways between curbed medians or islands.

   3. Adequate sight distances at crosswalks shall be maintained and shall not be hindered by things such as landscaping, trees or buildings.

G. All crosswalks shall conform to the Manual of Uniform Traffic Control Devices.

Article 404
Tree Protection, Landscaping and Buffering

Sec. 404-1 Applicability

A. All development shall comply with the applicable tree protection, landscaping and buffering standards referenced below as currently in effect and as may be amended in the future.

1. Liberty County – Code of Ordinances Chapter 8, Article VI – Land Clearing and Tree Protection
2. Flemington – Code of Ordinances Chapter 38, Article V – Landscape and Tree Protection
3. Hinesville – Code of Ordinances Chapter 17 – Trees and Vegetation
4. Riceboro – Code of Ordinances Chapter 16, Article VII – Landscape and Tree Protection
5. Walthourville – Code of Ordinances Chapter 119 – Tree Protection and Land Clearing
6. Midway, Allenhurst and Gumbranch – same as for Liberty County

B. Should any definition or provision of this Ordinance conflict with any of the above referenced standards, such conflicting definition or provision of this Ordinance shall not govern in the application and administration of the standard.

Article 405
Drainage Control

Sec. 405-1 Applicability

A. All development shall comply with the applicable drainage standards referenced below as currently in effect and as may be amended in the future.

1. Liberty County – Code of Ordinances Chapter 10 – Drainage Control
2. Flemington – Code of Ordinances Chapter 38, Article IV – Drainage Control
3. Hinesville – Code of Ordinances Chapter 6, Article III – Drainage Control, and Hinesville Downtown Stormwater Policy Manual #2013-03
4. Riceboro – Code of Ordinances Chapter 16, Article IV – Drainage Control
5. Walthourville – Code of Ordinances Chapter 105 - Drainage
6. Midway, Allenhurst and Gumbranch – same as for Liberty County

B. Should any definition or provision of this Ordinance conflict with any of the above referenced standards, such conflicting definition or provision of this Ordinance shall not govern in the application and administration of the standard.

Article 406
Flood Damage Prevention

Sec. 406-1 Applicability

A. All development shall comply with the applicable flood damage prevention standards referenced below as currently in effect and as may be amended in the future.

1. Liberty County – Code of Ordinances Chapter 8, Article III – Flood Damage Prevention
2. Flemington – Code of Ordinances Chapter 42 - Floods
3. Hinesville – Code of Ordinances Chapter 5, Article VI – Flood Damage Prevention
4. Riceboro – Code of Ordinances Chapter 16, Article II – Flood Damage Prevention
5. Walthourville – Code of Ordinances Chapter 107 - Floods
6. Midway – Code of Ordinances Chapter 12, Article II – Flood Prevention and Damage Control
7. Allenhurst and Gumbranch – same as for Liberty County

B. Should any definition or provision of this Ordinance conflict with any of the above referenced standards, such conflicting definition or provision of this Ordinance shall not govern in the application and administration of the standard.

Article 407
Wetland Protection

Sec. 407-1 Applicability

A. All development shall comply with the applicable wetland protection standards referenced below as currently in effect and as may be amended in the future.

1. Liberty County – Code of Ordinances Chapter 8, Article V – Wetlands Protection
2. Flemington – Code of Ordinances Chapter 38, Article III - Wetlands
3. Hinesville – Code of Ordinances Chapter 5, Article VII, Division 1 – Wetlands Protection
4. Riceboro – Code of Ordinances Chapter 16, Article VI – Wetland Protection
5. Walthourville – Code of Ordinances Chapter 123 - Wetlands
6. Midway, Allenhurst and Gumbranch – same as for Liberty County

B. Should any definition or provision of this Ordinance conflict with any of the above referenced standards, such conflicting definition or provision of this Ordinance shall not govern in the application and administration of the standard.

Article 408
Groundwater Protection

Sec. 408-1 Applicability

A. All development shall comply with the applicable groundwater protection standards referenced below as currently in effect and as may be amended in the future.

1. Liberty County – Code of Ordinances Chapter 88 – Groundwater Recharge Area Protection
2. Hinesville – Code of Ordinances Chapter 5, Article VII, Division 2 – Groundwater Recharge Area Protection
3. Riceboro – Code of Ordinances Chapter 16, Article V – Wellhead Protection
4. Walthourville – Code of Ordinances Chapter 109 - Groundwater
5. Flemington, Midway, Allenhurst and Gumbranch – same as for Liberty County

B. Should any definition or provision of this Ordinance conflict with any of the above referenced standards, such conflicting definition or provision of this Ordinance shall not govern in the application and administration of the standard.

Article 409
Erosion, Sediment and Pollution Control

Sec. 409-1 Applicability

A. All development shall comply with the applicable erosion, sedimentation and pollution control standards referenced below as currently in effect and as may be amended in the future.

1. Liberty County – Code of Ordinances Chapter 8, Article IV – Soil Erosion, Sedimentation and Pollution Control
2. Flemington – Code of Ordinances Chapter 38, Article II - Soil Erosion, Sedimentation and Pollution Control
3. Hinesville – Code of Ordinances Chapter 6, Article IV – Soil Erosion, Sedimentation and Pollution Control
4. Riceboro – Code of Ordinances Chapter 16, Article III – Soil Erosion, Sedimentation and Pollution Control
5. Walthourville – Code of Ordinances Chapter 115 – Soil Erosion, Sedimentation and Pollution Control
6. Midway, Allenhurst and Gumbranch – same as for Liberty County

B. Should any definition or provision of this Ordinance conflict with any of the above referenced standards, such conflicting definition or provision of this Ordinance shall not govern in the application and administration of the standard.

Division V

Subdivisions

Article 501
Subdivision General Provisions

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Sec. 501-1 Purpose

The public health, safety, economy, good order, appearance, convenience, morals, and general welfare require the harmonious, orderly and progressive development of land within Liberty County. In furtherance of the general intent of this Ordinance, the regulation of land subdivision by municipal and county governing authorities is authorized for the following purposes, among others:

A. To encourage the development of economically sound, sustainable and stable municipalities and the County.

B. To ensure the timely provision of required streets, utilities, and other facilities and services to new land developments.

C. To ensure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments.

D. To ensure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes.

E. To ensure, in general, the wise and timely development of new areas, in harmony with the comprehensive plan of the municipalities and the County.

Sec. 501-2 Applicability and Exemptions

A. For the purposes of this Article, the term “subdivision” as herein used and defined in Division VII shall include PUDs which involve the subdivision of land.

B. General applicability

1. Subdivision approval is required prior to the sale, transfer of ownership or lease of any portion of a parcel of land within the jurisdiction of this Ordinance unless otherwise exempted below.

2. For major subdivisions, the preliminary plat and construction plans shall be approved prior to making any street improvements or installing utilities. Lots within the subdivision shall not be sold until the final plat has been recorded and the record drawings have been approved.

C. Exemptions – The above notwithstanding the following are exempt from subdivision review and approval:

1. Merging of parcels in their entirety (i.e. recombination plats).

2. Lot line adjustments between adjacent lots where neither lot is part of an approved subdivision, the beginning and ending number of lots is the same and all lots are conforming.

3. The granting of rights-of-way or easements other than for access.

Sec. 501-3 Review and Decision Authorities

A. Subdivisions have two components: a plat showing the new lots, street rights-of-way, easements, dedications and the boundaries of other such features and, for major subdivisions, construction plans showing all the required improvements. [See Sec. 501-5 for descriptions of the various types of subdivisions.]

B. Preliminary and final plats for subdivisions shall be reviewed by LCPC.

C. Minor subdivisions are acted upon by LCPC.

D. For major subdivisions, the Planning Commission shall provide a recommendation regarding the preliminary plat to the governing authority which shall act on the plat. If there are no substantial changes between the preliminary and final plats, a recommendation from the Planning Commission is not required before action is taken by the governing authority on the final plat.

E. Construction plans and record drawings for the required improvements shall be reviewed and approved by LCPC except for subdivisions in Liberty County, in which case they shall be reviewed and approved by staff of the County Building and Licensing Department. The applicable staff is referred to in this Division as the "plan reviewer." This notwithstanding, Liberty County may delegate its plan review responsibilities to LCPC at any time.

Sec. 501-4 Decisions and Conditions of Approval

A. Approval shall be granted as provided herein if the project meets the applicable criteria and/or requirements specified in this Division.

B. The following standard conditions of approval shall be imposed for all plats:

1. The applicant must obtain all required local, state and federal licenses and permits prior to commencement of any construction.

2. All plans, documents, materials, and statements contained or implied in this application are considered a condition of approval.

3. No change or deviation from the conditions of approval are allowed without prior notification and approval of the plan reviewer and the approving governing authority.

C. A standard condition of approval for all construction plans is that substantial modifications to the plans shall require review and approval by the plan reviewer.

D. Additional special conditions may be imposed on any decision provided it is relevant to an applicable requirement and is needed for a project to meet that requirement.

Sec. 501-5 Types of Subdivisions

A. **Minor subdivisions**

1. The types of conveyances described below shall be considered minor subdivisions. Simple conveyances are applicable in all jurisdictions. The remaining conveyances (family, minor rural land and shared access) are only applicable in Liberty County and Riceboro.

a. Simple conveyances - Subdivisions which meet all the following criteria are considered minor subdivisions:

i. All lots have frontage on an existing public or private street.

ii. If on an existing public street, no improvements to the street are proposed.

iii. If on a private street, the street shall remain private (i.e. not be dedicated to the municipality).

iv. No new streets are proposed.

v. No new construction or expansion of or improvements to municipal, public or community water, sewer, stormwater, reuse water or other similar utilities are proposed.

vi. No dedications to the municipality are proposed.

b. Family conveyances *(Applicable only in Liberty County and Riceboro)*

Subdivisions which meet the criteria below are considered minor subdivisions. The original parcel and resulting lots in a family conveyance subdivision may be further subdivided but not as a family conveyance subdivision. As set forth in Sec. 501-9 [Exceptions], a family conveyance subdivision may be allowed an exception from the design requirements.

i. The applicant certifies to LCPC that the applicant's intended division of the land is only for conveyance to one (1) or more family members. A "family member" is defined as the applicant's spouse, natural or adopted children, stepchildren, father, mother, sister, brother or grandchildren.

ii. The land is currently zoned agricultural (A-1) or agricultural residential (AR-1).

iii. The resulting lots will be used for single-family residential or agricultural uses.

iv. The division of land must be into fifteen (15) or fewer lots.

v. No new public streets or other public infrastructure improvements are involved.

vi. All resulting lots shall be a minimum of one (1) acre in area.

vii. Either the conditions of paragraphs (1) or (2) below shall be met:

(1) All lots have frontage

(a) The resulting lots meet the required frontage for the zoning of the property, or

(b) There are only two resulting lots, each with the maximum feasible direct frontage on an existing county or public road, but in no cases shall the frontage be less than thirty (30) feet.

(2) Not all lots have frontage

(a) If not all of the resultant lots have direct access that meet the required frontage for the zoning district to an existing public street, then the plat shall include a permanent, nonexclusive 60-foot access easement from an existing public street to all lots which do not have access with required frontage to existing public streets, and the easement is otherwise equal to the standard of the governing authority in which the division of land is being made.

(b) All resultant lots abutting such platted access easement shall include a disclosure that the easement or street shall be maintained by the owners of the abutting lots within the subdivision and the governing authority has no responsibility whatsoever for its maintenance and repair until and unless it is improved to approved street standards at the abutting property owners' expense and dedicated and accepted by the governing authority.

c. Minor rural land Conveyances *(Applicable only in Liberty County and Riceboro)*

Subdivisions which meet the criteria below are considered minor subdivisions. The original parcel and resulting lots in a minor rural land conveyance subdivision may be further subdivided but not as a minor rural land conveyance subdivision.

i. The land is currently zoned agricultural (A-1) or agricultural residential (AR-1).

ii. The land may be divided into no more than ten (10) lots.

iii. Minimum parcel size shall be five (5) acres and the minimum lot width shall be one hundred fifty (150) feet.

iv. If all resulting lots do not have direct access that meet the required 150-foot frontage to an existing public street, then the plat shall include a permanent, nonexclusive 60-foot access easement from an existing public street to all lots which do not have access with required frontage to existing public streets, and the easement is otherwise equal to the standard of the governing authority in which the division of land is being made.

v. All resultant lots abutting the platted access easement in subparagraph (iv) above shall include a disclosure that the easement or street shall be maintained by the owners of the abutting lots within the subdivision and the governing authority has no responsibility whatsoever for its maintenance and repair until and unless it is improved to approved street standards at the abutting property owners' expense and dedicated and accepted by the governing authority.

vi. In order to ensure the proper provision of emergency or other services by the county or other entities, when any dwelling units are constructed on any lot served by the easement described in above, no certificate of occupancy shall be given until a street meeting the standards contained in Sec. 504-7(G) [Unpaved minor streets] is constructed by the property owners. All such streets shall be private streets and meet all requirements for a private street exception (see Sec. 501-9 [Exceptions], other than paving.

d. Shared access conveyances *(Applicable only in Liberty County and Riceboro)*

It shall be considered a minor subdivision if a minimum 30-foot-wide exclusive driveway access easement is proposed to serve not more than two lots in A-1 and AR-1 zoned areas. The two resulting lots shall share the common exclusive driveway access easement and shall not be further subdivided in the future unless the driveway easement is upgraded to the applicable standards for a public or private road.

2. Minor subdivisions shall not require a sketch review or preliminary plat approval.

3. Final plats for minor subdivisions shall comply with the application and plat requirements in Article 503 [Final Review].

4. Final plats shall be approved by LCPC if all the lots meet the lot standards of the applicable zoning district and any other applicable requirements of this Ordinance.

B. **Major subdivisions**

Major subdivisions are all subdivisions that are not minor and shall comply with the requirements of this Division.

C. **Conservation subdivisions**

A conservation subdivision is a form of subdivision that permits flexibility of design in order to promote environmentally sensitive and efficient uses of the land. With land subdivided through a conservation subdivision regulation, the local government can preserve unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat. Conservation subdivisions enable clustering of houses and structures on less environmentally sensitive soils which will reduce the amount

of infrastructure (including paved surfaces and utility easements) necessary for residential development. The procedure for review and approval of conservation subdivisions is included in Article 505 [Conservation Subdivisions].

Sec. 501-6 Amendments to Approved Subdivisions Plats

A. **Minor amendments** – Minor amendments include modifications which are not considered major amendments. Minor amendments to an approved final plat shall be reviewed by LCPC which shall approve the amended plat if it conforms to the requirements of this Division.

B. **Major amendments**

1. Any of the following shall be considered major amendments:
    a. An increase in the number of lots.
    b. Significant modification to the basic layout of the street system such as removal of a connection, realignment of a street, change of a cul-de-sac from temporary to permanent, or change in the width of the street or its ROW.
    c. A reduction or elimination of a designated common area, feature or amenity that was an essential element of the project or required by the general development plan (for a PUD).
    d. A modification to any special condition of approval.
    e. A change of a required improvement that necessitates a change to an easement.
2. Major amendments to an approved final plat shall require the applicant to resubmit the subdivision plat for review by LCPC and action by the governing authority (Planning Commission recommendation not required).
3. If the amendment relates to a requirement or provision that has changed since the original approval, it shall conform to the new requirement or provision to the extent feasible.

Sec. 501-7 Amendments to Approved Construction Plans

It is understood that field adjustments are likely during construction. However, if such adjustments result in substantial changes to the approved plans, PRIOR to implementing the adjustments, the applicant shall inform the plan reviewer of the changes who shall determine if review and approval of the changes are warranted. Examples of substantial changes include changing the size of drainage facilities, changing pipe sizes or locations, changing location or type of streetlight, etc.

Sec. 501-8 Variances

A. An applicant may request in writing a variance from the design requirements of this Division and the governing authority shall be authorized to grant a variance, upon hearing a recommendation of the Planning Commission. Such variances, and the reasons for granting them, shall be entered into the minutes of the governing authority.

B. A variance shall be granted if the applicant can demonstrate to the satisfaction of the governing authority that ALL the criteria below are met. In rendering a decision in favor of

the applicant, the governing authority may attach such conditions it considers necessary and appropriate under the circumstances.

1. There are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property;
2. The application of the requirements to this particular property would create an unnecessary hardship;
3. The variance, if granted, represents the minimum variance that will afford relief and will represent the least modification possible; and
4. The variance, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Division.

Sec. 501-9 Exceptions

A. **Paving, sidewalks and private streets** *(Not applicable in Hinesville)*

To promote the public welfare and enhance the safety and health of the public, it may be in the best interests of the municipality to modify or provide exceptions to the development and design standards below. Requests for exceptions shall be made by the applicant in writing and action taken by the governing authority upon hearing the recommendation of the LCPC. Such action shall be to grant the exception if it meets the applicable criteria and provided the intent and purpose of this Ordinance are not violated. All exceptions, and the reasons for granting them, shall be entered into the minutes of the governing authority.

1. Paving and sidewalks - Subdivisions containing not more than 10 residential lots may be granted an exception from the paving and sidewalk requirements of this Division provided the following conditions are met:
    a. Minimum lot size shall be 43,560 SF (one acre) and the minimum lot width shall be 100 feet.
    b. The subdivision shall be restricted from further subdivision or extension until the street is paved in accordance with the design standards in effect at the time of application.
    c. The future paving of any street in the subdivision will be at the abutting property owners' expense.
    d. The length of all roads exempted under the provisions of this Article are not longer than 2,500 feet including any cul-de-sac.
    e. All streets shall be private streets and meet all requirements for a private street exception below, other than paving.
2. Private streets - Private streets may be considered as an exception if they meet all the following conditions:
    a. Private streets shall meet the requirements of a public street with respect to platting, construction of infrastructure and inspections.

b. All private streets and street name markers shall be maintained by the owners of the property within such subdivisions and the governing authority has no responsibility whatsoever for their maintenance and repair until and unless the street is dedicated and accepted by the governing authority as provided for herein.

c. All lots or parcels abutting any private street subsequently sold following this exception shall include a disclosure that the street is not a public street, and the street shall be maintained by the owners of the property within such subdivisions and the governing authority has no responsibility whatsoever for their maintenance and repair until and unless the street dedicated and accepted by the governing authority as provided for herein.

d. A property owners' association for all properties that have a right of enjoyment of the private streets shall be created to maintain all private streets, shall be filed with the clerk of superior court and, as a minimum, shall provide for:

   i. mandatory and automatic membership in the property owners' association before any individual properties are sold;

   ii. all owners to have equal access and right to use all shared private facilities;

   iii. perpetual and continued maintenance of the private streets and any open space;

   iv. bond instruments to ensure maintenance of streets and common areas;

   v. bond or tax liability in the case of default;

   vi. the method of assessment of dues;

   vii. maintenance and related costs; and

   viii. restoration in the event of damage or destruction.

e. Maintenance bond

   i. A perpetual maintenance bond with the municipality as the beneficiary as is required for the completed paving, curb and gutter, sidewalks, drainage, water and sewer facilities, and other required improvements. The bond shall be written in the amount of 25% percent of the construction cost of the work. The amount of the maintenance bond shall be reviewed and approved by the plan reviewer as sufficient to cover maintenance.

   ii. The bond may be released or reduced only if the governing authority accepts any or all improvements for maintenance.

f. Failure to maintain

   i. If the property owners' association fails to maintain the private streets and common property in a reasonable condition, the governing authority shall serve written notice upon the association and upon the individual property owners, setting forth the manner in which the organization has failed to maintain common open space and private streets in a reasonable condition.

The notice shall include a demand that these deficiencies of maintenance are corrected within thirty (30) days of the notice.

ii. If the deficiencies are not corrected within thirty (30) days, the municipality, in order to preserve the taxable values of the properties within the development and to prevent the common open space and private streets from becoming a public nuisance, may enter upon the common open space and private streets and maintain it for one year and thereafter until the association is prepared to provide maintenance. The cost of this maintenance by the municipality shall be assessed against the aforementioned maintenance bond or, if the bond has been allowed to lapse, the cost shall be assessed against all properties within the development that have a right of enjoyment of the private streets and shall become a lien upon the properties.

g. Private streets shall always remain open for police, fire, ambulance, and other vehicles of all government agencies.

h. Dedication and acceptance of private streets

i. The property owners' association may petition the municipality to accept the private streets, but the municipality is under no obligation to do so.

ii. In order for the municipality to consider accepting the streets, the streets and any other associated improvements (sidewalks, curb, gutters, signage, stripping, etc.) shall be brought up to current standards.

B. **Family conveyance** *(Applicable only in Liberty County and Riceboro)*

1. The improvements as required by this Division may be delayed or waived by the governing authority when the applicant certifies to LCPC that the applicant's intended division of the land is only for conveyance to one (1) or more family members. Such certification shall be in a standard form approved by and include any attachments required by LCPC. (A "family member" is defined as the applicant's spouse, natural or adopted children, stepchildren, father, mother, sister, brother or grandchildren.)

2. In all cases the family conveyance exception must be approved by the governing authority, however, this exemption for the original parcel and the parcels resulting for the subdivision will be allowed only one (1) time. Furthermore, family conveyance subdivisions must comply with the following requirements:

a. Access roads into the subdivision must be accessible to all lots. The road shall be in a 60-foot right-of-way and shall have a minimum of two (2) standard travel lanes.

b. The lot size and required frontage must meet the requirements of the zoning of the property.

c. Subdivision must be accompanied by an affidavit that the road is nonconforming.

d. Should more than fifty (50) percent of the property resulting from the subdivision exemption be conveyed to someone other than a certified family member, the required improvements in this ordinance must be installed at the expense of the property owner. The following requirements shall apply:

   i. No building permit shall be issued until such improvements are complete and accepted by the governing authority.

   ii. No manufactured home or other structure shall be placed on any lot said subdivision until such required improvements are complete and accepted by the governing authority.

   iii. No lot of the subdivision shall be occupied or inhabited until such improvements are complete and accepted by the governing authority.

Article 502
Preliminary Review

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Sec. 502-4 Construction Plan Review Procedure
Sec. 502-5 Preliminary Plat and Construction Plan Requirements

Sec. 502-1 Complete Applications

Except for sketch reviews, no review will take place until an application has been deemed complete. A complete application shall include, as a minimum, the following:

A. Forms – general engineering review application and any other forms provided to the applicant.

B. Fee as provided for in Div. VII.

C. Preliminary plat and construction plans – one full-sized paper copy and one electronic copy which conforms to the requirements in Sec. 502-5.

D. Other submittals required to ascertain compliance with this Ordinance (i.e. hydrology report, etc.).

Sec. 502-2 Sketch Review

A. Prior to the filing of a preliminary plat and plans, the applicant is encouraged to submit a sketch plan of the proposed subdivision. The sketch plan may be a simple freehand drawing showing the subdivision and its relation to the surrounding area.

B. The purposes of the sketch plan is to assist the applicant prior to extensive site planning for the preparation of the preliminary plat, to enable the applicant to become familiar with the regulations affecting the land to be subdivided, to outline what submittals will likely be required and to answer basic questions of procedure and the like.

Sec. 502-3 Preliminary Plat Review Procedure

A. **General**

1. Preliminary plats shall be prepared by a surveyor licensed in the State of Georgia and shall conform to the design requirements and required improvements provisions in Article 504 [Design and Improvements].

2. The applicant or authorized representative shall be present at all meetings at which the plat is to be considered. If the applicant or authorized representative is not present, the matter may be tabled.

B. **Review for conformance (LCPC)**

1. The plat shall be forwarded to and comments solicited from municipal officials such as the manager, mayor or administrator, building inspector, emergency services personnel and utility department personnel.

2. LCPC shall review the plat for conformance to the requirements of this Division and all applicable provisions of this Ordinance. Any deficiencies or comments shall be provided to and addressed by the applicant. Upon a determination that the plat conforms to all requirements, the applicant shall submit an electronic copy and up to 4 paper copies as required by this Ordinance or as requested by LCPC.

C. **Review and recommendation (Planning Commission)**

Upon receipt of the above-referenced electronic copy of the plat, it shall be placed on the agenda of the next available Planning Commission meeting. At the meeting, LCPC shall present the plat and its recommended action. The Planning Commission shall recommend a course of action for the governing authority.

D. **Action (governing authority)**

The Planning Commission's recommendation shall be presented to the governing authority at its next available regular meeting. The governing authority shall either approve, with or without conditions, or deny the plat.

Sec. 502-4 Construction Plan Review Procedure

A. **Review and approval**

1. Construction plans shall be prepared by a professional engineer registered in the State of Georgia and shall conform to the design requirements and required improvements provisions in Article 504 [Design and Improvements] and other applicable provisions of this Ordinance.

2. The plans shall be forwarded to, and comments solicited from, appropriate municipal officials such as the manager, mayor or administrator, building inspector, emergency services personnel and utility department personnel.

3. The plan reviewer shall review the plans for completeness and conformance to the requirements of this Division and all applicable provisions of this Ordinance. Any deficiencies or comments shall be provided to and addressed by the applicant.

4. The plans shall be approved by the plan reviewer, with or without conditions, if the plans conform to this Division and all applicable provisions of this Ordinance. Upon approval, the applicant shall submit an electronic copy and 3 paper copies marked "For Construction". No construction shall commence until the plans have been approved.

5. Approval disclaimers

   a. Approval of plans does not relieve the owner/developer, designer, and contractor or their representatives from their individual or collective responsibilities to comply with provisions of other local, state, and federal regulations.

b. All design liability remains with the professional engineer who signed and sealed the approved plans and supporting documents and such liability cannot be assumed or assigned to the plan reviewer.

c. Approval of the plans is not to be construed as a check of every item in the submitted documents and does not prevent the plan reviewer from hereafter requiring corrections and/or addressing of omissions in the submitted documents and/or construction plans.

B. **Preconstruction meeting**

A preconstruction meeting is required and will not be scheduled until, at a minimum, the electronic and paper copies of the approved plans indicated above have been received and, as applicable, a Notice of Intent, an application for a Land Disturbing Activity (LDA) permit has been received, the initial best management practices (BMPs) for erosion, sediment and pollution control as shown on the plans have been installed and an engineer has certified these BMPs have been installed correctly and in accordance with the plans. No construction shall commence until the construction plans have been approved and, if required, the LDA permit has been issued.

C. **Inspections**

Inspections by the plan reviewer may be conducted throughout the construction of the improvements. Witnessing of testing (i.e. pressure tests, proof rolling, etc.) for improvements that are to be dedicated to the municipality is required unless waived by the plan reviewer.

Sec. 502-5 Preliminary Plat and Construction Plan Requirements

The preliminary plat and construction plans shall include, at a minimum, the information listed below. Additional site or project specific information may also be required if pertinent to demonstrating compliance with the standards.

A. **General requirements**

1. The survey and plat shall conform to State Board of Professional Engineers and Land Surveyors Rule 180-7 “Technical Standards for Property Surveys” and OCGA §15-6-67 “Recordation of plats and condominium plans; specifications”, respectively.
2. Plat shall be at a sufficient scale to permit the study of all elements of the plat but shall not be less than 1 in. = 100 ft. Scale shall be stated and shown graphically.
3. Paper copies of the plat shall not exceed 2’ x 3’ in size.
4. Vicinity map showing the relationship of the subdivision to the surrounding area.
5. Acreage to be subdivided.
6. A drawing legend that includes, at a minimum, symbols used in the plans.

B. **Existing conditions**

1. Contours based on mean sea level and at vertical intervals of not more than two feet.
2. Applicable zoning district and lot development standards.

3. Natural features such as surface water bodies, wetlands (with indication if they are jurisdictional), etc.
4. Manmade features such as existing buildings, foundations, drainage facilities, utilities, etc.
5. Limits of flood zones and floodways, elevations associated with a Zone AE and indication if a LOMC will be sought that will change the flood zone limits and/or elevations of a Zone AE.
6. Adjoining property lines within 50 feet of the subject property, and parcel ID number and names of deed record owners of the land adjacent to the site.
7. Rights-of-way and easements on the subject property and on adjacent property if they extend onto them.
8. Municipal boundaries.
9. In case of a modification to an approved subdivision plat, the approved plat with the proposed subdivision superimposed thereon.

C. **Proposed conditions**

1. Layouts of streets, their associated rights-of-way, centerline lengths and total area, and approved street name or temporary designation.
2. Layout of all lots, including building setback lines and dimensions.
3. A table providing total size and all other information related to the lot standards for each lot such as usable size, width, etc.
4. All easements with indication of width and purpose.
5. All proposed dedications to the municipality with description for same.
6. All other areas such as common areas (i.e. not building lots or areas to be dedicated to the municipality) with indication of intended purposes and ownership.
7. Designation of proposed use of all lots to be used for something other than single-family residential (if any).
8. Layout of utilities and their associated rights-of-way.
9. If the lots will be served by on-site sewage management systems, (OSSMS), documentation from the Liberty County Health Dept. shall be provided which indicates the project has been reviewed and it finds the soils are conducive for the installation of OSSMS or other such similar finding.
10. Any other information related to required improvements and needed to ascertain compliance with the Article 504 [Design and Improvements].

Article 503
Final Review

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Sec. 503-1 Complete Applications

No review will take place until an application has been deemed complete. A complete application shall include, as a minimum, the following:

A. General engineering review application and any other forms provided to the applicant.

B. Fees as required by the fee schedule.

C. One full-sized paper copy and one electronic copy of the final plat which conforms to the requirements in Sec. 503-4.

D. One full-sized paper copy and one electronic copy of the record drawings which conforms to the requirements in Sec. 503-6.

E. Close-out requirements as specified in Sec. 503-5.

Sec. 503-2 Final Plat Review Procedure

A. **Review for conformance (LCPC)**

1. The plat shall be forwarded to and comments solicited from municipal officials such as the manager, mayor or administrator, building inspector, emergency services personnel and utility department personnel.

2. LCPC shall review the plat for conformance to the requirements of this Division and all applicable provisions of this Ordinance. Any deficiencies or comments shall be provided to and addressed by the applicant. Upon a determination that the plat conforms to all requirements, the applicant shall submit an electronic copy and up to 4 paper copies as required by this Ordinance or as requested by LCPC.

B. **Review and recommendation (Planning Commission)**

1. Upon receipt of the above-referenced electronic copy of the plat, it shall be placed on the agenda of the next available Planning Commission meeting. At the meeting, LCPC shall present the plat and its recommended action. The Planning Commission shall recommend a course of action for the governing authority.

2. This notwithstanding, if there are no substantial changes between the preliminary and final plats, a recommendation from the Planning Commission is not required before action is taken by the governing authority on the final plat. In which case, LCPC shall provide a recommendation to the governing authority.

C. **Action (governing authority)**

1. The Planning Commission's or LCPC's recommendation, as applicable, shall be presented to the governing authority at its next available regular meeting. The governing authority shall either approve, with or without conditions, or deny the plat.

2. The applicant or authorized representative shall be present at all meetings at which the plat is to be considered. If the applicant or authorized representative is not present, the matter may be tabled.

D. **Recording of final plat**

Final plats shall not be recorded until the requirements of this Article have been met including but not limited to acceptance of record drawings, receipt of sureties, site stabilized, monuments and markers installed, etc., as applicable.

Sec. 503-3 Survey Requirements

A. Surveys of the subdivision shall be prepared by a surveyor licensed in the State of Georgia and shall conform to the State Board of Registration for Professional Engineers and Land Surveyors Rule 180-7 "Technical Standards for Property Surveys" as currently in effect or as may be amended in the future.

B. Additionally, the survey shall also include at least two monuments designed and designated as control corners which comply with the requirements below. If the subdivision is final platted in phases, the final plat for each phase shall provide these two corner corners.

1. All control corners monuments shall be constructed of concrete and shall be at least four inches in diameter or square and not less than three feet in length.

2. Each monument shall have imbedded in its top or attached by a suitable means, a metal plate of noncorrosive materials and marked plainly with the point, the surveyor's registration number, the month and year it was installed and the words "control corner."

3. Each control corner shall be designated by state plan coordinates which comply with Rule 180-7-.06(2).

4. At least one control corner shall include a permanent benchmark elevation referenced to mean sea level datum for all subdivisions within 15 or more lots or any subdivision located in or adjacent to a designated flood zone other than Zone X.

Sec. 503-4 Final Plat Requirements

Final plats shall conform to OCGA §15-6-67 "Recordation of plats and condominium plans; specifications" as currently in effect and as may be amended in the future. Additionally, they shall include the items below, as applicable.

A. **General**

1. Layouts of streets and their associated rights-of-way, centerline lengths (per street) and total area, and approved street names.
2. Layout of all lots, including building setback lines and dimensions.
3. A table providing total size and all other information related to the lot standards for each lot such as usable size, width, etc.
4. All easements with indication of width and purpose.
5. All proposed dedications to the municipality with description for same.
6. All other areas such as common areas (i.e. not building lots or areas to be dedicated to the municipality) with indication of intended purposes and ownership.
7. Designation of proposed use of all lots to be used for something other than single-family residential (if any).
8. Layout of utilities and their associated rights-of-way.
9. Limits of flood zones and floodways, elevations associated with an AE Zone, current applicable flood map number and effective date, and indication if a LOMC will be sought that will change the flood zone limits and/or elevations of an AE Zone.

B. The applicable surveyor's certification as required in OCGA §15-6-67(c)(3).

C. Certification block as shown in Figure 503.3 and the applicable certification blocks shown in Figures 503.1 and 503.2 at the end of this Article.

D. Certification block from the Liberty County Health Department as shown in Figure 503.4 or as otherwise required by the Department.

Sec. 503-5 Close-out Requirements

A. **General**

The following are the general requirements to close-out a major subdivision. The required submittals and site considerations shall be reviewed for completeness, accuracy and compliance with this Ordinance, all of which shall be required prior to recording of the final plat.

B. **Procedure**

As the construction of improvements is nearing completion, the plan reviewer will provide a letter to the developer and their engineer outlining the requirements herein to close out the project, as applicable and as determined by the plan reviewer. The plan reviewer may require additional information than what is included in this section provided it is pertinent to determining compliance with this Ordinance.

C. **Required submittals** *(in addition to the final plat)*

1. A written certification that they have inspected all components of the development and finds all construction, including but not limited to the installation of all drainage systems, streets, sidewalks, street trees, water, non-portable reuse water lines, and sewer systems to be in substantial compliance with the approved plans and specifications and the standard specifications of the governing authority.
2. A signed and sealed set of record drawings as set forth below.
3. A detention pond certification in a form provided by the plan reviewer.
4. A signed and sealed as-built hydrology report indicating compliance with the requirements of Article 406 [Drainage Control].
5. If not already provided to the inspector, testing results (i.e. pressure, leakage, drawdown, etc.) showing satisfactory results.
6. Engineer's estimates for the cost of improvements as provided for in Sec. 503-7 [Outstanding Improvements and Performance Sureties] and Sec. 503-8 [Maintenance of Required Improvements]. Upon review and approval of the estimates, performance and maintenance sureties will be required.
7. The final streetlighting plan as provided for in Sec. 504-10 [Streetlighting] and, if power is provided by Georgia Power, the copies of the items indicated in Sec. 504-10.C.2.
8. Documentation that the US Postal Service has approved the location of the cluster mailbox units.
9. A signed Stormwater Management Agreement and the associated Stormwater Facilities' Maintenance Plan (for privately owned and maintained stormwater facilities).
10. Dedication plat and deed for any lands being dedicated to the municipality as provided for in Sec. 503-9 [Dedication and Acceptance of Improvements].
11. List of approved street names.
12. List of proposed street signs with accurate ranges and map showing proposed location of signs.
13. A copy of the recorded recombination plat (see Sec. 504-12H [Recombination Plat]).

D. **Site considerations**

1. All control measures for the final phase of the erosion, sedimentation and pollution control plan shall be in place and stabilized.
2. All temporary control measures shall be removed.

3. The monuments and permanent property markers shall be installed as required in Sec. 503-3 [Survey Requirements].
4. The sidewalk and street trees shall be installed except along the building lots.
5. The trees in the common areas shall be installed (if TQPs are required).
6. The fencing around the drainage ponds shall be installed.

Sec. 503-6 Record Drawings

A. **Drawing requirements**

1. In general, record drawing shall be a marked-up or annotated copy of the construction plans and shall be prepared by a professional engineer registered in the State of Georgia.
2. Where coordinates are indicated, it is the preferred method of locating the item specified. In lieu of coordinates, at least two measured ties may be provided.
3. The record drawing shall show as-built information for the following, as a minimum:
   a. General location of all utilities.
   b. Coordinates for all service connections.
   c. Coordinates for all hydrants, valves and other water system appurtenances.
   d. Inverts and other elevations for which a design invert or elevation was specified on the construction plans, including but not limited to manholes, culverts, flumes, overflow control structures. The design invert or elevation shall be crossed out and the actual invert elevation shall be indicated.
   e. Final contours of drainage facilities.
   f. As-built water surface elevations of drainage ponds under normal conditions and for the 25- and 100-year storms.
   g. Easements, including the purpose and to whom they are dedicated.

B. **Review and acceptance procedures**

1. The initial submittal of the record drawings shall include one paper copy and one pdf copy.
2. The plans shall be forwarded to, and comments solicited from, appropriate municipal officials such as the manager, mayor or administrator, building official, municipal engineer, emergency services personnel and utility department personnel.
3. Record drawings shall be reviewed by the plan reviewer who shall accept them upon a determination that the drawings are complete. Once accepted, one paper copy and one pdf copy shall be submitted to the plan reviewer. Additionally, a dwg file may be required in some jurisdictions.
4. By accepting the record drawings and supporting documentation, the plan reviewer is concurring that the drawings are complete and contain the information required by this Ordinance. The plan reviewer does not assume responsibility for the accuracy of the

documents, as that remains with the professional engineer who signed and/or sealed the documents.

Sec. 503-7 Outstanding Improvements and Performance Sureties

In lieu of requiring the completion of all required improvements prior to the acceptance of a final plat, the governing authority may, at its discretion, accept a surety from the developer, whereby the developer shall guarantee to complete all required improvements specified in Article 504 [Design and Improvements] or otherwise specified by the Planning Commission, to the satisfaction of the governing authority. Such performance surety shall comply with the requirements below.

A. **Timeframe to complete improvements** - Remaining primary improvements shall be completed within 6 months and remaining secondary improvements shall be completed within 2 years from the date of final plat approval by the governing authority.

B. **Amount of the sureties** – With the submittal for final plat approval, the developer's engineer shall provide an estimate cost for construction or a copy of the construction contract for all remaining improvements. Upon a finding the cost estimate provided is adequate to complete the work and prior to consider of the final plat by the governing authority, the developer shall provide sureties in the form described below and in the amount of 120% of the approved construction cost of the remaining required improvements.

C. **Duration of the surety** - The time of guarantee shall be 12 months and shall automatically renew until released by the governing authority.

D. **Form of the surety** – The surety shall be one of the following:

1. performance bond,
2. irrevocable letter of credit,
3. cash bond and escrow agreement, or
4. such other security arrangements as may be approved by the governing authority.

E. **Terms of surety**

1. The work covered by the performance surety shall be satisfactorily completed by the timeframe indicated above. If the developer fails to complete the work in a timely and/or satisfactory manner, the governing authority may inform the developer and utilize bond funds or guarantee funds as needed.
2. The surety will not be released until the improvements have been satisfactorily completed and a maintenance surety has been provided pursuant to Sec. 503-8.

Sec. 503-8 Maintenance of Required Improvements

A. **General** - A surety from the developer is required prior to acceptance of such improvements whereby the developer shall guarantee maintenance of the completed primary and secondary improvements. For the remaining improvements described above, the maintenance surety shall be provided after such work is complete and the performance surety will not be released until the maintenance surety has been submitted.

B. **Amount of the surety** - The developer's engineer shall provide the cost for construction for the completed improvements. Upon approval of the costs, the developer shall provide a surety in the form described in Sec. 503-7(D) and in the amount of 15% of the approved construction cost of the completed improvements.

C. **Duration of the surety** - The time of guarantee shall be 2 years from the date of acceptance of the improvements by the governing authority (see Sec. 503-9 [Dedication and Acceptance of Improvements]).

D. **Terms of the surety**

1. During the period of the 2-year guarantee, any maintenance, replacement or repair required will be the responsibility of the developer. Prior acceptance by the governing authority shall not relieve the developer of responsibility for subsequent failures occurring within the period of the 2-year guarantee. Any required maintenance or repairs shall be completed prior to release of the bond.
2. If at any time during the 2-year period, the developer fails to make prompt repairs or fails to maintain the road to the satisfaction of the governing authority, the governing authority may inform the developer and utilize bond funds or guarantee funds as needed.
3. At least 30 days prior to the expiration of the maintenance surety, the plan reviewer shall coordinate with the building office and other municipal officials to schedule a final inspection. The purpose of the final inspection is to ascertain whether any maintenance is needed for the required improvements.
4. Upon the expiration of the 2-year period, the governing authority will assume maintenance of the accepted improvements.

Sec. 503-9 Dedication and Acceptance of Improvements

A. **Dedications and acceptance - General**

1. Approval of the preliminary plat constitutes the governing authority's intent to accept the dedications and improvements noted thereon.
2. Approval of the final plat does not constitute acceptance of the dedications or improvements. The governing authority shall take action to approve and accept the improvements as specified herein and such action shall be recorded in the minutes of the governing authority.
3. Prior to acceptance of improvements in a subdivision, the final plat shall be recorded, the improvements shall be approved by the plan reviewer as provided for below, and a maintenance surety shall be in place as provided in Sec. 503-8 above.

B. **Approval of improvements**

The plan reviewer shall approve the improvements if they have been constructed in accordance with the approved plans, the requirements of this Ordinance and any jurisdictional specifications and standards. Such approval shall require compliance with the close-out requirements set forth in Sec. 503-5, at a minimum and as applicable.

C. **Deeds conveying property to the municipality**

1. It shall be the developer's responsibility to prepare deeds to convey property that is being dedicated to the municipality as shown or indicated on the final plat, including but not limited to streets, public lands and land upon which there is infrastructure (i.e. pump stations).
2. The deeds shall be submitted with the final plat. If any edits are required by the governing authority, it shall be the developer's responsibility to provide such edits.
3. If property includes an improvement (i.e. street or pump station) which is not complete and/or has not be approved, the governing authority reserves the right to not sign or record the deed until such time as the improvement thereon is complete and/or accepted.

Figure 503.1(A)

Certification Block for Ownership and Dedication

(to be used if owner is an individual)

Certificate of Ownership and Dedication

I hereby certify that I am/we are the owner(s) of record for the property shown and described hereon, and all streets, alleys, walks, rights-of-ways, utilities, easements, parks and any sites for public or private use as noted on this plat are hereby dedicated to the entity indicated and for the use intended.

_____ _____

Owner Signature Date

_____

Printed Name

_____ _____

Owner Signature Date

_____

Printed Name

Figure 503.1(B)

Certification Block for Ownership and Dedication

(to be used if owner is a corporation)

Certificate of Ownership and Dedication

As a duly authorized principal for *(name of corporation)*, I hereby certify said corporation is duly organized and existing under the laws of the State of Georgia and is the owner of record for the property shown hereon. I further certify all streets, alleys, walks, rights-of-ways, utilities, easements, parks and any sites for public or private use as noted on this plat are hereby dedicated to the entity indicated and for the use intended.

_____ _____

Signature of duly authorized principal Date

_____

Printed Name

_____

Title

Figure 503.2(A)

Certification Block for Compliance and Improvements

(to be used if all improvements have been installed)

Certificate of Compliance and Installation

I do hereby certify this subdivision plat has been found to comply with the Liberty County Unified Development Ordinance. I further certify all streets, utilities and other required improvements for the property shown hereon have been installed in an acceptable manner.

_____ _____

Signature of Plan Reviewer Date

_____

Printed Name

_____

Title/Company

Figure 503.2(B)

Certification Block for Compliance and Improvements

(to be used if not all improvements have been installed)

Certificate of Compliance and Installation

I do hereby certify this subdivision plat has been found to comply with the Liberty County Unified Development Ordinance. I further certify 1) that not all streets, utilities and other required improvements have been installed, but those that are in place have been installed in an acceptable manner and, 2) that a guarantee of installation of the remaining required improvements has been received.

_____ _____

Signature of Plan Reviewer Date

_____

Printed Name

_____

Title

Figure 503.3

Certification Block for Approval by Governing Authority

Certificate of Approval

I do hereby certify this subdivision plat was approved by the *(name of municipality)* at a duly-convened meeting on the _____ day of _____, 20___.

_____ _____

Signature of City clerk or County Administrator Date

_____

Printed Name

_____

Title

Figure 503.4

Certification Block for On-Site Sewage Management System (OSSMS)

(may be modified if required by the Liberty County Dept. of Health)

Certificate of Approval

Based upon the representations of the engineer/surveyor whose seal is affixed hereto and supplementary information provided, a review of the plat as represented by the said engineer/surveyor finds that this plat complies with the On-Site Sewage Management System (OSSMS) regulations for a typical size residence of 3 or 4 bedrooms with basic appurtenances. Each lot must be reviewed and approved for OSSMS placement prior to the issuance of a construction permit. Modifications or changes in site designation may void this approval.

_____ _____

Signing Authority Signature Date

_____

Printed Name

_____

Title

Article 504
Design and Improvements

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Sec. 504-1 Purpose and Applicability

A. A well-designed subdivision includes improvements that provide for the safety and security of all citizens, includes adequate open spaces for recreation and circulation, preserves and protects our wetlands, streams, and marshes, and promotes the overall public good. A subdivision means little to a prospective lot buyer until such buyer can see actual physical transformation of raw land into lots with all necessary improvements provided. Likewise, a subdivision is not an asset to the community until the necessary improvements have been installed and provide adequate levels of service.

B. In order that prospective lot purchasers may get useable products and new subdivisions may be an asset rather than a liability to the community, the subdivider shall install the improvements in Sec. 504-2 [Primary Required Improvements] and Sec. 504-3 [Required Secondary Improvements] which are deemed necessary to serve the subdivision. Such installation shall conform to the requirements thereof and the cost for installation shall be borne by the subdivider.

Sec. 504-2 Primary Required Improvements

The following are considered primary improvements and installation and construction of these improvements shall be as indicated or referenced below and shall be shown on the construction plans.

A. **Water** – All lots, tracts or parcels created for development shall be served by a water source in conformance with Sec. 504-5.

B. **Sewer** – All lots, tracts, or parcels created for development shall be served by a sewer system in conformance with Sec. 504-6 unless such lot will not have water service and such lot will be developed with a use that does not require water and sewer service.

C. **Stormwater** – An adequate stormwater system shall be installed in the subdivision in conformance with Article 405 [Drainage Control] and, as applicable, Sec. 504-12(C) [Easements]

D. **Non-potable reuse water** – All lots, tracts or parcels within the subdivision shall be served by a non-potable reuse water line (NPRL) if any such lots, tracts or parcels are within a ½ mile of an active or inactive public NPRL. Such installation shall be in conformance with any standards and specifications of the governing authority and/or as approved by the plan reviewer.

E. **Streets** – A street system shall be installed that includes, at a minimum and unless otherwise not required: curbs and gutters (Sec. 504-8) and surfacing, striping and signage (Sec. 504-7).

Sec. 504-3 Secondary Required Improvements

The following are considered secondary improvements and installation and construction of these improvements shall be as indicated or referenced below.

A. **Sidewalks** – Sidewalks shall be installed in all subdivisions in conformance with Sec. 504-9 and shall be shown on the construction plans.

B. **Street trees** – Street trees shall be installed in accordance with Article 404 [Tree Protection, Landscaping and Buffering] and, at a minimum, a detail for which shall be shown on the construction plans.

C. **Landscaping** - Any usable common area (i.e. not wetlands, drainage facilities, etc.), greenspace, amenity center, etc., shall comply with the tree and landscaping requirements of Article 404 [Tree Protection, Landscaping and Buffering]. Such landscaping plan shall be included with the construction plans.

D. **Street lighting** – Street lighting shall be installed in conformance with Sec. 504-10. The street lighting plan shall be reviewed and approved prior to final plat approval.

E. **Cluster mailbox stations** – Cluster mailbox stations shall be installed in accordance with Sec. 504-11 and, at a minimum, the location of which shall be shown on the construction plans.

Sec. 504-4 Other Required Improvements

A. **Utilities** – All utilities and systems (electric, telephone, cable, etc.) shall be installed underground. A variance from this requirement may be granted by the governing authority if unique conditions exist that are not a result of the design of the project and if such variance will not be to the detriment to the welfare of the general public.

B. **Other improvements** – Following a detailed review of the impacts of the proposed subdivision on the infrastructure of the systems of the governing authority, other improvements, either on- or off-site, may be required to be installed or paid for by the subdivider. The plan reviewer shall determine and recommend the need for and cost of such other improvements to the governing authority for approval.

Sec. 504-5 Water

A. **Review by others**

1. In many instances, review by EPD, the jurisdictional health department or the County Health Department, herein referred to as "reviewing departments", is required. Construction plans shall not be submitted to these other reviewing departments until the plan reviewer has tentatively or conditionally approved the plans.
2. It shall be the subdivider's responsibility to submit the required plans, forms and fees to the reviewing department and to keep the plan reviewer informed of any action taken by the reviewing department.
3. As applicable, approval by the reviewing department shall be required prior to final approval of the plans by the plan reviewer unless the reviewing department chooses to not review the plans (EPD has this option).

B. **Connection to municipal supply**

1. Subdivisions located in or adjacent to any municipality or located within 500 feet to an existing municipal water system, shall connect to that municipal water system unless the municipality certifies that it will not supply water to the proposed development.
2. Construction of the water system components shall comply with the municipality's standard and specifications and/or the standards and specifications of EPD.

C. **Connection to private supply** - Subdivisions that will not be served by a municipal water supply as described above and which are located adjacent to an existing private water supply may connect to that water supply provided the owner agrees to the connection in writing (recording of this document may be required) and the existing system is capable of providing an adequate supply of water.

D. **Community system** - A community water system shall be installed in a subdivision with more than 50 lots or with potential for more than fifty 50 lots if connection to a municipal system is not required and connection to an existing private system is not an option.

E. **Individual wells** - Individual wells are allowed for a subdivision with 50 or fewer lots or with the potential for 50 or fewer lots if connection to a municipal system is not required and connection to an existing private system is not an option.

F. **Service connections** - When a water main is installed within the right-of-way for a street with abutting lots, a water service line shall be stubbed out to the property line to serve each lot before the installation of curb and gutters and before the street is surfaced. If a service connection is installed that will not be used (e.g. the lot it was going to serve will no longer need service or was eliminated), the removal of the service connection may be required in a manner specified by the plan reviewer.

G. **Fire protection**

1. For developments with municipal or community water systems, appropriate water sources, water flows and pressures must be provided for fire protection. The plan review may require approval by the governing authority's fire chief or coordinator. Hydrants shall be installed and located no more than 500 feet apart.

2. To provide redundancy for fire protection, developments connected to the municipal water system which have two or more accesses to existing streets (see Sec. 504-7(C)(3) [access to adjacent properties]) shall provide at least two connections to the existing water system unless it can be demonstrated sufficient redundancy is otherwise provided. Each connection to the municipal system shall be a water main not less than 6 inches in diameter unless the water main being tapped is smaller than 6 inches.

3. For developments of more than 10 lots and where all lots are an acre or larger and served by individual private water systems, dry hydrants or other means of fire protection shall be considered.

4. For either of the following developments with individual water systems, no provision for community or central fire protection is required, but individual building protection (such as sprinkler systems) is encouraged:

   a. subdivisions with 10 or fewer lots and all lots are an acre or larger; or

   b. subdivisions with any number of lots, all of which are 3 acres or larger.

Sec. 504-6 Sewer

A. **Review by others** – Review and/or approval by other departments may be required as outlined in Sec. 504-5(A) above.

B. **Connection to municipal system**

1. Subdivisions located in or adjacent to any municipality or located within 500 feet to an existing municipal water system, shall connect to that municipal water system unless the municipality certifies that it will not supply water to the proposed development.

2. Construction of the water system components shall comply with the municipality's standard and specifications and/or the standards and specifications of EPD.

C. **Connection to private system** - Subdivisions that will not be served by a municipal sewer system as described above and which are located adjacent to an existing private sewer system may connect to that system provided the owner agrees to the connection in writing (recording of this document may be required) and the existing system is capable of providing adequate treatment and disposal.

D. **Community system**

1. In areas not served by municipal sewer systems or other public systems, a community sewer system shall be installed in a subdivision with 50 or more lots or with potential for 50 or more lots.

2. Variances

a. A variance from this requirement for subdivisions with 50-100 lots or the potential for that many lots may be granted by the governing authority if all the lots are 1 acre or larger and the soil conditions are able to support the required number of on-site sewage disposal systems. At a minimum, the variance request must be accompanied by a detailed soils report by a qualified professional attesting to the conditions of the site and any other information necessary to ascertain compliance with applicable standards for the on-site systems. The plan reviewer shall provide a recommendation to the governing authority, which shall act on the request.

b. For subdivisions with over 100 lots or with potential for more than 100 lots, a variance from the requirement for a community sewer system may be granted only if all the lots are 5 acres or larger, the soil conditions are able to support the required number of on-site sewage disposal systems and if the conditions for granting the variance as outlined above exist. The variance request must be accompanied by a detailed report by a qualified soil professional and a qualified engineer attesting to the conditions of the site. The plan reviewer shall provide a recommendation to the governing authority, which shall act on the request.

E. **Individual septic system** - Individual septic systems are allowed if connection to a municipal system is not required, connection to an existing private system is not an option and a variance has been granted such that a community sewer system is not required.

F. **Service connections** - When a sewer line is installed within the right-of-way for a street with abutting lots, a sewer service connection shall be stubbed out to the property line to serve each lot before the installation of curb and gutters and before the street is surfaced. If a service connection is installed that will not be used (e.g. the lot it was going to serve will no longer need service or was eliminated), the removal or capping of the service connection may be required in manner specified by the plan reviewer.

G. **Pump stations** – Controls for pump stations shall not be mounted on wood but on stainless steel or other such durable material as allowed by the plan reviewer upon consultation with the county or city engineer or the operator of the sewer system.

Sec. 504-7 Streets

A. **General**

1. There shall be no private streets platted in any subdivision.

2. Reserved strips or tracts at the terminus or along a new street shall be prohibited.

3. The general design standards for streets shall be as shown in Table 504.1 below.

Table 504.1 – General Street Design Standards					
	Min. ROW (ft.)	Min. Travel Lane Width (ft.)	Design Speed (MPH)	Min. Vertical Curve Radius (ft.)	Min. Stopping Distance (ft.)
Local	60	11	30	275	200
Collector	60	12	35	350	240
Arterial	80	12	40	500	275

B. **Travel lanes and accommodations for parked vehicles**

1. The minimum width of the travel lanes indicated in Table 504.1 above shall not include the gutters.
2. In order to prevent residents' cars from parking on or otherwise impeding sidewalks within a residential subdivision, if the front setback requirement is less than 20 feet, at least one of the following shall be provided:
   a. travel lanes at least 13 feet wide and no prohibition on overnight parking on one side of the street,
   b. parking spaces along the street (outside of the travel lanes), and/or
   c. off-street pocket parking lots conveniently located for residents.

C. **Layout**

1. Conformity to existing maps or plans - The location and width of all proposed streets shall be in conformity with official plans and maps and with existing amended plans of the governing authority.
2. Continuity
   a. The proposed street layout shall be coordinated with the street system of the surrounding area. Where possible, existing major streets shall be extended to connect with adjacent properties and the use of cul-de-sacs should be avoided, except when no other option is feasible.
   b. Provisions for internal circulation for vehicles, pedestrians, and bicycles should be incorporated into the development, and the ability to provide cross access to adjacent parcels should be considered.
3. Access to adjacent properties
   a. It is desirable to provide for street access to adjoining property. Proposed streets shall be extended to the boundary of such property and a temporary turnaround shall be provided, unless the governing authority approves another system for access.
   b. Where feasible, each subdivision shall provide at least two (2) points of access (streets) to public streets that are existing predevelopment. However, in a subdivision with, or the potential for, seventy-five (75) or more lots, two (2) or more access streets that are existing predevelopment shall be provided unless

the development can meet the standards for a variance as provided for in Section 501-8 [Variances].

4. Minor streets

   a. Minor streets shall be so laid out that their use by through-traffic will be discouraged.

   b. Houses fronting on minor streets shall have access from minor streets only.

   c. Other provisions for unpaved minor streets are included in Sec. 501-9 [Exceptions] and subsection G below.

5. Alleys

   a. Service alleys, drives and lanes may be required in multiple dwelling, commercial and industrial developments and shall have a minimum surface treatment width of 15 feet.

   b. Service alleys, drives and lanes shall not be allowed in one-family and two-family subdivisions unless the subdivider provides evidence satisfactory to the governing authority of the need for them.

6. Railroads and highways - Railroad ROWs and limited access highways where so located as to affect the subdivision of adjoining lands shall be treated as follows:

   a. In residential districts, a buffer strip not less than 25 feet in depth in addition to the normal depth of the lot required in the district shall be provided adjacent to the railroad ROW or limited access highway. This strip shall be part of the platted lots and shall be so designated on the plat: "This strip is reserved for the planting of trees and shrubs by the owner. The placement of structures hereon is prohibited."

   b. In districts zoned for business, commercial, or industrial uses, the nearest street extending parallel or approximately parallel to the railroad shall, wherever practical, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.

   c. All other streets which are parallel to the railroad, when intersecting a street that crosses the railroad at grade, shall, to the extent practicable, be at a distance of at least 150 feet from the railroad ROW. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

D. **Alignment**

1. Street jogs - Street jogs with centerlines offset by less than 150 feet are prohibited.

2. Right-angle intersections - Street intersections shall be as nearly at right angles as practicable.

3. Cul-de-sacs

   a. A minor street having a permanent dead end or otherwise not having an outlet must be provided with a turnaround having a roadway diameter of at least 80 feet and a right-of-way diameter of at least 100 feet.

   b. In no cases shall a cul-de-sac be more than 900 feet in length.

c. Temporary dead-end streets shall not be longer than 900 feet and shall be provided with a turnaround having a minimum 30-foot radius.

4. Horizontal curves

a. Where a deflection angle of more than 10° occurs in the alignment of a marginal access or minor street, a curve of reasonable radius shall be introduced.

b. A curve shall be introduced at any change in direction of a collector, industrial or commercial service street or major thoroughfare. The centerline radius of curvature shall be as indicated below:

i. major thoroughfares – as determined by GDOT or the plan reviewer.

ii. collector, industrial or commercial service streets - not less than 350 feet.

iii. minor streets - not less than 150 feet unless the topography of the land to be subdivided makes this impractical.

5. Grades - All streets should have a minimum grade of not less than 0.30%. Maximum grades shall be as indicated below:

a. major thoroughfares – as established by the plan reviewer.

b. collector streets – 8% unless topographic conditions make this impractical.

c. minor residential streets – 15% unless topographic conditions make this impractical.

E. **Paving and marking requirements** - All streets must be prepared, paved and marked in conformance with the standards below or applicable standard specifications.

1. Subgrade - The subgrade shall be 24 inches of compacted subgrade material compacted to a minimum of 95% density.

2. Base - The base shall consist of a graded aggregate base course screened 1½ inches or smaller with a thickness of 6 inches after being thoroughly compacted and constructed.

a. All materials shall be secured from an approved source and shall conform to GDOT's minimum acceptable standards for this area.

b. As soon as the base material has been spread and mixed, the base shall be brought to approximate line, grade and cross-section and then rolled with a sheepsfoot roller until the roller walks out and finally with a pneumatic tire or general-purpose roller until full thickness of the base course has been compacted thoroughly. Defects shall be remedied as soon as they are discovered. New materials shall be added if necessary and defective portions shall be entirely removed.

c. The base course shall be maintained under traffic and kept free from ruts, ridges and dusting, true to grade and cross-section until it is primed.

d. No base material shall be deposited or shaped when the subgrade is frozen or thawing or during unfavorable weather conditions.

3. Wearing surface - The wearing surface shall consist of 1½ inches thick bituminous aggregate plant mix Type "E" or "F" or approved equivalent and shall be placed in accordance with the latest edition of the GDOT Standard Specifications for Roads and Bridges.

4. Pavement marking – At a minimum, all stop bars shall be marked. Centerlines and crosswalks shall be painted on and across all collector and arterial streets. Such pavement markings shall conform to GDOT standards. Stop bars and crosswalks shall be shown on the construction plans.

F. **Drainage**

1. Inlets

   a. Inlet spacing shall be limited to a maximum distance of 500 feet unless it can be demonstrated that farther spacing is required for reasons other than minimizing construction costs and that it will not create an undue burden on the City nor have a detrimental effect on the residents in the subdivision or the travelling public.

   b. Gutter spread shall be measured from face-of-curb. Inlets shall be placed such that, for a Type II, 24-hour, 10-year storm frequency, the gutter spread does not exceed 8 feet for an inlet with another inlet on the opposite side of the street. A gutter spread not exceeding 10 feet shall be allowed on a local street if there is no inlet on the opposite side of the street.

2. Flumes

   Flumes shall be designed such that the velocity shall be between 2 and 15 feet per second for the Type II, 24-hour, 25-year storm. Higher velocities may be allowed if it is demonstrated that existing site constraints – and not the general design of the drainage system – necessitates the need to exceed the velocity requirement and extra measures are taken to prevent damage from scour in the flume and erosion at the outlet.

G. **Street names and signage**

1. All proposed street names shall be approved by the applicable entity authorized to do so. It shall be unlawful for any person in laying out any new street or road to name such street or road on any plat, by marking, or in any deed or instrument, without first getting said approval.

2. Street name signs shall be installed at all intersections within a subdivision.

3. The developer shall purchase all necessary traffic control signs in accordance with the MUTCD including but not limited to stop, speed limit, do not enter, etc., or pay into a signage fund. The municipality shall install the speed limit signs but the developer shall be responsible for the installation of all other signs. For public safety reasons, all street name signs shall be installed as soon as possible after final plat approval.

H. **Unpaved minor streets** - All unpaved minor streets which are approved as an Exception in Sec. 501-9 [Exceptions] shall be designed and constructed in accordance with the following minimum specifications and standards:

1. The street shall have a minimum ROW of 60 feet wide, with the roadbed and travel portion of the street centered within the ROW.

2. The roadbed shall be a minimum of 30 feet wide with a minimum crown of 6 inches to centerline.

3. Where necessary for drainage, roadside ditches shall have a flat bottom with a minimum width of 24 inches. All back slopes where required will consist of a minimum slope ratio of 2:1.

4. Travel portion

   a. The travel portion shall be a minimum of 22 feet wide and have grassed shoulders with a minimum slope ratio of 3:1.

   b. The top 6 inches of the travel portion shall be compacted to a minimum 95% standard proctor density. Tests for compaction shall be located no more than 500 feet apart and staggered to right and left and on centerline. Test reports shall be supplied by the developer at the request of the plan reviewer.

   c. Stabilization requirements of the travel portion shall be based on the plan reviewer's recommendation as to the type and amount. The recommendation shall be based on consideration of the type of soils, drainage, estimated traffic volumes and types and surrounding topography.

5. All drainage culverts for unpaved streets shall be of material specifications according to the GDOT. A minimum of one (1) foot of cover on all pipes is required.

6. All unpaved streets that tie into paved streets shall require a 24-foot-long apron paved in accordance with minimum paving requirements of subsection E above.

I. **Existing streets** - If the subdivision abuts an existing street which does not meet the minimum ROW as indicated in the street design standards in Table 504.1, half of the ROW deficiency shall be dedicated along the frontage of the property to be subdivided (i.e. if the existing ROW is 40 feet and it requires 60 feet, the ROW along the frontage of the property to be subdivided shall be increased by 10 feet).

Sec. 504-8 Curbs and Gutters

A. Concrete curbs and gutters shall be installed along new streets. Existing public streets that are included in or are adjacent to the development or subdivision shall be developed and improved to the same curb and gutter and sidewalk standards as new streets. This notwithstanding, the governing authority may approve streets without curbs and gutters when the development is designed to be of "low impact design" to reduce the quantity and enhance the quality of stormwater runoff.

B. The width of the curb and gutter shall not be less than 24 inches. A narrower width may be approved by the plan reviewer upon demonstration by the subdivider that meeting this requirement is not feasible and a narrower width would not be a detriment to the safety of the general public. A wider width may be required to provide adequately for unusual soil conditions, extraordinary traffic volume or other abnormal conditions.

Sec. 504-9 Sidewalks and Crosswalks

A. Sidewalks shall be installed on both sides of all new streets. Existing public streets that are included in or are adjacent to the development or subdivision shall be developed and improved to the same sidewalk standards as new streets. The governing authority may waive the requirement for a sidewalk where unusual conditions exist which eliminate the necessity for sidewalks. Where a waiver is granted, the developments may be required to provide for other means of pedestrian mobility and connectivity to adjacent parcels and developments.

B. Unless otherwise required by specific design review standards or applicable standard specifications, all sidewalks shall be a minimum of 5 feet wide and constructed of concrete. Where it is deemed necessary for public safety, the governing authority may require either additional sidewalks, off-road pedestrian paths, or wider sidewalks than 5 feet.

C. All sidewalks shall include ramps and shall be ADA-compliant. Curb ramps shall also comply with the Access Board's Public Right-of-Way Accessibility Guidelines as currently proposed or as may be amended or adopted in the future.

D. For residential subdivisions, sidewalks shall be installed on both sides of new streets and there shall be a minimum 2-foot-wide greenstrip between the back of curb and the sidewalk.

E. Except for sidewalks along individual lots, all sidewalks shall be installed prior to final plat approval. Sidewalks along individual lots may be installed at the time of home construction and made a condition of the certificate of occupancy. A performance bond shall be required for all sidewalks not constructed prior to final plat approval as provided for in this Division and such sidewalks shall be installed within 24 months of final plat approval.

F. In addition to where they are otherwise required herein, crosswalks may be required where it is deemed necessary for safe pedestrian circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities. Crosswalks shall be a minimum of 8 feet wide for a standard 5-foot-wide sidewalk, or if sidewalk is wider than 5 feet, the crosswalk shall be 2 feet wider than the sidewalk.

Sec. 504-10 Streetlighting

A. Streetlights shall be installed on all new streets in accordance with the provisions herein.

B. **Plan**

1. A preliminary streetlighting plan shall be submitted with the construction plans. The plan shall be developed by the engineer of record as they have the knowledge of all conflicting elements of the plans.

2. The preliminary plan shall be reviewed for compliance with this Division and the engineer shall provide it to the power company to finalize in coordination with the plan reviewer, if needed. The final streetlighting plan shall be submitted with the final plat and other close-out documents.

3. Some municipalities may request to review and/or approve the plan. If so, the plan reviewer shall coordinate such review with the municipality.

C. **Standards**

1. Streetlighting shall provide a minimum of 0.2 foot-candles of illumination of all sidewalks and streets. Small sections (i.e. < 100 feet) of lower illumination levels on local streets only may be allowed at cul-de-sacs and mid-block but not at intersections or mailbox kiosks.

2. Lighting fixtures shall be fully shielded and cut-off with an illumination pattern designed to minimize spill light outside the right-of-way. The style of the fixtures shall be consistent throughout the subdivision. Pole height shall not exceed 16 feet on local streets and 25 feet on collector streets. Higher pole heights on collector streets may be allowed if it is demonstrated a higher height is needed for safety purposes.

3. The lighting element shall be LED with a maximum color temperature of 3000K.

D. **Developer's responsibilities**

1. Installation. The developer shall be responsible for coordinating with the power company to have the streetlights installed. It is understood that streetlighting is susceptible to damage if installed within areas still under construction, however, residents should have streetlighting within 30 days of completion of construction in their area. For large subdivisions, this may require streetlighting being installed in stages as areas within the subdivision are occupied.

2. Georgia Power. The requirements below shall be required if streetlighting is provided by Georgia Power.

   a. The developer shall enter into a lighting services agreement with Georgia Power and bear the cost of pre-payment for each fixture. Submittal of a copy of the agreement and proof of payment is a close-out requirement (see Sec. 503-5).

   b. The developer shall acknowledge in writing they are responsible for transferring the electric account for the streetlights to the municipality (the form of the acknowledgement shall be provided by the plan reviewer). Such transfer shall not take place until the developer has received and paid for at least one month's electric bill for the lights.

Sec. 504-11 Cluster Mailbox Stations

A. **General** - Cluster mailbox stations shall comply with the provisions herein. Developers will need to contact the Growth Management Coordinator for the US Postal Service for Liberty County for approvals as set forth below (the Liberty Consolidated Planning Commission can provide contact information.) A detail of the cluster mailbox station may be required to be included on the plans.

B. **Location** - The location of cluster mailbox stations shall:

1. be approved by the USPS (documentation required);
2. not adversely impact sight distances at any driveway or road intersection;
3. whenever feasible, be within or adjacent to an amenity center or common area;
4. not require the carrier or customer to stand in the street to deliver or retrieve mail, and
5. not create any vehicular or pedestrian safety issues.

C. **Equipment** - The cluster mailbox unit shall be USPS-approved (documentation required) and installed according to the USPS and manufacturer's standards. It shall include one (1) parcel locker per ten (10) mailbox deliveries.

D. **Shelter** - A canopy is required over outdoor installations of cluster mailbox stations which serve apartment communities. In Hinesville only, a canopy over outdoor installations of cluster mailbox stations shall also be required for all subdivisions with a funded property owners' association.

E. **Vehicle accommodations** - Cluster mailbox stations with 65 or more mailbox deliveries shall require a paved area for off-street parking or a pull-off for vehicles to stack along the travelled way and shall comply with the provisions below. This requirement shall not apply to stations with fewer than 65 mailbox deliveries nor to stations located at an amenity center or common area which has off-street parking.

1. Two spaces shall be provided for the first 65 mailbox deliveries at the station and one (1) additional space shall be provided for every 50 mailbox deliveries over 64 (partial numbers over 0.5 shall be rounded up).
2. A stacking space shall be a minimum of 5' x 20' as measured outside the adjacent travel lane exclusive of any radius or transitioning area to the space. The pull-off shall have a visual and/or physical barrier between the pull-off and the cluster mailbox station. If the barrier is a green strip, it shall be a minimum of 2 feet wide. If it is a curb, it shall be a square or high-back curb. This notwithstanding, a rolled curb may be used if the pull-off is full-width (min. 9 feet wide outside of the travel lane) or if both a curb and green strip (min. 2 feet wide) are provided.
3. Off-street parking shall meet the requirements of Article 402 [Parking Lots].
4. If vehicle accommodations are not provided by off-street parking or a pull-off, the driveways on either side of the station shall be separated by a minimum of 20 feet (to allow at least one vehicle to park at the station without blocking a driveway) and the station shall not be located within 40 feet of an intersection.

F. **Lighting** - Lighting shall be provided with a minimum illumination level of 1.0 foot-candle at the mailbox units and the associated parking or stacking area, if any. If there is a shelter or canopy over the units, lighting shall be provided under it.

G. **Accessibility** - The cluster mailbox station shall be accessible and shall be ADA-compliant. Additionally, the following provisions shall apply:

1. The area in front of the mailbox unit (i.e. where the mailboxes are accessed) shall be paved or concrete.
2. If the station is adjacent to a public sidewalk and the front of the mailbox unit faces the sidewalk, it shall be setback a minimum of 2 feet from the sidewalk. No sloping portion of an accessibility ramp shall be within this 2-foot wide setback area.
3. If the station does not have off-street parking, accessibility shall be provided from the street and not via a private driveway. If a pull-off is provided for stacking vehicles, accessibility shall be provided from the pull-off.

H. **Responsibilities** - Installation of the cluster mailbox station shall be the responsibility of the developer and maintenance after installation shall be the responsibility of the property owner(s) or the homeowners' association.

I. **Timing of installation** - Cluster mailbox stations shall be installed and approved prior to recording the final plat (for subdivisions) or issuance of certificate of occupancy (for other development), as applicable.

J. **Modifications** - Modifications to any of the above requirements may be allowed provided it is demonstrated that:

1. the modifications are in the best interest of the public and the customers served by the cluster mailbox station, or
2. the physical constraints of the site – and not just the project as designed – necessitate the modifications and such modifications are not to the detriment of the public and the customers.

Sec. 504-12 Other Design Requirements

A. **Lots**

1. Lot dimensions - All lots shall meet the minimum lot width, depth, and area requirements of the applicable zoning district or general development plan (for PUDs).
2. Orientation of lot lines - Side lot lines shall be substantially at right angles or radial to street lines.
3. Lots abutting public streets - Each lot shall abut upon a dedicated public street on which it has access unless an Exception has been granted pursuant to Sec. 501-9 [Exceptions] or unless all of the following conditions are met:
    a. The lot is zoned for commercial uses;
    b. A private drive or drives is/are contained within common areas or easement areas and provide(s) access to each lot within the subdivision to a dedicated public or approved private street;
    c. The layout and design of the vehicular and pedestrian access and circulation plan, including off-street parking has been approved by LCPC;
    d. The municipality is held harmless for maintenance and liability for any private areas of the subdivision, and such shall be so stated on the plat with the following notations: "The maintenance of all private and common areas of this subdivision, including, but not limited to drives, sidewalks, parking, and utilities shall be the responsibility of the owners of the lots within the subdivision and shall not become the responsibility of the *[municipality]*. The *[municipality]* shall be held harmless from any liability associated with the establishment and maintenance by the owners of such common areas and/or the property owners' association";
    e. Building setback lines shall not be required along lot boundary lines abutting private parking and driving aisles or common areas but shall be required from any public street right-of-way or property not part of the development.
    f. A legal instrument is submitted along with the plat for recording stating the mechanism for insuring maintenance of the private common areas, including any covenants, deed restrictions, or other provisions proposed for the subdivision. The terms and conditions of said legal instrument shall be reviewed and approved by the Governing Authority to confirm that it adequately provides for maintenance and repair of said common areas.
    g. Where the Governing Authority finds that other measures are necessary to protect the public interest or the interest of potential purchasers of lots within the subdivision, then the Governing Authority shall require such other measures as a condition of plat approval.

B. **Easements** – All easements shall be shown on the preliminary and final plats and shall conform to the requirements below.

1. Access – All easements for vehicular access to a facility, infrastructure or structure shall be a minimum of 20 feet wide. Additional width or areas for turning movements may be required to accommodate the vehicles that will be utilizing the access.
2. Utility – All easements for utilities, including power and cable shall be a maximum of 15 feet wide.

3. Underground infrastructure – All easements for underground facilities for water, sewer, NPRL and drainage shall be a minimum 30 feet wide centered on the pipe or a minimum 15 feet on all sides of other non-linear structures (i.e. manholes, etc.).

4. Aboveground infrastructure - The minimum easement for aboveground or at-grade infrastructure shall be as required below. If an easement is needed for something that is not listed, it shall be a minimum of 20 feet around the infrastructure unless it can be demonstrated that a smaller easement would still meet the purpose of the easement (i.e. repair, maintenance, access, etc.)

   a. Flumes, stone- or concrete-lined swales, ditches, bioswales, etc. – Min. 10 feet on either side of the outer edge of the flume or from the top of slope of the swale, ditch, etc.

   b. Drainage ponds – Min. 20 feet all around the pond as measured from top of slope. If there is a fence within this easement, it shall be located no closer than 15 feet to the top of slope around the pond.

   c. Drainage pond outlet structures – Min. 15 feet around the structure.

5. Street trees - Street trees shall be planted within a 10-foot wide easement along the front property line.

C. **Maintenance of common areas and private facilities** – Construction and maintenance of all common areas and private facilities shall not be the responsibility of the municipality. The plat shall indicate who or what entity is responsible for such areas and facilities.

D. **Landscaping** – All islands within a public street ROW shall be suitably landscaped. Maintenance of such landscaping shall not be the responsibility of the municipality. The plat shall indicate who or what is responsible for such landscaping. The requirement to landscape shall not apply to lane dividers or other such items needed for vehicular safety or circulation or areas too small to accommodate or sustain landscaping.

E. **Pump stations**

1. All pump stations to be dedicated to a public system shall be on a tract deeded to the municipality or have a utility easement on common land owned by the HOA. Such tract or easement shall be a minimum of 4,000 SF and have a minimum width of 50 feet. To the extent feasible, all components of the pump station shall be at least 20 feet from the tract or easement boundaries.

2. Fencing shall be required along all boundaries of the tract or easement, exclusive of any access driveway. Such fencing shall be a minimum of 6 feet high and, where the tract or easement abuts a residential lot, it shall be privacy fencing so it is screened from the residence. A double gate a minimum of 12 feet wide shall be provided at an appropriate location.

3. Accesses to the pump station tract or easement shall be improved with a minimum 11-foot wide driveway that is asphalt, concrete or, at a minimum, consists of a graded aggregate base course screened 1½ inches or smaller with a thickness of 6 inches after being thoroughly compacted and constructed. The driveway shall be graded such that stormwater does not pond on it.

F. **Soils suitability** – If required, the developer's engineer shall certify that the soil conditions are suitable for development purposes of the kind proposed.

G. **Compliance with other site development standards** – The layout of subdivisions and construction of required improvements shall comply with the following site development standards in Division IV, as applicable: Wetlands, Flood Damage Protection, Drainage Control, Erosion, Sediment and Pollution Control and Parking Lots.

H. **Recombination plat -** If a subdivision is proposed for property that is described or held in more than one deed, for title search purposes, a recombination plat shall be recorded prior to recording the final plat.

Article 505
Conservation Subdivisions

Sec. 505-1 General Regulations

A. **Applicability of regulations.** This conservation subdivision option is available as a use by right in all agricultural and single-family residential zoning districts, including A-1, AR-1, and R-20. Applicants shall comply with the provisions of this Article and all other provisions of this Ordinance and other applicable laws, except those that are incompatible with the provisions contained herein.

B. **Ownership of development site.** The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.

C. **Housing density determination.** The maximum number of lots in the conservation subdivision shall be determined by either of the following two (2) methods, at the discretion of the applicant:

1. Calculation. The maximum number of lots is determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning. In making this calculation, the following shall not be included in the total area of the parcel:

   a. Slopes over twenty-five (25) percent of at least five thousand (5,000) square feet contiguous area;

   b. The 100-year floodplain;

   c. Bodies of open water over five thousand (5,000) square feet contiguous area; and

   d. Wetlands that meet the definition of the Army Corps of Engineers pursuant to the Clean Water Act.

2. Yield plan. The maximum number of lots is based on a conventional subdivision design plan, prepared by the applicant, in which the tract of land is subdivided in a manner intended to yield the highest number of lots possible. The plan does not have to meet formal requirements for a site design plan, but the design must be capable of being constructed given site features and all applicable regulations.

Sec. 505-2 Additional Requirements

A. **Site analysis map.** Concurrent with the submission of a preliminary plat, applicants shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed open space will meet the requirements of this article. The preliminary site plan shall include the following features:

1. Property boundaries;
2. All streams, rivers, lakes, wetlands and other hydrologic features;
3. Topographic contours of no less than ten-foot intervals;
4. All conservation areas;
5. General vegetation characteristics;
6. General soil types;
7. The planned location of protected open space;
8. Existing roads and structures;
9. Potential connections with existing greenspace and trails.

B. **Open space management plan.** An open space management plan, as described in Sec. 505-3 below, shall be prepared and submitted prior approval of the development.

C. **Instrument of permanent protection.** An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and as described in Sec. 505-3(F), shall be placed on the open space and, as a condition of approval, shall be duly recorded.

D. **Other requirements.** The applicant shall adhere to all other applicable requirements of the underlying zoning district and the subdivision regulations.

Sec. 505-3 Open Space

A. **Definition**. "Open space" is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the open space are restricted in perpetuity through the use of an approved legal instrument.

B. **Standards**

1. The minimum restricted open space shall comprise at least forty (40) percent of the gross tract area.
2. The following are considered primary conservation areas and are required to be included within the open space, unless the applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this article:
    a. The 100-year floodplain.
    b. Riparian zones of at least seventy-five (75) feet width along all perennial and intermittent streams.
    c. Slopes above twenty-five (25) percent of at least five thousand (5,000) square feet contiguous area.
    d. Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act.
    e. Populations of endangered or threatened species, or habitat for such species.
    f. Archaeological sites, cemeteries, and burial grounds.

3. The following are considered secondary conservation areas and should be included within the open space to the maximum extent feasible:
    a. Important historic sites.
    b. Existing healthy, native forests of at least one (1) acre contiguous area.
    c. Individual existing healthy trees greater than eight (8) inches caliper, as measured from their outermost drip line.
    d. Other significant natural features and scenic viewsheds such as ridge lines, peaks, and rock outcroppings, particularly those that can be seen from public roads.
    e. Prime agricultural lands of at least five (5) acres contiguous area.
    f. Existing trails that connect the tract to neighboring areas.
4. Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected open space but cannot be counted towards the forty (40) percent minimum area requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the open space.
5. At least twenty-five (25) percent of the open space shall consist of land that is suitable for building.
6. At least seventy-five (75) percent of the open space shall be in a contiguous tract. The open space shall adjoin any neighboring areas of open space, other protected areas, and nonprotected natural areas that would be candidates for inclusion as part of a future area of protected open space.
7. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space.

C. **Permitted uses**

1. Conservation of natural, archeological or historical resources.
2. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas.
3. Walking or bicycle trails, provided they are constructed of porous paving materials.
4. Passive recreation areas, such as open fields.
5. Active recreation areas, provided that they are limited to no more than ten percent (10%) of the total open space and are not located within primary conservation areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected open space.
6. Agriculture, horticulture, silviculture, or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within primary conservation areas.
7. Landscaped stormwater management facilities, community wastewater disposal systems and individual wastewater disposal systems located on soils particularly suited to such uses. Such facilities shall be located outside of primary conservation areas.

8. Easements for drainage, access, and underground utility lines.
9. Other conservation-oriented uses compatible with the purposes of this Article.

D. **Prohibited uses**

1. Golf courses.
2. Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections.
3. Agricultural and forestry activities not conducted according to accepted best management practices.
4. Impoundments.
5. Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.

E. **Ownership and management**

1. Ownership. The designated open space may be owned and managed by one or more of the following:
   a. *A homeowners' association (HOA) representing the residents of the subdivision.* Membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. The HOA shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the open space and any facilities located thereon shall be borne by the HOA.
   b. *A nonprofit conservation organization deemed acceptable by the governing authority.* The conveyance to the nonprofit conservation organization must contain appropriate provisions for reversion in the event the organization becomes unwilling or unable to uphold the terms of the conveyance.
   c. *Public dedication of open space.* The governing authority may accept the dedication of a conservation easement to the common open space, provided the common open space is accessible to the residents of the city or county and provided the county or city agrees to and has access to maintain the common open space.
   d. *Individual ownership*. An individual may hold fee title to the land while a nonprofit or other qualified organization holds a conservation easement governing uses of the open space.
2. Management plan. Applicant shall submit a plan for management of open space and common facilities ("plan") that:
   a. allocates responsibility and guidelines for the maintenance and operation of the open space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
   b. estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the open space and outlines the means by which such funding will be obtained or provided;
   c. provides that any changes to the plan be approved by the governing authority; and

d. provides for enforcement of the plan.

3. In the event the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, the governing authority may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the homeowners' association, or to the individual property owners that make up the homeowners' association and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

F. **Permanent protection**

1. The open space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:

a. A permanent conservation easement in favor of either:

i. A land trust or similar conservation-oriented nonprofit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or

ii. A governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance. If the entity accepting the easement is not the governing authority, then a third right of enforcement favoring the governing authority shall be included in the easement.

b. A permanent restrictive covenant for conservation purposes in favor of a governmental entity.

c. An equivalent legal tool that provides permanent protection, if approved by the governing authority.

2. The instrument for permanent protection shall include clear restrictions on the use of the open space. These restrictions shall include all restrictions contained in this Article, as well as any further restrictions the applicant chooses to place on the use of the open space.

G. **Tax assessment of open space.** Once a legal instrument for permanent protection has been placed upon the open space, the Liberty County Tax Assessor may, upon request of the property owner, reassess the open space at a lower value to reflect its more limited use. If the open space is used purely for passive recreational purposes and the terms of the instrument for permanent protection effectively prohibit any type of significant economic activity, then the assessment may be at a value of zero.

Division VI

Zoning Actions, Appeals and Variances

Article 601
Public Hearings

Sec. 601-1 Applicability

A. Whenever a provision in this Ordinance requires a public hearing, the procedures in this Article shall govern the procedure and process for the public hearing.

B. Unless stated otherwise, any request requiring a public hearing and action by the governing authority shall first require a public hearing by the Planning Commission which shall provide a recommendation to the governing authority.

C. As used in the Article, the term "applicant" shall be the generic term for the owner, applicant, petitioner and/or appellant of the request under consideration at the hearing.

Sec. 601-2 Public Notification

A. **Intent**. It being the intention of this section to provide so far as may be possible due notice to the persons substantially interested in the matter to be considered at a public hearing.

B. **General**. Whenever practical, the public notification for the public hearing by the Planning Commission shall also include the notification for the governing authority's hearing.

C. **Timing**. Notice of a public hearing shall be given not less than fifteen (15) but not more than forty-five (45) days in advance of the hearing date unless specified otherwise.

D. **Content**. The public notice shall state the time, place and purpose of the hearing and other pertinent information. If the purpose of the hearing is to consider rezoning property (amendment to the zoning map), the notice shall also include the location of property, Liberty County tax map and parcel number, its present zoning and proposed zoning classification and owner or representative who is making the request.

E. **Posting places**. The notice of public hearing shall be posted by publication in a newspaper of general circulation in the county and by placement of a sign upon the subject property in a conspicuous location. Multiple signs may be required depending on the size and shape of the property.

F. **Notice to applicant**. The applicant shall receive public notification of the hearing at least fifteen (15) days in advance of the hearing date.

G. **Notice to adjacent owners**. Public notification shall be mailed (postcard or letter) at least fifteen (15) days in advance of the hearing date to the owners of all properties lying within two hundred (200) feet of any part of the subject property. The failure to notify any specific property owner as provided in this subsection shall not invalidate any recommendations made or actions taken at the hearing provided that other adjacent property owners have been duly notified.

H. **Responsibility**. LCPC shall be responsible for the public notifications required above.

Sec. 601-3 Public Hearings by the Planning Commission

A. The following is a general outline of the procedure the LCPC follows for its public hearings. Some deviations may occur at the discretion of the Chair or as warranted by the request under consideration.

1. LCPC prepares and gives a presentation of the request which typically includes basic information on the request, applicant and subject property, an analysis of any standards or requirements of the specific request and a recommended action.
2. The public hearing is opened.
3. Applicants are invited to speak about their request and present data, evidence and opinion.
4. Other interested parties who are proponents of the request are invited to speak.
5. Other interested parties who are opposed to the request are invited to speak.
6. Planning Commissioners may ask questions at any time, at the invitation of the Chair.
7. The public hearing is closed.
8. The Planning Commission discusses the request, as needed, and renders a recommended action for the governing authority. As the Planning Commission serves in an advisory capacity to the governing authorities, its recommendations are not binding nor can they be appealed.

B. Anyone speaking in in favor of or in opposition to the application under consideration who has made, within two years immediately preceding the filing of the application, campaign contributions aggregating $250.00 or more to a local government official of the local government which will consider the application, shall disclose their contribution during the hearing.

Sec. 601-4 Public Hearings by the Governing Authorities

A. LCPC coordinates with the municipality to have the request placed on the agenda of the next available meeting of the governing authority. If the public notification for the Planning Commission's hearing included the information for the governing authority's meeting date, no additional public notification is required.

B. LCPC prepares and gives a presentation to the governing authority, which includes the Planning Commission's recommendation.

C. The Planning Commission's recommendation shall be considered by the governing authority whose action may concur or differ from the Planning Commission's recommendation. The governing authority's action is appealable through the court system.

D. Each governing authority has its own procedures and rules that it follows in conducting its meetings and public hearings, which are not included herein but are available by contacting the governing authority.

Article 602
Amendments to Map or Ordinance

Sec. 602-1 Authority to Initiate and Amend

A. When referring herein to amendments or amending this Ordinance, it shall be construed to mean an amendment to either the official zoning map or any provision of the text of the ordinance itself unless otherwise indicated.

B. Any governing authority may amend this Ordinance if such amendment only applies to or affects land within its jurisdiction.

C. Amendments that apply to or affect land within more than one jurisdiction shall be approved by all governing authorities affected by the amendment.

D. In addition to amendments initiated by a governing authority, LCPC may initiate amendments or petitions to amend may be submitted by an owner of property that is the subject of the amendment.

Sec. 602-2 Consolidating and Ratifying Amendments

When amendments are approved that do not apply to or affect land in all jurisdictions, they shall be appended to this Ordinance. At least every 3 years, LCPC shall incorporate the amendments into the body of this Ordinance. The Ordinance shall then be ratified by all the governing authorities. Such ratification shall not be construed to alter the amendments, affect the validity or effective date of the amendments or to have them apply to all jurisdictions but, rather, to incorporate them in a complete and up-to-date document.

Sec. 602-3 Amendments by Petition

A. The provisions in this section shall only apply to petitions to amend and not amendments initiated by a governing authority or LCPC.

B. All petitions must be submitted by the owners of such property or the authorized agent of the owner. Such authorization may have to be notarized and attached to the petition.

C. Any person or persons desiring to submit a petition requesting an amendment to this Ordinance shall file such petition with the LCPC. For the petition to be deemed complete, it shall contain, at a minimum, the items below. This does not preclude LCPC from requesting additional information if it is pertinent to the standards of review in Sec. 602-4.

1. A form provided by LCPC.
2. A filing fee.
3. A narrative describing the amendment.
4. Plot plan or survey plat showing the dimensions of the property to be rezoned.

5. A map showing the subject property and any existing and proposed development on the property.

6. A narrative describing how the proposed amendment promotes public health, safety, and general welfare and each of the standards for review in Sec. 602-4 below.

D. The petition for an amendment shall require a public hearing by LCPC and the governing authority pursuant to Article 601 [Public Hearings]. The public hearing by LCPC will not be scheduled until the petition is determined to be complete.

E. A petition for the amendment of the same property shall not be submitted more than once every 12 months; said interval to begin with the final decision by the governing authority.

Sec. 602-4 Standards for Review

A. In evaluating any proposed amendment, LCPC and the governing authority shall act in the best interest of the health, safety and general welfare of the applicable jurisdiction. In doing so, one or more of the following factors shall be considered as they may be relevant to the proposed amendment:

1. Does the property have reasonable economic value as currently zoned?

2. Does the proposed use conform to the Fort Stewart Joint Land Use Study (JLUS)?

3. Does the proposed use conform to the Liberty County Comprehensive Plan?

4. Will there be an adverse effect on the value and usability of nearby properties?

5. Is the proposed use suitable in view of nearby uses?

6. Will the proposed amendment create an undue burden on transportation, including streets and transit, schools, utilities, or the provisions of public safety?

7. Would this allow a short-term gain at the expense of our local long-term goals?

8. Would this change cause a “domino effect”?

9. Are there unique historical sites which may be adversely impacted by this rezoning?

10. Is this parcel in a flood hazard area?

11. Is it “spot zoning” and unrelated to the existing pattern of development?

12. Are there unique conditions which support approval or denial?

B. It is not required that every factor contained in the standards of review be considered. However, it shall be the duty of the petitioner to show the proposed amendment promotes the public health, safety and general welfare.

Article 603
Conditional Uses

Sec. 603-1 Applicability

A. This Article shall apply to all uses listed as "conditional uses" in Div. II and uses that require conditional use approval in other provisions of this Ordinance. Such uses are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the district or may have an adverse impact on the surrounding properties and therefore are not appropriate in all locations. Conditional use review is warranted to ensure such uses are only allowed in appropriate locations and with appropriate limitations.

B. Prior to commencement of a use listed as a conditional use or requiring conditional use approval, such approval shall be granted by the governing authority as provided herein.

Sec. 603-2 Application and Procedures

A. **Determination of need for conditional use approval**

Initial application for a conditional use shall be made to LCPC who shall determine whether the use is allowed as a conditional use in a particular zoning district. If the exact use is not listed under a particular zoning district, LCPC shall determine if the proposed use is suitable for consideration as a conditional use. If so, the application and procedures of this section shall apply.

B. **Application**

For an application for conditional use approval to be deemed complete, it shall contain, at a minimum, the items below. This does not preclude LCPC from requesting additional information if it is pertinent to the standards of review in Sec. 603-3.

1. A form provided by LCPC.
2. A filing fee.
3. A narrative describing the proposed use.
4. A map showing the subject property and any existing and proposed development on the property.
5. A narrative addressing each of the conditional use review criteria.

C. **Procedures**

1. The conditional use request shall require a public hearing by LCPC and the governing authority pursuant to Article 601 [Public Hearings]. The public hearing by LCPC will not be scheduled until the application is determined to be complete.
2. LCPC shall review the application and make a recommendation to the Planning Commission based on the conditional use review criteria.

Sec. 603-3 Conditional Use Review Criteria

A conditional use shall be approved if all the criteria below are met. Such approval may include conditions if such conditions are relevant to one or more of the criteria and are needed in order for the criteria to be met.

A. The use shall not adversely affect the economic values or the physical appearance of the neighborhood or areas surrounding the site or lot in question.

B. The use shall be consistent with the comprehensive plan, and with the purpose and intent of the land use district.

C. The establishment, maintenance, or operation of the use shall not be detrimental to or endanger the public health, safety or general welfare.

D. The use will not create an undue burden on transportation, including streets and transit, schools, utilities, or the provisions of public safety.

E. The design shall minimize adverse physical and environmental effects on adjacent properties, including adverse visual impacts. Buffer zones, where necessary to shield any adverse factors, shall be considered.

F. Additional space for parking, landscaping, and adequate measures for ingress and egress shall be considered if necessary to protect adjacent structures or lots from any adverse impact.

Article 604
Appeals and Variances

Sec. 604-1 Authorization for Appeals Heard by the Governing Authority

The governing authority is authorized:

A. to hear and decide an appeal where an error is alleged in any action by the zoning official (e.g. order, requirement, decision, determination, etc.) in the application, interpretation or enforcement of any provision in this Ordinance;

B. to hear and decide special exceptions to the terms of this Ordinance upon which the governing authority are required to pass;

C. to hear and decide requests for a variance from the provisions of this Ordinance.

Sec. 604-2 Appeals of Action by the Zoning or Building Official

A. **Who can file an appeal.** Appeals of action by the zoning or building official are only allowed by persons directly affected by the action (i.e. applicant, alleged violator, etc.) or persons with a substantial interest in the action taken (i.e. adjacent property owner).

B. **Deadline to file an appeal.** An appeal of an action by the zoning or building official shall be made within thirty (30) days after said decision by filing with the zoning official a written notice of appeal meeting the requirements below. Failure to file an appeal shall render the action of the zoning official final on the 31st day.

C. **Written notice of appeal.** The written notice of appeal shall include the name and address of the appellant, a brief description of the property with respect to which the appeal is taken, a reference to the regulatory provisions applicable to that appeal, the relief requested by the appellant, and the alleged grounds why the requested relief is believed proper under the circumstances. If the appellant is not a person directly affected by the action, the notice shall also include a narrative describing the appellant's substantial interest in the action under appeal.

D. **Effect of the appeal.** If the action under appeal is the issuance of a permit, the permit shall not become effective until final adjudication of the appeal.

E. **Public hearing required.** An appeal of an action by the zoning or building official only requires a public hearing by the governing authority pursuant to Article 601 [Public Hearings]. A recommendation by LCPC is not required.

F. **Action by the governing authority.** In exercising the above powers, the governing authority may, in conformity with the provisions of this Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirements, decision, or determination, and to that end, shall have all the powers of the zoning or building official from whom the appeal is taken and may issue or direct the issuance of a permit.

G. **Stay of enforcement.** An appeal shall stay all proceedings in furtherance of the action appealed from, unless the zoning official certifies to the governing authority that, by reason

of facts stated in the notice of appeal, a stay would, in the zoning official's opinion, cause imminent peril to life or property. In which, case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the governing authority or by a court of equity, after notice to the zoning official from whom the appeal is taken and on due cause shown.

Sec. 604-3 Requests for a Variance

A. **Limitations on variances**

1. A variance is authorized only for height, area, and size of a structure; for size of yards and open spaces; and for any provision herein involving distance, area, height, or any other dimension, to include, by way of example, but not limited to, setback distances for buildings, distances of curb cuts from corner, etc. The establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall it be granted because of the presence of nonconformities in the zoning district or uses in an adjoining district.
2. Variances for signs follow the variance provisions in Article 303 [Signs].
3. Variances from the design requirements for subdivisions shall follow the variance provisions in Div. V [Subdivisions].

B. **Written request for a variance**

1. A request for a variance from the provisions of this Ordinance shall be made in writing to the zoning official and shall be accompanied by a filing fee.
2. The written request for a variance shall include the name and address of the appellant, a brief description of the subject property, a reference to the regulatory provisions applicable to that appeal, a description of the variance requested, and a narrative addressing how each of the variance criteria are met.

C. **Public hearing required**. A variance request shall require public hearings by the Planning Commission and governing authority, pursuant to Article 601 [Public Hearings].

D. **Variance criteria**

A variance shall be granted by the governing authority upon a finding that all of the following criteria are met:

1. there are extraordinary and exceptional conditions pertaining to the subject property in question because of its size, shape, or topography;
2. such conditions are peculiar to the subject property;
3. the application of the Ordinance to the subject property would create an unnecessary hardship;
4. relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance; and
5. relief, if granted, will represent the minimum variance that will afford relief and will represent the least deviation possible from the Ordinance.

Sec. 604-4 Refiling of Disapproved Appeals and Variances

If the governing authority disapproves an appeal or variance, thereafter the governing authority shall take no further action for substantially the same proposal for the same property until one year after the date of such disapproval.

Sec. 604-5 Appeals of Action by the Governing Authority

Any person(s) aggrieved by any decision of the governing authority may take an appeal to the Superior Court. Said appeals to the Superior Court shall be the same as an appeal to the Superior Court from any decision made by the Court of Ordinary and as specified in chapter 6-2 of the Official Code of Georgia Annotated. The appeal must be made to the court within 30 days after the governing authority's decision. Otherwise, its decision is final. Request must be made for a jury trial within 30 days after filing for appeal before the Superior Court.

Division VII

Administration

Article 701
Administration and Enforcement

Sec. 701-1 Zoning and Building Officials

A. Zoning and building officials

1. LCPC staff shall be considered the zoning official for the administration of this Ordinance, as provided for herein.

2. The Liberty County Chief Building Official, as established in the Liberty County Code of Ordinances, shall be the building official for all jurisdictions except the City of Hinesville. The Director of Inspections, as established in the City of Hinesville Code of Ordinances, is the building official for the City of Hinesville. The term "building official" shall be used generically to mean the "building official with jurisdiction."

3. Nothing in this Ordinance shall be construed to replace, repeal or otherwise affect the responsibilities of the building officials as outlined in the respective Codes of Ordinances nor to imply the Chief Building Official has jurisdiction in the City of Hinesville or the Director of Inspections has jurisdiction anywhere but in Hinesville.

4. Unless the zoning official or the building official is mentioned specifically, the term "zoning and building officials" shall mean the "zoning and building officials in coordination and cooperation."

B. Duties of the zoning and building officials

1. The zoning official shall be responsible for the general administration of this Ordinance and shall have the powers and shall perform the duties described herein. Additionally, the zoning official shall have the authority to:

   a. Issue zoning permits.

   b. Provide certifications of zoning compliance for other licenses, permits, etc., required by the municipalities' code of ordinances.

   c. Coordinate with the governing authority if such certification indicated above requires approval by the governing authority.

2. In addition to the powers and duties of the building official outlined in the code of ordinances, the building official shall be responsible for the general enforcement of this ordinance and shall have the power and other duties described herein. If such duties are in conflict with the code of ordinances, the code of ordinances shall govern.

Sec. 701-2 Fees

A. All fees required in this Ordinance shall be set forth in a schedule on file with the LCPC. Such fee schedule may be revised from time to time.

B. All fees shall be paid at the time of application.

Sec. 701-3 Permits

A. A zoning permit shall be required prior to the issuance of a building permit for the erection, construction, moving or alteration of any building, structure or portion thereof. Applications for zoning permits shall be made in writing to the zoning official, and may require additional information necessary to ascertain whether the proposed erection, construction, alteration or use complies with the provisions of this Ordinance including, but not limited to, the following:

1. Plan drawn to scale indicating:
    a. actual dimensions and shape of the lot to be built upon;
    b. exact size and location on the lot of all buildings and other structures, if any; and
    c. the location and dimensions of proposed buildings and other structures or alterations.
2. Existing and proposed uses.

B. **Sign and temporary use permits.** The requirements for sign and temporary use permits are included in this Ordinance. A zoning permit is not required in conjunction with either of these permits.

C. **Other permits**

1. Other permits or approvals may be required in conjunction with this Ordinance from the local, state and federal governments. To the extent feasible, the zoning official will endeavor to inform an applicant of the possible need to obtain other permits. However, it is ultimately the applicant's responsible to ascertain what other permits are required and to obtain them.
2. The zoning official reserves the right to require documentation demonstrating compliance with other local, state or federal permitting programs.

Sec. 701-4 Certificates of Occupancy (CO)

If a certificate of occupancy (CO) is required by the jurisdictional code of ordinances, the following shall apply.

a. If the project required any approvals pursuant to this Ordinance (i.e. conditional use, site plan, subdivision, etc.), the zoning official and building official shall coordinate a final inspection prior to issuance of the CO.
b. Prior to issuance of the CO, the building official shall coordinate with the zoning official or plan reviewer to ensure that all requirements of any zoning approvals granted for the project have been satisfactorily met.

Sec. 701-5 Enforcement

A. The provisions of this Ordinance shall be enforced by the building official in collaboration with the zoning official. As necessary or prudent, the building official shall coordinate or consult with the zoning official.

B. No permit as provided for in this Ordinance shall be granted by the zoning and building officials for any purpose except in compliance with the provisions of this Ordinance, or with a decision of the governing authority or the courts.

C. Upon a determination by the zoning or building official that a violation of this Ordinance exists, the building official or any other appropriate authority, or any citizen who would be damaged by such violation may institute injunction, mandamus, or other appropriate action including but not limited to:

1. Discontinuance of illegal use of land, building or structures
2. Removal of illegal building or structures; or
3. Discontinuance of any illegal work being done.

D. Persons Liable for Violations. The owner, tenant or occupant of any building or land or part thereof who created or maintains the violation may be held responsible for the violation and suffer the penalties and be subject to the remedies herein provided.

E. Complaints Regarding Violations. Complainants alleging a violation of this ordinance shall provide their contact information. The zoning or building official shall investigate the complaint and determine if a violation exists. If one does, they shall take whatever action is warranted. The zoning or building official shall inform the complainant of their determination and what actions have been or will be taken.

Sec. 701-6 Penalties

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

B. In addition to criminal penalties listed above, violation of the provisions of the zoning ordinance, as amended, shall be cause for denial of a business license, and where a business license has already been granted shall be cause for suspension, revocation or denial of renewal of such business license.

C. Any person(s) aggrieved by any decision of the Governing Authority may take an appeal to the Superior Court. Said appeals to the Superior Court shall be the same as an appeal to the Superior Court from any decision made by the Court of Ordinary and as specified in chapter 6-2 of the Code of Georgia. The appeal must be made to the court within 30 days after the Governing Authority's decision. Otherwise, its decision is final. Request must be made for a jury trial within 30 days after filing for appeal before the Superior Court.

Sec. 701-7 Jurisdictions

A. The magistrate's court of Liberty County shall have jurisdiction over violations of this zoning ordinance (as amended) in the jurisdictions of Gum Branch, Allenhurst, Flemington, Riceboro and unincorporated Liberty County. The municipal courts of Hinesville, Midway and Walthourville shall have jurisdiction over violations of this zoning ordinance (as amended) in their respective jurisdictions.

B. The jurisdiction of each aforementioned designated court over all procedures for enforcement of said zoning ordinance (as amended) shall be as provided in Article 4, Chapter 10, Title 15, Official Code of Georgia Annotated [O.C.G.A. § 15-10-60 et seq.].

C. Complaints of violations of any provision of said zoning ordinance (as amended) shall be brought before the designated municipal or magistrate's court on a citation issued by the zoning official or the chief judicial official of the designated court and shall be prosecuted through that court. Violations of said zoning ordinance (as amended) will be tried upon citations either with or without a prosecuting attorney as determined by the zoning official. Service of citation shall be performed by the constable of the designated court. Citations shall meet all of the requirements as specified in the O.C.G.A. § 15-10-63, as amended.

Article 702
Governing Authorities

Sec. 702-1 Defined

The use of the term "governing authorities" in the text of this Ordinance shall mean the jurisdictional governing authority as described below:

A. **Liberty County Board of Commissioners.** The Liberty County Board of Commissioners (hereinafter referred to as the Board of Commissioners) for property located within Liberty County but located outside of any incorporated jurisdiction.

B. **City/Town Councils.** The City Council for property located within the City limits of any incorporated municipality within Liberty County, including:

   a. City of Hinesville

   b. City of Flemington

   c. Town of Allenhurst

   d. City of Riceboro

   e. City of Walthourville

   f. City of Midway

   g. City of Gum Branch

Sec. 702-2 Responsibilities

The governing authorities shall be responsible for actions specified in this Ordinance, including but not limited to the following:

A. Adoption & Amendments to the Comprehensive Plan:

B. Amendments to the text of this Ordinance;

C. Amendments to any other adopted land-use related plan;

D. Applications for zoning map changes;

E. Applications for historic district/landmark designation;

F. Applications for conditional use permits;

G. Applications for variances;

H. The Landscape Manual including any subsequent revisions.

Article 703
Liberty Consolidated Planning Commission

Sec. 703-1 Creation

There is created and established the Liberty Consolidated Planning Commission, hereinafter referred to as the Planning Commission. References to LCPC shall mean the personnel of the Liberty Consolidated Planning Commission and not the Planning Commission itself.

Sec. 703-2 The Governing Board

A. There is hereby created and established the Liberty Consolidated Planning Commission Governing Board, hereinafter referred to as the "Governing Board," which is vested with the authority to and responsibility for appointing the members of the Planning Commission, approving the budget of the LCPC, and for supervising certain personnel matters relating to the LCPC.

B. **Members.** The Governing Board shall consist of the following persons or their designees:

1. The Chairperson of the Liberty County Board of Commissioners
2. The mayor of the City of Hinesville
3. The mayor of the Town of Allenhurst
4. The mayor of the City of Midway
5. The mayor of the City of Gum Branch
6. The mayor of the City of Walthourville
7. The mayor of the City of Riceboro
8. The mayor of the City of Flemington

C. **Ex officio members.** The Chairperson and the Vice-Chairperson of the Commission shall be ex officio members of the Governing Board and shall be permitted to deliberate on all actions of the Governing Board, excluding his or her appointment.

D. **Officers.** The Governing Board shall elect from its members a Chairperson and a Vice-Chairperson, each to serve for a term of one calendar year and until a successor is elected. The LCPC Director (or other person designated by the Governing Board) shall serve as secretary of the Governing Board and shall perform such duties in connection with said office as may be designated by the Governing Board from time to time.

E. **Meetings.** The Governing Board shall meet biannually at the call of the Chairperson and at such other times as the Chairperson or a majority of Governing Board members shall determine.

F. **Powers.** For purposes of this article and all other circumstances, the Governing Board shall be deemed a component and part of the consolidated Planning Commission (but not subject to its control), and shall have supervisory powers over its personnel as generally set forth in this article. Notwithstanding the foregoing, the Governing Board shall have no involvement in or influence over the recommendations made or other functions performed by the commission unless specifically authorized herein; provided that all decisions regarding the personnel of the commission shall be determined and managed by the Governing Board and the Executive Director as generally set forth in this section or as provided in any subsequently enacted personnel policies that may be established by the Executive Director and approved by the Governing Board.

G. **Executive Committee.** To assist the Governing Board in budget and personnel decisions, a standing Executive Committee of the Governing Board shall be established that consists of the representative of each member jurisdiction having a funding obligation of 20 percent or more (as determined pursuant to paragraph 4 of the intergovernmental agreement), one representative of a member jurisdiction having a funding obligation of less than 20 percent (as determined pursuant to paragraph 4 of the intergovernmental agreement), the Chairperson of the consolidated Planning Commission, and the Vice-Chairperson of the consolidated Planning Commission.

1. Configuration**.** The Chairperson and the Vice-Chairperson of the commission shall be ex officio members of the Executive Committee and shall be permitted to deliberate on all actions of the Governing Board (excluding any appointments or personnel actions relating to the Executive Director), but shall not be a voting member of the Executive Committee and shall not be counted to establish the quorum required to take action. The Governing Board shall elect from the members of the Executive Committee a Chairperson and a Vice-Chairperson of the Executive Committee, each to serve for a term of one calendar year and until a successor is elected, and who shall be eligible for reelection to such office. The LCPC Director (or other person designated by the Governing Board) shall serve as secretary of the Executive Committee and shall perform such duties in connection with said office as may be designated by the Executive Committee from time to time. The Executive Committee shall meet at the call of the Chairperson of the Executive Committee, and at such other times as the Chairperson of the Executive Committee or a majority of members determine.

2. Responsibilities**.** This Executive Committee shall review all budgets proposed by the Executive Director and make recommendations to the Governing Board, who shall approve the final budget and any modifications. The Executive Committee shall evaluate the performance of the Executive Director, screen candidates for the Executive Director when the position is vacant, and recommend any personnel actions relating to the Executive Director to the Governing Board for approval. In particular, and not by way of limitation, any personnel action recommended by the committee pertaining to the Executive Director, or any other personnel, shall require a majority vote of the entire Executive Committee, as well as the affirmative vote of each representative of a member jurisdiction having a funding obligation of 20 percent or more (as determined pursuant to paragraph 4 of the intergovernmental agreement).

Sec. 703-3 LCPC Personnel

A. **Executive Director.** The commission shall employ an Executive Director and such other employees as the Executive Director may recommend and be approved by the Governing Board. The Executive Director is designated as head of the Liberty Consolidated Planning Commission and shall be responsible for administering the provisions of this Ordinance as set forth in this section.

1. **Responsibilities.** The Executive Director shall have the responsibility of retaining, disciplining, evaluating, discharging, and otherwise managing the personnel of the commission; provided that all such decisions shall be reviewable by the Governing Board as provided in any subsequently enacted personnel policies that may be established by the Executive Director and approved by the Governing Board. The LCPC Director shall be responsible for reviewing and making recommendations regarding the following:

   a. Applications for floodplain development permits

   b. Applications for major preliminary plat review

   c. Applications for conditional use permits

   d. Amendments to adopted land use plans

   e. Amendments to the text of this Ordinance

   f. Amendments to the Comprehensive Plan

   g. Applications for zoning map change

   h. Applications for common and wayfinding signage plans

   i. Applications for home occupation permits

   j. Applications for temporary use permits

   k. Applications for Sign Permits

2. **Final Action.** The Executive Director shall be responsible for final action for:

   a. Interpretation of this Ordinance

   b. Applications for subdivision review or site plan review

3. **Representative.** The Executive Director may designate any staff member to represent the Director in any function assigned by this Ordinance. The Director shall remain responsible for any final action.

4. **Employment.** The Executive Director shall be deemed employed by the commission, they shall be retained, disciplined, evaluated, discharged and otherwise supervised by the Governing Board. In particular, and not by way of limitation, any personnel action pertaining to the Executive Director shall require a majority vote of the entire Governing Board, as well as the affirmative vote of each representative of a member jurisdiction having a funding obligation of 20 percent or more (as determined pursuant to paragraph 4 of the intergovernmental agreement).

B. **Planning Staff.** Subject to the approval of the budget by the Governing Board, the Executive Director may retain such employees and contract with such consultants, and provide for their compensation and duties, as the Executive Director deems necessary for the work of the Planning Commission, within the budget provided for the operation of the Planning Commission by the participating local Governing Authorities, or other funds lawfully available to it.

Sec. 703-4 Planning Commission

A. **Commission Membership.** The Planning Commission shall consist of nine members who shall be residents of the county and who shall be appointed by the Governing Board as provided in this article. The Governing Board shall appoint no more than four residents of any one municipality within the county, and no more than four residents of the unincorporated areas of the county, to serve as members of the Planning Commission. No member of the Planning Commission shall be an employee or elected official of any participating local government. All members shall serve until their successors are appointed.

B. **Member professional backgrounds.** At all times, the Governing Board shall endeavor to appoint to the Planning Commission at least one member who has a professional background in the field of real estate development, at least one member who has a professional background in the field of building and construction, at least one member who has a professional background in business management, at least one member who has a professional background in general industry or industrial management, at least one member who has a professional background in the field of natural resources or environmental protection; provided that the Governing Board is not strictly obligated to appoint members from the aforementioned fields, but shall in all instances appoint members it determines to be the most qualified and appropriate, taking into consideration the desirability of having members from the various fields enumerated in this subsection. The Governing Board, in its sole discretion, shall determine what the professional background of any member is and whether a member satisfies any requirements set forth in this subsection.

C. **Appointments.** All regular appointments shall be for a term of three years; provided that any member may be appointed to successive terms. Those members of the Planning Commission appointed by the Governing Board and serving as of the adoption of the ordinance from which this article is derived shall continue for the term of their office and until their successors are appointed.

D. **Voting.** With respect to both the Governing Board and the Planning Commission, an affirmative vote of a majority of the members of each such body, entitled to vote, and present shall be sufficient to permit the conduct of all business; provided, however, that in the event such affirmative majority vote of the membership of such body is made impossible due to either a temporary vacancy on the board recusal of any member due to a conflict of interest as determined by such member. An affirmative vote of a majority of the remaining members of such body shall be sufficient to permit the conduct of all business.

E. **Vacancies.** Any vacancy in the membership of the Planning Commission arising at any time and from any cause, including, without limitation, the authorization of an increase in the number of members, or the death, resignation, incapacity, or removal of any incumbent member shall be filled for the unexpired term by the Governing Board.

F. **Removal.** The Governing Board may remove any member of the Planning Commission for due cause after written notice and a public hearing. Without limiting the foregoing, the Governing Board may consider for removal any member of the Planning Commission who is absent from three consecutive regular meetings of the Planning Commission or more than one-third of the Planning Commission's meetings, regular or special, that occur within a calendar year. The Governing Board may elect not to remove a member on the grounds of excessive absence if that member demonstrates that their absence was for good cause as determined by the Governing Board or if such absence is otherwise excused by the laws of the state. The findings and determinations of the Governing Board with respect to such matters shall be conclusive and absolute.

G. **Compensation.** All members of the Planning Commission shall serve without compensation but shall be reimbursed for actual expenses incurred in connection with their official duties.

H. **Officers.** The Planning Commission shall elect from its members a Chairperson and a Vice-Chairperson, each to serve for a term of one calendar year and until a successor is elected, and who shall be eligible for reelection to such office. The Executive Director or such other person designated by the Planning Commission shall serve as the secretary of the Planning Commission.

I. **Meetings and records.** Meetings of the Planning Commission shall be held at such times and locations within the county, as the Chairperson or majority of commission members shall determine; provided that regular meetings of the Planning Commission shall be held at least once each month on the third Tuesday in the county commissioners' hearing room (or such other location as designated by the Planning Commission and consented to by the board of commissioners of the county). Subject to the provisions of this article and the laws of the state, the Planning Commission shall adopt rules and regulations for the conduct of its meetings and the transaction of its business, and shall keep records of its resolutions, motions, transactions, findings, determinations, and recommendations. All meetings and records of the Planning Commission shall be open and available to the public in accordance with the provisions of the Georgia Open Meetings Act, O.C.G.A. § 50-14-1 et seq., and the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq. This section shall not be construed as requiring the Planning Commission to meet on a legal holiday or when a meeting is made impossible due to circumstances beyond the control of the Planning Commission. In such cases, the Planning Commission shall meet as soon as practicable following its regular meeting date, but in no event later than three business days from such date.

J. **Finances.** The Planning Commission is authorized to make such expenditures as it deems necessary for its operation, which, exclusive of gifts, shall be within the amounts budgeted by the Planning Commission and approved and appropriated for such purpose by the participating local governments. Subject to the provisions of the intergovernmental agreement, the City of Hinesville, or other designated entity, shall be the fiscal agent for the Planning Commission, and shall pay for the operation and maintenance of the Planning Commission and all of its staff and activities as authorized in the intergovernmental agreement. In accordance with such intergovernmental agreement, every participating local government shall reimburse the City of Hinesville, or other designated entity, on a periodic basis for its pro rata share of the Planning Commission's expenses. Subject to the provisions of this article and the aforementioned intergovernmental agreement, all checks or orders of

the Planning Commission for the withdrawal of money from banking institutions shall be signed in accordance with the Planning Commission's duly adopted operating procedures.

K. **Fiscal budget.** The fiscal budget period for the Planning Commission shall be the 12-month period beginning on November 1 on each calendar year and ending on October 31 of the following calendar year. The Executive Director shall submit a recommended budget to the Governing Board for their consideration and approval no later than August 1 of each calendar year. For those governments that operate on fiscal periods different from that of the Planning Commission, the Executive Director may provide those governments estimates of the funding expected from them for their specific fiscal budget period. The Governing Board shall approve a budget for the Planning Commission no later than October 1 of each year. The Executive Director shall submit to the Executive Committee on or before the tenth day of the month following each calendar quarter (or at such other times as may be specified by the Executive Committee) a summary of the expenditures of the Planning Commission for the previous period.

L. **Powers, duties and responsibilities.** Subject to the direction and control of the participating local governments, the Planning Commission shall have the power and duty to:

1. Conduct careful and comprehensive surveys and studies of existing conditions and probable future developments and prepare and recommend to the participating local governments such plans for the physical, social, and economic growth as will best promote the public health, safety, morals, convenience, prosperity, and/or general welfare, including efficiency and economy in the development of its jurisdiction.

2. Prepare and maintain a comprehensive plan or parts thereof, or cause to be prepared such plan or parts thereof, for the development of all or any of the participating local jurisdictions, and make recommendations on any amendments thereto.

3. Prepare and recommend to participating local governments the adoption of any unified zoning ordinance, or resolution, or amendments or revisions to any local use or land development regulations, including unified zoning ordinances and maps, subdivision regulations, special ordinances, and the like, which shall be subject to the approval of the affected jurisdiction in accordance with the laws of the state and the ordinances and resolutions of said jurisdiction.

4. Administer zoning and other land use regulations in whatever role is delegated to it by any participating local government. To this end, the Planning Commission may review applications for zoning map amendments or applications for land use approval and provide a recommendation to the participating local government. However, the Planning Commission shall not be delegated any legislative authority such as the final approval of zoning map amendments or conditional or special uses.

5. Review and approve subdivision plats; provided, however, that if the Planning Commission is given authority to grant approval of final plats, said approval shall not constitute acceptance of public improvements which is a power reserved by the participating local governments.

6. Prepare and recommend for adoption to any participating local government, a plat or plats, or a corridor map or maps, showing the location of the boundary lines of existing,

proposed, extended, widened or narrowed streets and linear open spaces and recreational areas, together with regulations to control the erection of buildings or other structures within such lines, within the local jurisdiction or a specified portion thereof.

7. Make, publish, and distribute maps, plans and reports and recommendations relating to the planning and development of any local jurisdiction to public officials and agencies, public utility companies, civic, educational, professional, and other organizations and citizens.

8. Conduct all hearings, and prepare all notices and advertisements, in connection with any zoning and other land use matters delegated to the Planning Commission hereunder, to include, without limitation, such hearings, notices and related procedural matters minimally required by the Georgia Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., with respect to any such matters.

9. Cooperate with, contract with, or accept funds from, federal, state, or local, public or semi-public agencies or private individuals or corporations, and expend such funds and carry out cooperative undertakings with said agencies, individuals, or corporations in furtherance of the public purposes enumerated herein.

10. Perform such additional functions and services in connection with planning and zoning matters as may be required or called for from time to time by the participating local governments, and exercise, in general, such other powers as may be necessary or convenient to carry out and effectuate the purposes of this article.

11. The authorization to undertake these functions shall not be considered a mandate for the Planning Commission to perform all of these functions, nor shall it prohibit the discretion of any participating local government, by law or resolution, from assigning one or more of these functions to a staff member of that government, or to another agency or commission. The powers and duties enumerated above shall be liberally construed to effectuate the intent and purpose of this article and the Planning Commission.

Article 704
Other Reviewing Entities

Sec. 704-1 Hinesville Downtown Redevelopment Overlay District

A. **Design Review Board.** A Design Review Board has been established that oversees development within the boundaries of the downtown redevelopment overlay district. Presentations to the Design Review Board must include sufficient technical and illustrative information about the proposed design for the Board to reach an informed conclusion about the project's ability to be completed within the guidelines. Presentations should include plan, elevation and section information relating to adjacent and/or opposing properties and block faces in sufficient detail to clearly demonstrate the appropriateness of the proposed designs. Three-dimensional representations may be requested illustrating a project from ground level and/or as part of a larger contextual framework.

B. **Recommendations to the City Council.** The Design Review Board shall formulate a recommendation to the City Council for each project submitted for review. The City Council shall have the final authority to approve or deny any project submitted to it under the terms of this section.

C. **Membership.** The Design Review Board will be constituted and convened under the Liberty Consolidated Planning Commission. It will be a board of not more than seven and not less than five people derived from the following sources:

1. City Manager
2. City Engineer
3. Architect/Civil Engineer
4. Landscape Architect/Historic Preservation
5. Joint Arts Council
6. Liberty Consolidated Planning Commission
7. Public Works Department

D. **Meetings.** The Board will meet as called to review submittals. Materials to be submitted to the Board shall be due in the offices of the Liberty Consolidated Planning Commission not less than ten working days before the scheduled appearance date.

Sec. 704-2 Liberty Gateway Design Review Board

A. **Creation and composition.** There is hereby created a design board of review (hereinafter referred to as the "board") which shall consist of seven (7) voting members interested in the quality of growth and development in the Liberty Gateway District. Such board shall include the following members who shall be appointed as such:

1. LCPC Executive Director (chair): Ex officio member

2. Three (3) qualified design professionals from the fields of planning, architecture, landscape architecture: One (1) each appointed by the City of Midway City Council, the City of Riceboro City Council and the Liberty County Board of Commissioners.
3. One (1) person from the Gullah Geechee community and one (1) person with a background in historic preservation, both appointed by the Liberty County Board of Commissioners.
4. Representative of the City of Midway: Appointed by the City of Midway City Council.
5. Representative of the City of Riceboro: Appointed by the City of Riceboro City Council.
6. Representative of the Liberty County: Appointed by Liberty County Board of Commissioners.
7. Building Official - Midway: Ex officio, nonvoting member.
8. Building Official – Riceboro: Ex officio, nonvoting member.
9. Building Official – Liberty County: Ex officio, nonvoting member.

B. **Jurisdiction.** The jurisdiction of the board shall include the area contained with the Liberty Gateway District and those elements of development, redevelopment and other construction or land alteration within the overlay district, as indicated on the official zoning map.

C. **Decision-making authority.** The board shall provide recommendations on all submittals as required by this ordinance to the appropriate Governing Authority for final action.

D. **Independent counsel.** The board shall have the right to seek independent counsel and review.

E. **Terms of office.** In initial establishment of the board, the City of Midway, the City of Riceboro and Liberty County shall each appoint one (1) member for a one-year term and one (1) member for a two-year term. All subsequent terms shall be for two (2) years. Members shall be eligible for reappointment for an additional term of two (2) years. A member who has served for two (2) successive terms shall not be eligible for reappointment for a period of two (2) years after the termination of his or her second term. The term of a board member may be terminated and a new member appointed in the event the board member fails to attend any three (3) consecutive board meetings. Term limits shall not be in effect for those serving in their official capacity as an employee of the City of Midway, the City of Riceboro, Liberty County, or the LCPC.

F. **Serve without pay.** Members of the board shall serve without pay.

G. **Organization.** The board shall elect from its membership a vice-chairman. The office of chair shall be provided by the Executive LCPC Director. No member shall serve for more than two (2) successive terms in the same office.

1. Chair. The chair shall preside over the board and shall sign all certificates of appropriateness approved by the board.
2. Vice-chair. In the absence or disability of the chair, the vice-chair shall perform the duties of the chair and in so serving shall have the same duties and authorities as the chair.

3. Secretary. An LCPC staff member shall serve as secretary to the board and shall maintain the records and minutes of the board.

H. **Quorum.** Four (4) members of the board shall constitute a quorum.

I. **Majority required for approval.** All approvals require a majority vote, defined as the majority of the full board, regardless of the number of board members present.

J. **Rules of procedure.** The board shall adopt rules, not inconsistent with the provisions set forth in this section, for the transaction of its business and consideration of applications. Such rules shall provide for the time and place of regular meetings and for the calling of special meetings. All meetings of the board shall be open to the public and a public record shall be kept of the board's resolutions, proceedings and actions.

K. **Design review board staff.** The LCPC staff shall function as staff for the design review board. Applications for development within the Gateway Overlay District will be reviewed for completion before submitting to the board for review.

L. **Meetings.** The board shall meet as called to review submittals.

M. **Calendar.** Applications shall be docketed and placed upon the calendar of the board in the order in which they are received. Materials to be reviewed by the Board shall be submitted to LCPC not less than ten (10) working days before the scheduled appearance date.

Division VIII

Definitions and Abbreviations

Article 801
Rules of Construction

Sec. 801-1 Rules of Construction

A. Except where specifically defined herein, all words used in this Ordinance shall carry their customary meanings.

B. Words used in the present tense include the future and the singular includes the plural.

C. The word “shall” is mandatory.

D. “Occupied” or “used” shall be considered as though followed by “or intended, arranged or designed to be” occupied or used.

E. The word “person” includes “individual, partnership, association, corporation, company or organization”.

F. The word “dwelling” is synonymous with “unit” when referring to a residential use.

G. The word “structure” includes the word “building”.

Article 802
Abbreviations

The following abbreviations represent the shortened form of the word or phrase indicated.

Ac. .....acre(s)/acreage
ADA.....Americans with Disabilities Act
ANSI.....American National Standards Institute
APZ .....accident potential zone
ATM .....automatic teller machine(s)
BFE .....base flood elevation
BMP .....best management practices
BOH .....Liberty County Board of Health/Health Dept.
CO.....certificate of occupancy
CZ .....clear zone
DNL.....decibel noise level
DNR .....Georgia Department of Natural Resources
DW.....double-wide
EPD.....Environmental Protection Division of the DNR
ES&PC .....erosion, sediment and pollution control
FAA .....Federal Aviation Administration
FCC.....Federal Communications Commissions
FEMA .....Federal Emergency Management Administration
Ft. .....feet/foot
FWS .....US Department of Fish and Wildlife
GDOT.....Georgia Department of Transportation
GDP .....general development plan (for planned unit development)
GIS.....Geographic information system (mapping)
HUD .....US Dept. of Housing and Urban Development
HVAC .....heating, ventilation and air conditioning
LCPC .....Liberty Consolidated Planning Commission
LDA .....land disturbing activity
LED .....light-emitting diode
LOMC.....letter of map change
MH .....mobile home or manufactured home
MIZOD.....Military Installation Zoning Overlay District
MUTCD .....Manual of Uniform Traffic Control Devices
NA or N/A .....not applicable
NFPA.....National Fire Protection Association
NPRL .....non-potable reuse water line (a.k.a. “purple pipe”)
NZ .....noise zone
OCGA.....Official Code of Georgia Annotated
OSSMS .....on-site sewage management system
PUD .....planned unit development
ROW .....right-of-way

SES.....solar energy system
SF .....square foot/feet or single-family, as applicable
SW .....single-wide
TIS .....traffic impact study
WAAF.....Fort Stewart/White Army Airfield

Article 803
Definitions

The following definitions apply to the entirety of this Ordinance unless otherwise indicated.

Access – A way or means of approach to provide vehicular or pedestrian physical entrance to or egress from a property or building. Access shall by synonymous with “ingress and egress.”

Accessory building – A building customarily incidental and subordinate to a principal building on the same lot.

Accessory dwelling unit – A dwelling unit on the same lot as a single-family dwelling. May also be referred to as a “guest house or mother-in-law suite.”

Accessory on-farm business – The accessory use of land on a farm that involves any of the following: the storage, preparation or sale of products from the farm; farm stays; educational events that feature agricultural practices or products from the farm; or social events that are enhanced by the farm setting. Examples include tours of the farm, tastings and meals featuring products from the farm, classes or exhibits in the preparation, processing, or harvesting farm products, and weddings, family reunions and office parties. As used in this definition, "farm stay" means a paid, overnight guest accommodation on a farm for the purpose of participating in the farming operations or the educational or social activities on the farm.

Accessory use – A use customarily incidental and subordinate to the principal use located on the same lot.

Agriculture – As defined in O.C.G.A. § 1-3-3, "definitions," to include raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock, including, but not limited to, cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including, but not limited to, chickens, hens and turkeys; producing plants, trees, fowl, or animals; the production of aquaculture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds.

Alley - A narrow thoroughfare which affords only a secondary means of access to abutting property and is dedicated or used for public passageway up to twenty (20) feet in width, which usually abuts the rear of the premises, or upon which service entrances or buildings abut, and which is not generally used as a thoroughfare by both pedestrians and vehicles, which is not used for general traffic, and which is not otherwise officially designated as a street. This term is synonymous with “lane.”

Alteration – Any change in the arrangement of a building, including any work affecting the structural parts; any change in the wiring, plumbing or HVAC systems; or any change in

the use of the building; and relocation of a building either to another lot or another place on the same lot.

Alternative tower structure – In relation to telecommunication towers and facilities, alternate towers might by clock towers, bell towers, church steeples, light/power poles, electric transmission towers, water storage tanks, and similar natural or manmade alternative design mounting structures that camouflage or conceal the presence of antennas or towers.

Apartment building – Building containing three or more attached dwelling units designed for occupancy of by three or more families living independently of each other as separate housekeeping units, including apartment houses, apartments and flats but not manufactured home parks, subdivisions or camps, townhouses or condominiums, hotels, or resort type hotels.

Area, gross – The total surface area associated with a feature consisting of all areas within the outside boundary or boundaries. For buildings, this represents the total surface of all floors.

Area, usable (net) – The total surface area associated with a feature, minus any portions of the feature which do not represent usable space. For a building, unusable space consists of utility areas, common hallways and related areas. For a lot, the unusable space consists of wetlands, surface waters and easements for drainage and utilities. This term is synonymous with “net area.”

Assisted living facility – Residences that provide rooms, meals, personal care and supervision of self-administered medications. Such facilities may provide other services such as recreational activities, financial services and transportation.

Bed and breakfast – Overnight accommodations, which may include a morning meal, provided to transients for compensation in a dwelling which is occupied by the operator of the bed and breakfast.

Billboard – A free-standing sign which is not mobile or temporary and which has an area greater than 200 sq. ft. (in Hinesville) or exceeds the maximum sign area permitted by right on a property under the provisions in Article 303 (in all jurisdictions except Hinesville).

Borrow pit – A pit from which sand, gravel, or other construction material is taken for use as fill in another location.

Boardinghouse - A dwelling other than a hotel where, for compensation and by pre-arrangement for definite periods, meals or lodging and meals are provided for three or more persons. This term is synonymous with “rooming house.”

Buffer – Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or visually screen one use or property from another.

Building – Any structure designed or built for the support, shelter, housing or enclosure of persons, animals or property of any kind.

Building line – The line which represents the distance a building or structure much be set back from a lot boundary line or a street right-of-way line according to the requirements of this Ordinance.

Building site – A single parcel of land under one ownership, occupied or intended to be occupied by a building or structure.

Café – An establishment where customers are served coffee and other beverages as well as snacks or light meals. This term is not synonymous with "restaurant" or "bar".

Camp – A use of land with living accommodations where people usually eat together in a central dining facility and spend a limited amount of time and who are there for a shared purpose, such as for education or spirituality, or for participating in organized activities, sports, arts and crafts, etc. Examples include summer camps, church camps, girl scout camps, and retreats.

Care center – A facility that provides care and supervision for children or adults for fewer than 24 hours a day and which is licensed by the State of Georgia.

Child care institution – An institution, such as an orphanage, of which children are permanent residents.

Club – A facility for a social, educational or recreational purpose but not primarily for profit or to render a service or other commercial activity which is customarily carried on as business.

Co-location – means the placement of the antennas of two (2) or more service providers upon a single tower or alternative tower structure.

Conditional use – A land use permitted in a specific zoning district only upon approval by the governing authority.

Condominium (building) – A building containing three or more attached individually owned dwelling units and related, jointly owned, common areas under condominium or cooperative ownership.

Conference center – A building or part thereof with space for meetings, events and other such functions that may include meal service for guests at the functions.

Cultural facility – A building which offers programs or exhibits of cultural, educational, historic or scientific interest. Such facility may include educational classes and limited retail sales (i.e. gift shop). Examples include museums, libraries and art galleries.

Day care center – A commercial business located in a dedicated facility in which caretakers care for children for fewer than 24 hours a day, without transfer of legal custody.

Day care home, family – A home-based business located in the primary residence of the business owner. No more than six (6) children may be cared for at once, not counting children that already reside in the residence.

Density – The number of units or buildings per acre, or the number of people per unit, building or acre.

Development – The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance; or any new use or extension or change of use of land. This term shall include "redevelopment" unless that term is specifically used.

Drive-through lane – An establishment or part of an establishment that is designed to allow patrons or customers to be served or self-serve while remaining in their automobiles. This definition is synonymous with "drive-in" or "drive-up" lane.

Duplex – See "Dwelling, Two-Family"

Dwelling unit – A building or part thereof that has a toilet, lavatory, kitchen facilities and one or more rooms that could be used as a bedroom or for living space and is intended for use as a home or residence. This definition does not include places of lodging, such as hotels or motels.

Dwelling unit, accessory - A dwelling unit that contains no more than one bedroom and that is attached or detached and subordinate to the principal use of the property.

Dwelling, multi-family – A building containing 3 or more dwelling units. Such units may be side-by-side or one on top of the other and are not separately owned. This term is synonymous with "apartments" or "apartment building."

Dwelling, single-family attached – One dwelling unit attached to one other dwelling unit by a common vertical wall, with each dwelling located on a separate lot.

Dwelling, single-family detached – A building containing one dwelling unit and that is not attached to any other dwelling by any means and is surrounded by open space.

Dwelling, two-family – A building designed exclusively for occupancy by two families living independently of each other. This term is synonymous with "duplex".

Elder housing – Multi-family dwellings in one or more buildings on a single parcel, each unit of which is specifically designed and intended for occupancy by at least one person who is at least 55 years of age or older.

Electronic copy – A copy of a file or document in a .pdf format unless otherwise stated or required.

Flood prone area – Land that is designated as a special flood hazard area by FEMA.

Floor area, gross – The total area of all floors of a building as measured to the outside surfaces of exterior walls, including halls, stairways, elevator shafts, living space above attached garages and enclosed porches.

Floor area, open to the public – The total area of all floors to which the general public has access for the purpose of conducting business in the building or on the premises.

Forestry – The practice of planting, managing, and caring for forests. Such practices may include the on-site processing of timber extracted from the property.

Frontage – The side of a lot abutting on a street right-of-way.

Garage, private – An accessory building or portion of a principal building used only for private storage of motor vehicles or other household items as an accessory use.

Garage, repair – A building and premises designed or used exclusively for major commercial vehicle repairs; provided, that auto body work and auto painting shall be conducted within fully enclosed buildings and provided further, that there is no storage of junk, wrecked vehicles, dismantled vehicles and dismantled vehicle parts or supplies visible beyond the premises.

Geographic antenna placement area – is the general vicinity within which the placement of an antenna is necessary to meet the engineering requirements of an applicant's cellular network or other broadcasting need (as informed by industry standards).

Governing authority – The governing body having jurisdiction over a project, which shall be any of the following: The Board of Commissioners for unincorporated Liberty County and the City/Town Councils for the cities/town or their designees.

Health care services – Establishments providing support for medical professionals and their patients. Medical professionals include doctors, dentists', chiropractors and therapists, etc., but excludes veterinarians. This term shall include urgent and immediate care facilities.

Height – The vertical distance of a structure measured form the average elevation of the finished grade surround the structure to the highest point of the structure. For telecommunication antenna on existing buildings, this shall include the height of the building upon which it is dependent. For a building with a gabled or hip roof, the height shall be measured to the top of the roof of the uppermost story or to the deck line of a mansard roof. For the purposes of maximum building height requirements, the following shall not be considered the highest point of a structure: church spires, belfries, cupolas and domes not intended for human occupancy; and monuments, water towers, observation towers, silos, chimneys, smokestacks, conveyors, flagpoles, masts and aerials.

Home occupation – Any occupation or profession carried on by the inhabitants of a dwelling and which is clearly incidental and secondary to the use of the dwelling, which does not change the residential character thereof.

Hospital – Any institution providing inpatient and outpatient medical, surgical, obstetrical care and/or treatment. The term shall not include health care services, skilled nursing facilities or assisted living facilities.

Hotel – A building or group of buildings under one ownership containing six or more guest rooms to be occupied as the more or less temporary residence of individuals who are lodged for compensation, with or without meals. This term includes extended stay hotels and is synonymous with "motel."

Junkyard – An area where waste, scrap, used or secondhand materials including but not limited to metals, paper, rags, rubber tires, bottles, machinery and vehicles, are stored, kept, disassembled, reassembled, salvaged, packaged or handled, or the use of land or a structure for storing, selling, dismantling, shredding, compressing or salvaging scrap, discarded material, equipment or vehicles. This term includes automobile wrecking yards

but does not include uses in areas entirely within enclosed buildings and is synonymous with “salvage yard”

Letter of map change (LOMC) – Either a Letter of Map Amendment, Letter of Map Revision, Letter of Map Revision based on fill or any letter intended to alter, change or revise an effective special flood hazard area map.

Liberty Consolidated Planning Commission (LCPC) – is the Executive Director of the LCPC and his or her staff. Additionally, the LCPC is a group of appointed commissioners meeting at certain intervals in a public hearing to make recommendations on zoning petitions and other zoning-related requests to the applicable governing authority.

Liberty County – Unincorporated areas of Liberty County unless specified otherwise.

Lot – An area designed as a separate and distinct piece of land shown on a legally-recorded plat or boundary survey or in a legally-recorded deed. This term is synonymous with “parcel”, “plot” or “tract.”

Lot coverage – The percentage of a lot area covered by manmade improvements including but not limited to structures, paved or gravel driveways, sidewalks and parking areas, but not including stormwater ponds or constructed natural features.

Lot depth – The distance between the front and rear property lines measured along the median between the two side lot lines.

Lot line – The lines forming boundaries for a lot.

Lot line, front – The lot line that abuts a street right-of-way. In the case of a corner lot, the front lot line shall be the narrowest line abutting a street right-of-way. In all other instances, the front lot line shall be determined at the time of subdivision or, if no subdivision is involved, by the zoning official.

Lot line, interior side - A side lot line separating a lot from another lot or lots.

Lot line, rear – The lot line that is opposite and most distant from the front lot line. In the case of a lot pointed at the rear or any odd-shaped lot, the rear lot line shall be determined by the zoning official.

Lot line, side – The lot line or lines that are not a front or rear lot line.

Lot width – The distance between the side lot lines measured as a straight line between the front side property lines at the setback limit.

Lot, corner – A lot which at least two intersecting sides abut for their full lengths on a street.

Lot, double frontage – A lot, other than a corner lot, which has frontage on more than one street other than an alley. This term is synonymous with “through lot.”

Manufacturing – The manufacture, fabrication, assembly, distribution or packaging of natural or man-made products.

Manufacturing, light – Manufacturing which takes place inside of a building and results in minimal off-site impacts other than traffic. Examples include cabinetry, food processing, electronics, sewing, research and testing laboratory.

Manufacturing, heavy – Manufacturing which generally results in off-site impacts such as noise, and where such activity and/or storage of materials or products are typically not fully enclosed inside a building or screened from abutting properties. Examples include junkyards; rail and truck terminals; concrete, asphalt or brick plants; bulk storage and distribution facilities; and foundries, paper mills and plants.

Manufactured home - A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401, et seq. ("the HUD Code").

Manufactured home lot – is this portion of a manufactured home park reserved for occupancy by a manufactured home unit.

Manufactured home park – A parcel of land under a single ownership or management which is used or intended to be used for the rental or lease of spaces or lots and the provision of services for two or more manufactured homes.

Mobile home – Factory-built homes produced prior to June 15, 1976, when the National Manufactured Housing Act of 1976 went into effect.

Municipality – The entity having jurisdiction over the subject property or development, which may be unincorporated Liberty County or any of the incorporated town or cities within Liberty County (Allenhurst, Flemington, Gum Branch, Hinesville, Midway, Riceboro and Walthourville).

Mine – A facility in which minerals and ores are extracted from the earth.

Mining – The extraction of minerals, including solids, such as coal and ores; liquids such as crude petroleum and gases such as natural gas. The term mining includes quarrying, ground-water diversion, soil removal, milling such as crushing, screening, washing and flotation and other preparations customarily done at a mine site as part of a mining activity.

Nightclub – An establishment serving liquor and/or food and in which music, dancing or entertainment is provided.

Non-conforming building or lot – A building or lot that does not conform to provisions of this Ordinance.

Non-conforming use – A use which does not conform to the provisions of this Ordinance but was legally established at the effective date of this Ordinance and any amendment thereof.

Official, applicable – The building or zoning official having jurisdiction.

Official, building - The Hinesville Director of Inspections or the Liberty County Chief Building Inspector, as applicable.

Official, zoning - The Director of the LCPC or their designee.

Open space – Any parcel or area of land or water, essentially unimproved and set aside, dedicated or designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners, occupants and/or their guests.

Overlay district – A district which is placed "over" the base zoning district and modifies or supplements the base district's development guidelines to achieve a specific purpose for the district.

Quarry – A mine where rock, ore, stone and similar materials are excavated for sale or for off-site use. The term quarry includes rock crushing, asphalt, plants, the production of dimension stone and similar activities.

Personal care home - A facility intended to provide living quarters and limited services for individuals who require social, medical, and/or mental health services in a community-based residential setting. Homes must be operated under a program authorized or directed by the State of Georgia department regulating personal care homes. This term is synonymous with "group home."

Personal care home, family - A personal care home serving six or fewer residents (including any live-in or overnight staff) and located in a building that closely resembles a single-family dwelling.

Personal care home, group - A personal care home serving fewer than 15 residents (including any live-in or overnight staff) and located in a building that may resemble a multifamily dwelling structure.

Personal service shop – Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. Examples include barbers, dog groomers, nail and hair salons.

Plan reviewer – Depending on the jurisdiction of a project, plans are reviewed and approved by either LCPC or staff of the Liberty County Buildings and Licensing Department. The plan reviewer is the generic term for the applicable staff authorized by this Ordinance to conduct the plan review and approval.

Planning Commission – The appointed Commissioners of the Liberty Consolidated Planning Commission.

Principal use – The primary or predominant use or uses of a lot or parcel, such use or uses are unrelated to another use on the lot.

Principal building – A building in which a principal use is conducted.

Public use – A use by any local, county, state or federal government or any authority or agency thereof for a public service or purpose.

Recreation – Any use of land or structures designed and equipped for the conduct of sports and leisure-time activities.

Recreation, outdoor – A use of land or structures for the provision of commercial or public recreation whereby the primary use is outside. Examples include outdoor courts, athletic fields, skate parks and golfing (disk, mini and regular) and excludes stadiums and arenas.

Recreational vehicle – A vehicular-type portable structure without permanent foundation that can be towed, hauled or driven and is primarily designed as a temporary living accommodation for recreational and camping purposes. Such vehicles include, but are not limited to, travel trailers, campers, tiny homes on wheels, truck campers, 5th wheels and self-propelled motor homes.

Recreational vehicle park – A unified development on any lot, tract, or parcel of land upon which accommodation is provided for two or more recreational vehicles used as temporary living and sleeping quarters.

Recreational vehicle site or lot – That part of a lot or area in a recreational vehicle park that has been reserved for the placement of one recreational vehicle.

Redevelopment – The modification, rehabilitation, repurposing or adaptive reuse of an existing structure or structures, of developed land or of land upon which there are manmade improvements.

Retail – Any use of land or structures for the primary purpose of buying, renting, giving or selling goods.

Retail, indoor – A retail business whereby the goods are primarily contained inside a primary structure on the land.

Retail, outdoor – A retail business whereby the goods are commonly displayed outdoors. Examples include a dealership for automobiles, boats or mobile homes.

Retail, semi-outdoor – A retail business whereby goods are kept indoors and there also are goods always displayed outdoors or in an open-sided structure or both. Examples include lawn mower and tractor sales, lumber yards, and building supplies.

Scenic views – are those geographical areas containing visually significant or unique natural features as identified by the governing authority from time to time.

Setback, front, rear and side – The minimum required distance between a structure and the front, rear and side lot lines, respectively.

Sign – Any structure, display, device or object, permanent or temporary, visible from a public place, made of any material, the purpose of which is to convey either a commercial or noncommercial message by means of graphic presentation or alphabetic or pictorial symbols or representations.

Sign, billboard - A freestanding sign which is greater than 200 square feet which is supported by one column, or upright, in or upon the ground and is not attached to a building and is not mobile or temporary.

Sign, electronic message – A sign or portion thereof which results in the illuminated display of messages or information using a matrix of electric lams (e.g., digital, LED or similar or refined display technology), movable discs, movable panels, light apertures, or other methods, which allow the message change to be actuated by a control mechanism rather than manually changing the message and which changes the message more often than twice daily.

Sign, monument – A freestanding sign either constructed on the ground with a continuous footing or foundation with the base of the sign at grade level; or a sign in which the entire bottom of the base of the sign structure is in contact with the ground, but a solid and continuous background for the sign from the ground to the top of the sign is not provided.

Sign, stanchion - A freestanding sign mounted on one or more steel poles set in the ground and of sufficient strength and size to support the advertisement or information portion of such structure that rests upon or is supported by such poles. A billboard is not considered a stanchion sign in this Ordinance.

Sign cabinet – the physical structure that surrounds the sign face and houses electrical wiring components, light sources, and/or structural frame upon which the sign face is erected.

Site plan – A detailed drawing of existing and/or proposed improvements to a given lot that is prepared by licensed professionals (i.e. engineers, surveyors, architects, landscape architects).

Site layout – A drawing of existing and/or proposed improvements to a given lot, typically used to show minor changes which do not require licensed professionals to design.

Skilled nursing facility – An assisted living facility that is licensed to provide health or nursing care under medical supervision to its residents.

Street – A dedicated right-of-way for vehicular traffic which affords the principal means of access to abutting properties. This term is synonymous with “highway” and “road.”

Street, arterial – A street which is used to move fast or heavy traffic between population centers or from one section of an urban area to another. This class of street includes heavily traveled routes that may warrant multi-lane status.

Street, collector – A street primarily designed to connect local streets with arterials or to provide access from residential areas to major destination points such as shopping or employment centers and which may be expected to carry significant volume of traffic.

Street, Functional Classification Plan - The functional classification plan groups streets into classes, or systems, according to the character of service they are intended to provide. Functional classification defines the service the street or segment should play in trips through the highway network. Generally, they are three classes or systems of streets, all defined herein: Arterial, Collector and Local.

Street, local – A street which serves the final function in a destination trip and the initial function at point of origin. It provides direct access to adjacent land as well as serve the purpose of short distance transportation needs. It is also any street that is not a collector or arterial.

Structure – An assembly of materials for occupancy or use which requires rigid location on the ground or attachment to something having a permanent location on the ground, including but not limited to a building, manufactured homes, signs, walls and fences.

Structure, site-built – Any structure which is wholly constructed on a building site. All on-site work, including building foundations and connections to public utilities, i.e. gas, electrical and plumbing, shall comply with the building codes of the responsible Governing Authority.

Subdivision – The division of a single lot into 2 or more lots or other divisions of land for the purpose of sale, lease or development.

Stadium – A large open or semi-enclosed place used for games and major events and partly or completely surrounded by tiers of seats for spectators. Examples include racetracks and sports arenas.

Telecommunication facility – Any tower, alternative tower structure, antenna, or other similar structure, facility, or appurtenance as mentioned in Division III, Article 304.

Tiny home – A site-built dwelling that has between 400 and 799 SF in floor area excluding lofts that meets all applicable building codes. This term is synonymous with “Tiny House.”

Tiny home on wheels – A dwelling that is built on a utility trailer chassis with wheels that remains in a mobile-ready state. This type of structure shall be considered a recreational vehicle by this ordinance.

Townhouse – A single building with at least 3 dwelling units in a row, each unit of which has its own front and rear access to the outside, no unit is located over another unit and each unit is separated from any other unit by one or more vertical common walls. The units are located on separate lots.

Use – The specific purpose for which land or a structure is arranged, designed or intended, or for which it is or may be used, occupied or maintained.

Variance – An approval granted by the governing authority to allow development that does not conform to all provisions of this Ordinance.

Visual quality – means the appropriate design, arrangement and location of tower structures in relation to the built or natural environment to avoid abrupt or severe differences.

Wrecker service or yard - A person engaged in the business or offering the services of a vehicle wrecker or towing service, whereby disabled motor vehicles are towed or otherwise removed from the place where they are disabled, or in the business of storing disabled motor vehicles. This term does not include such a business that in any way disassembles, salvages or otherwise processes the disabled vehicles brought there other than what is needed to transport them elsewhere.

Yard, front, rear and side – The area between the front, rear and side lot lines and the respective required setback which is to remain open.

Zoning Official – The director of the LCPC or their designee.

Appendices

Appendix A
Amendments

(See Article 602)

Appendix B
Hinesville Downtown Redevelopment Overlay District Design Guidelines

CITY OF HINESVILLE

DESIGN GUIDELINES
DOWNTOWN OVERLAY DISTRICT

Revised: March, 2008

RS&H
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Overview

In March of 2003, the City of Hinesville adopted the Redevelopment Master Plan developed by W.K. Dickson in conjunction with city staff. As part of this Master Plan, the Downtown Overlay District was created. The general boundaries of the downtown redevelopment overlay district may be those properties extending the distance from the Fort Stewart boundary at West General Stewart Way to the intersection of East General Stewart Way and East Oglethorpe Highway, westerly on West Oglethorpe Highway to the intersection of East General Screven Way, northeast along General Screven Way to the boundary of Fort Stewart. This overlay district is shown in Figure 1.

Figure 1. Hinesville Downtown Overlay District

Source: City of Hinesville Overlay District Maps. W.K. Dickson

Design guidelines for the overlay district were established as part of the process. These guidelines provide the foundation for consistency of the look of the overlay district which creates the sense of place and enhances the aesthetics of the area. These guidelines are summarized in general requirements and/or strategies and then the detailed information regarding elements such as streetscape requirements, building materials and architectural elements are provided. The following information has been identified

and incorporated from the overlay district design guidelines developed by W.K. Dickson as part of the Hinesville Downtown Redevelopment Master Plan.

Summary - Design Guidelines

A summary of the guidelines are shown below. This summary provides the focus of the guidelines and what they are intended to accomplish. Specific details pertaining to these guidelines follow the summary.

Design Guideline 1

Provide wayfinding to the Urban Core that includes two (2) Gateway Monuments at Oglethorpe Hwy. (US84) and General Screven Way, and another at Oglethorpe Hwy. (US84) and Washington Avenue. Provide directional signage utilizing a pole (standard) that matches pedestrian light fixtures in materials, color and texture. Add two (2) informational kiosks at the proposed Veteran's Monument location and another at the southeast corner of Washington Avenue and Main Street. Promote a seasonal banner program for the Urban Core Area on main Street, (Washington Avenue to General Screven Way), Memorial Drive (Fort Stewart to Main Street), Washington Avenue (Main Street to Oglethorpe Hwy.), and Martin Luther King, Jr. Drive (Main Street to Oglethorpe Hwy.)

Design Guideline 2

Follow GDOT guidelines for roadway and streetscape construction on state roadways and initiate communication with reviewers to assist with options for enhancements and flexibility of design.

Design Guideline 3

Provide signage regulations for businesses and storefronts in the Overlay District Area that are fair, functional and aesthetically superior.

Design Guideline 4

Provide landscape buffer along off-street parking areas that are 15' wide on Oglethorpe Hwy., General Screven Way, Memorial Drive, Washington Avenue and General Stewart Way, and Martin Luther King, Jr. Drive. Landscape buffers are also to be 15' wide on remaining streets and roads within the Overlay District.

Design Guideline 5

Locate existing off-street parking behind commercial and mixed-use buildings where practicable. All new commercial and mixed-use construction must have off-street parking located behind buildings to shield the view from the street.

Design Guideline 6

Apply traffic calming measure to Main Street, Memorial Drive, Washington Avenue, Martin Luther King, Jr. Drive and Gause Street.

Design Guideline 7

Upgrade traffic signal poles and lights on Main Street, Memorial Drive, Washington Avenue and Martin Luther King, Jr. Drive that match pedestrian light poles in color and appearance.

Design Guideline 8
Provide uniform vehicular lighting for Streetscape Level 2 and Streetscape Level 3 roadway corridors that match decorative main Street pedestrian lighting in color and appearance. Poles should include manufacturer provided banner arm attachments.

Design Guideline 9
Above ground utilities that rely on poles and guyed wires for support should be placed underground where practicable. Partial burial and relocation to the rear of properties would be considered a viable option as approved by the Design Review Board.

Design Guideline 10
Parking lot buffers must meet CPTED requirements including a maximum height of twenty four inches (24”) for shrubs and six feet (6’) to canopy tree lower branching structure.

Design Guideline 11
The Historic Urban Core streetscape should include “bulb-out” areas for seating, outdoor vending and dining.

Design Guideline 12
The City of Hinesville should follow the recommended streetscape design provided in these guidelines with variations in color and texture to express an individual theme.

Design Guideline 13
Special project features should be considered to create a theme or image unique to them.

Design Guideline 14
Encourage the development of social space through bulb-out areas and mini plaza space between buildings.

Design Guideline 15
Provide two levels of lighting: 20’-25’’ roadway lighting and 10’ – 12’ pedestrian lighting.

Design Guideline 16
Use Cabbage Palms on Level 1 Streetscape corridors as a “signature tree” .

Design Guideline 17
Canopy trees should be installed in bulb-out areas and plaza spaces where shade and massing are required.

Design Guideline 18
Use canopy street trees in Streetscape Level 1 and Level 2 areas. Canopy trees are used at the right-of-way to create a corridor effect and sense of enclosure. Median tree planting should be limited to flowering trees and understudy tree for Streetscape Level 2.

Design Guideline 19
Use incentives for façade renovations to assist owners and shopkeepers. Include matching funds for construction or design assistance programs.

Design Guideline 20
Bring older buildings back to their “original charm” where possible by removing false exteriors and boarded windows.

Design Guideline 21
“Dress up” windows on all buildings, including vacant or unused structures, to create a sense of activity and vibrancy.

Design Guideline 22
Encourage the use of historic elements on the storefront through techniques suggested within these guidelines.

Design Guideline 23
Identify historic elements of existing buildings and community consistency with adjacent buildings.

Design Guideline 24
Use building materials that are readily available in order to recreate the image and design of historic structures.

Design Guideline 25
Building design should include traditional elements and create an acceptable balance.

Design Guideline 26
Maintain a “main street” appearance and a pedestrian friendly design, a high percentage of the storefronts should be glass, oriented on the streetscape.

Design Guideline 27
Use canopies as a strong, established design element that provides shade and the opportunity for cost-effective storefront signage.

Design Guideline 28
Coordinate signs within building massing to enhance the character of the buildings and to allow each building individual expression.

Design Guideline 29
Use transoms to allow natural light into the store.

Design Guideline 30
Finish rooflines with cornices or trim.

Design Guideline 31
Recess storefront entries to provide a strong entrance to a building.

Design Guideline 32
Use kickplates below storefront windows to enhance the historical appeal of the streetscape.

Design Guideline 33
Service entries are important to the storefront because they provide access for delivery and pick-up services. When service entrances can be seen from the street or by potential pedestrian traffic, carry your storefront design through to the back of the building.

Design Guideline 34
Return the second story (where available) into usable space for leasing to tenants for use as an office space.

Details - Design Guidelines

The detailed design guidelines provide specific guidance with regard to a range of elements that combine to create a sense of place. These detailed elements are grouped in categories which include:

- Utilities
- Parking
- Landscaping
- Streetscape
- Architectural Elements

Utilities

- Utilities should be underground when feasible
- The length of the proposed underground facilities for each permit application must not exceed one mile (5,280 linear feet.)
- The proposed design of the facilities must also comply with the applicable local, city and state ordinances.
- Any deviations from the approved engineering design plans during construction must be pre-approved by City staff prior to proceeding with the work.
- Failure to provide accurate as-built drawings within thirty (30) days after the certified date of inspection will result in denial of future permit application requests.
- Any work outside the public right-of-way will require permission from property owners and may require a building permit from the City of Hinesville Department of Inspections

Parking

Off-street parking requirements:

Stalls	9’0” x 18’0”
Driving Lanes	24’0” wide
Total Cross Section	60’0” wide

Landscape buffering requirements:

- 15' wide “landscaped” area between vehicular use areas and the back of curb (b.o.c.) that includes:
  - One canopy tree per 40' linear feet of frontage
  - Trees minimum 3" caliper and 12' height
  - One accent understory tree per 50’ linear feet
  - 33 shrubs per 100' linear feet of frontage
  - Shrubs minimum 24" height and 24” width at time of planting
  - 8' minimum width sidewalks
  - 5' grassed strip between back of curb and sidewalk in Streetscape Level 2 areas.

Vehicular Use Area Interior Landscaping requirements (parking areas > 1500 sq ft.):

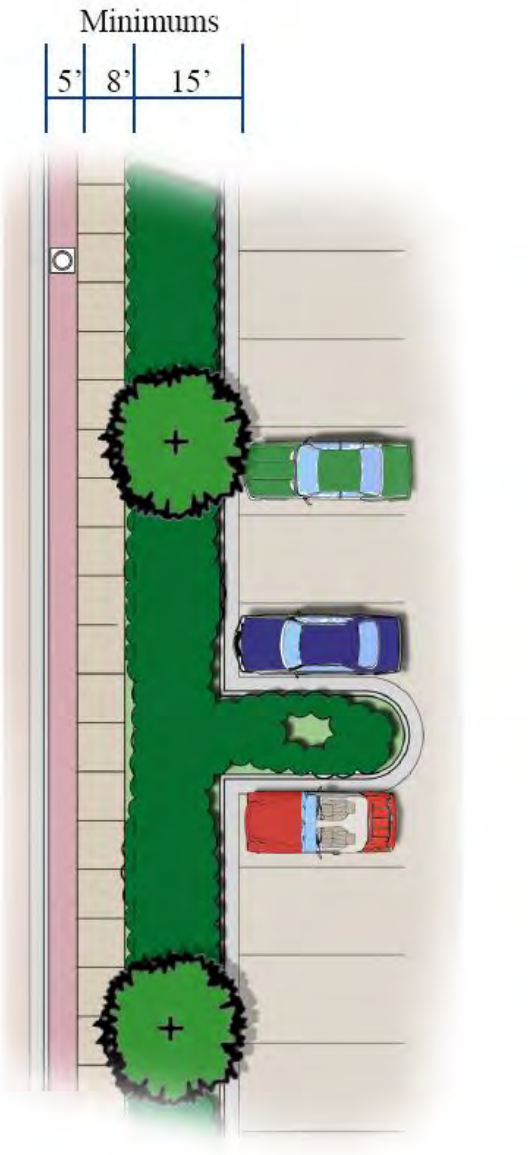
- All rows of parking spaces should contain no more than twelve (12) parking spaces in any such row
- Where a landscaped area between abutting tiers of parking is provided, one (1) canopy tree will be provided for each forty (40) linear feet of landscaped area.
- All rows of parking spaces terminate in a required landscaped area. Each area should contain a minimum width of 400 square feet and include one (1) canopy tree.
- The remaining area should be surfaced with shrubs, ground cover, grass or other landscape material

In vehicular use areas where the strict application of these requirements seriously limit the function of the parking area, such as off-street loading areas, the required landscaping may be located near the perimeter of the paved area. The required interior landscaping that is relocated as described should be in addition to the perimeter landscaping requirements.

The front of a vehicle may encroach upon any interior landscaped area or walkway when that area is at least four and one-half (4-1/2) feet in depth per abutting parking space and protected by curbing. Two (2) feet of such interior landscaped area or walkway may be part of the required depth of each abutting parking space. No tree or shrub more than two (2) feet in height should be planted within two (2) feet of the edge of the landscaped area. The front of a vehicle should not encroach within any perimeter-landscaped area

Figures 2 and 3 provide illustrations of these requirements.

Figure 2 Overlay District Parking.



Source: City of Hinesville Overlay District. W.K. Dickson

Landscaping

All plants must meet the requirements of the American Standard for Nursery Stock used for the State of Georgia.

1. Trees

Canopy trees requirements:

- Average mature spread or crown of greater than twenty (20) feet
- Native to the Coastal Georgia area
- Have trunk(s) which can be maintained in a clean condition with over five (5) feet of clear wood.
- Cabbage palm trees may be substituted for large canopy tree at a three to one (3:1) ratio, as a part of a landscaping plan.
- Palms should not be utilized in fulfilling more than thirty (30) percent of the requirements
- Tree size immediately after planting:
    - Twelve (12) feet in height
    - 4 to 5 foot spread
    - 3 inch caliper trunk

Trees of species whose roots are known to cause damage to public roadways or other public works should not be planted closer than six (6) feet to these public works, unless the tree root system is completely contained within a barrier for which the minimum interior dimension is 20’ x 20’ and five (5) feet deep.

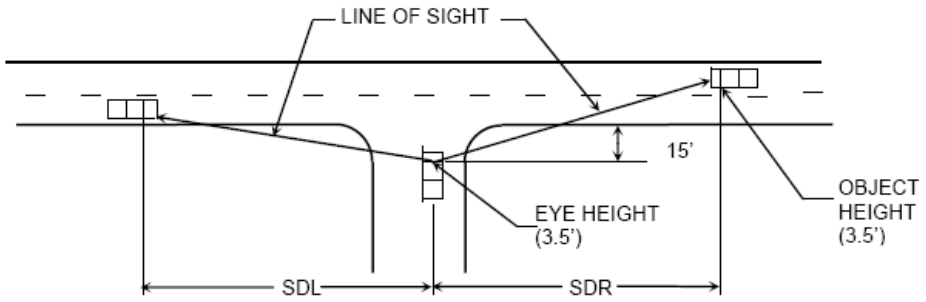
2. Shrubs and Hedges

Shrub requirements immediately after planting:

- Minimum of two (2) feet in height
- 24-inch spread in a minimum 3-gallon container

Hedges, where required, should be planted and maintained so as to form a 36 inch high continuous, unbroken, solid visual screen within one (1) year after time of planting.

Appropriate sight distances must be maintained where driveways intersect roadways. Planting should be 2.5 to 6 feet from the property lines. Landscaping, except required grass or ground cover, should not be located closer then three (3) feet from the edge of any accessway pavement. Adequate sight distances should be designed to standards in GDOT Regulations for Driveway and Encroachment Control, which are as follows.



ARTERIAL SPEED, MPH	SIGHT DISTANCE, Ft				
	2 Lane	3 and 4 Lanes		5 and 6 Lanes	
	SDL=SDR	SDL	SDR	SDL	SDR
30	335	350	375	400	420
35	390	410	440	465	490
40	445	470	500	530	560
45	500	530	560	595	630
50	555	590	625	660	700
55	610	650	685	730	770
60	665	705	750	795	840
65	720	765	810	860	910

These standards apply to undivided highways. If a highway is divided, then the sight distance requirements should be increased to account for the additional width of the median that must be crossed.

Streetscaping

The streetscape zone is described as the area from the curb to the right-of-way. Streetscape systems may be the single most important factor in determining the "image" of a downtown community. **Streetscape systems** include parking, pedestrian nodes and plazas, sidewalk accommodations, pedestrian furnishings, street trees and landscaping, decorative lighting and other special features including fountains, sculpture and kiosks.

Level 1 Corridors

Facility	From	To
South Main Street	General Screven Way	Washington Avenue
East M L King, Jr. Drive	Main Street	Oglethorpe Highway (US 84)
Liberty Street	Main Street	Oglethorpe Highway (US 84)

1. Pedestrian Nodes & Bulb-Outs

- Function as mini-plazas on the streetscape
- Shaded with canopy trees
- Located at intersections and/or mid-block
- Extend twelve (12') feet into the roadway

2. Sidewalk Accommodations

- Minimum width: 11'0"
- Preferred width: 13'6"
- Preferred sidewalk paving materials:
- Concrete Paving is installed at the building face right-of way
    - Allows access at varying elevations
    - Eliminates the need for steps
    - Provides a consistent neutral color and texture at the ground plane and building interface.
- Hexagonal paving system used for the pedestrian zone or "pathway".
    - Fine grade saw-cut concrete paving can replace the hexagonal pavers where there are cost considerations.
    - The concrete interlocking pavers occupy a minimum forty-two (42") inch verge for the back of curb to the hexagonal paver area.
- Verge area minimum 3'6"
    - Verge area accommodates all vertical streetscape elements
- Outside vending areas should occupy the sidewalk zone closest to the building face
    - Minimum functional area: 5'0"
    - Preferred functional area: 7'0"

3. Recommended Furnishings:

- **Bench** Hyde Park Bench
  Landscape Forms
  www.landscapeforms.com

- **Trash Receptacle** Ashebrooke A403-FT
  BRP Enterprises
  www.brponline.com

- **Bicycle Rack** Bike Bollard RB4-03-SM
  BRP Enterprises
  www.brponline.com

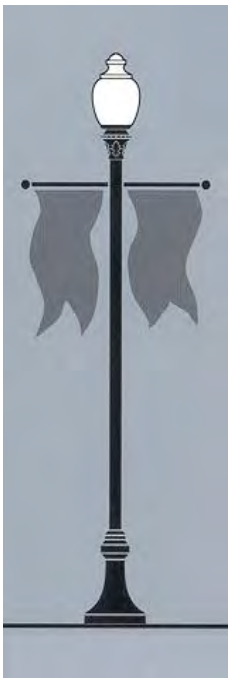
- **Tree Grate** Conquistador 42"-48" sq.
  Ironsmith
  www.ironsmith.com

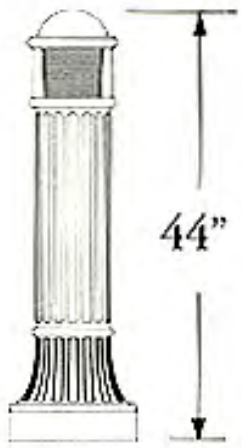
- **Moveable Planter System**
  Senora Series TF4055
  Terraform
  www.wausautile.com

- **Lighting**
  - Maximum12' mounting height for pedestrian fixtures
  - Spaced forty feet (40') or eighty feet (80') alternating side to side.

  - **Pedestrian Light Standard** *12' high*
    Traditional Globe L50-SE-SFO
    Lumec
    www.lumec.com

  - **Bollard** (lighted or non-lighted):
    Columbia BOL/C44/12/LW
    Unique Solutions
    www.holophane.com





Source: Hinesville Overlay District. W.K. Dickson

4. Street Tree Planting

- Siting for street trees is within the "verge" between the back-of-curb and pedestrian sidewalk zones.
- GDOT requires 75% native street trees and 40% native shrubs and ground covers
- Potential street trees:
  - Cabbage Palm *(Sabal palmetto)*
  - Allee Elm *(Ulmus parvifolia Emer II)*
  - Live Oak *(Quercus virginiana)*
  - Laurel Oak *(Quercus laurifolia)*

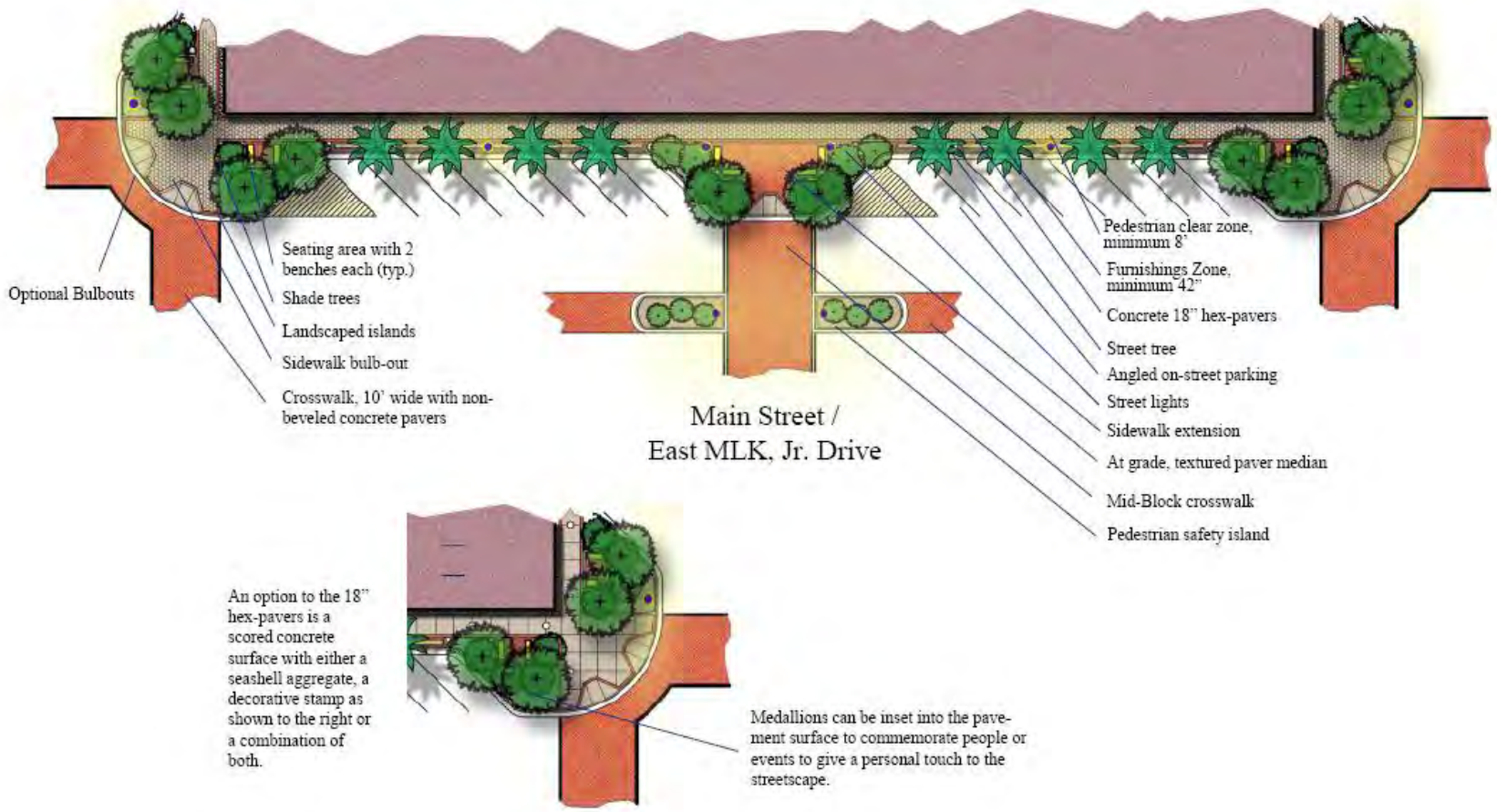
5. Understory and flowering trees

- Installed on bulb-out and areas that are physically constrained by buildings, utilities or traffic safety.
- Potential understory and flowering trees:
    - Crape Myrtle “Tuskeegee” (red, single trunk) *Lagerstroemia indica*
    - Crape Myrtle “Tuskeegee” (red, multi-trunk) *Lagerstroemia indica*
    - Crape Myrtle “Natchez” (white, single trunk) *Lagerstroemia indica*
    - Crape Myrtle “Natchez” (white, multi-trunk) *Lagerstroemia indica*
    - Crape Myrtle “Choctaw” (pink, single trunk) *Lagerstroemia indica*
    - Crape Myrtle “Choctaw” (pink, multi-trunk) *Lagerstroemia indica*
    - East Palatka Holly *Ilex x attenuata*
    - Savannah Holly *Ilex x attenuata*

The list of shrubs and ground covers available in Coastal Georgia is quite extensive and will be left to the discretion of the Design Review Board.

A graphic of the Level 1 streetscape is found in Figure 4.

Figure 4. Overlay District – Level 1 Streetscape



Source: Hinesville Overlay District. W.K. Dickson

Level 2 Corridors

Facility	From	To
Oglethorpe Highway (US 84)	General Screven Way	General Stewart Way
General Screven Way	Fort Stewart Boundary	Oglethorpe Highway (US 84)
General Stewart Way	General Screven WaySR 38 Connector	Oglethorpe Highway (US 84)
EG Miles Pkwy / W Hendry Street	General Screven Way	Main Street
Memorial Drive (realigned)	Fort Stewart Boundary	Oglethorpe Highway (US 84)
Washington Street	Oglethorpe Highway	Main Street

1. Sidewalk Accommodations

- Minimum width: 8'0"
  - Constructed from 4" concrete reinforced with wire mesh
  - At driveways, constructed from 6" concrete reinforced with wire mesh
- Verge area minimum 6'0"
  - Verge area accommodates all vertical streetscape elements

2. Recommended Furnishings:

- **Bench** Hyde Park Bench
  Landscape Forms
  www.landscapeforms.com

- **Trash Receptacle** Ashebrooke A403-FT
  BRP Enterprises
  www.brponline.com

- Benches and trash receptacles placed at selected locations near intersections

- Mandatory placement at transit stops

- **Lighting**
  - Maximum12' mounting height for pedestrian fixtures
  - Spaced forty feet (40') or eighty feet (80') alternating side to side.

  - **Pedestrian Light Standard** *12' high*
    Traditional Globe L50-SE-SFO
    Lumec
    www.lumec.com

- **Vehicular Light Standard** 25' high
  Columbia Cast Iron Steel Teardrop Crystalite;

Source: Hinesville Overlay District. W.K. Dickson

22' pole, Single Arm Road Edge.
Unique Solutions
www.holophane.com

Source: Hinesville Overlay District. W.K. Dickson

3. Street Tree Planting

- Siting for street trees is within the "verge" between the back-of-curb and pedestrian sidewalk zones.
- GDOT requires 75% native street trees and 40% native shrubs and ground covers
- Potential street trees:
  - Cabbage Palm *(Sabal palmetto)*
  - Allee Elm *(Ulmus parvifolia Emer II)*
  - Live Oak *(Quercus virginiana)*
  - Laurel Oak *(Quercus laurifolia)*

4. Understory and flowering trees

- Installed in medians and other areas that are physically constrained by buildings, utilities or traffic safety.
- Potential understory and flowering trees:
  - Crape Myrtle "Tuskeegee" (red, single trunk) *Lagerstroemia indica*
  - Crape Myrtle "Tuskeegee" (red, multi-trunk) *Lagerstroemia indica*
  - Crape Myrtle "Natchez" (white, single trunk) *Lagerstroemia indica*
  - Crape Myrtle "Natchez" (white, multi-trunk) *Lagerstroemia indica*
  - Crape Myrtle "Choctaw" (pink, single trunk) *Lagerstroemia indica*
  - Crape Myrtle "Choctaw" (pink, multi-trunk) *Lagerstroemia indica*
  - East Palatka Holly *Ilex x attenuata*
  - Savannah Holly *Ilex x attenuata*

The list of shrubs and ground covers available in Coastal Georgia is quite extensive and will be left to the discretion of the Design Review Board.

Level 3 Corridors

Connector roads with commercial or a commercial-residential mix, including, but not limited to, the following corridors:

Facility	From	To
North Main Street	Washington Avenue	General Stewart Way
Court Street	South Gause Street	Oglethorpe Highway (US 84)
Commerce Street	Martin Luther King, Jr. Drive	Washington Avenue
Carter Street	South Main Street	Oglethorpe Highway (US 84)
Bradwell Street	Washington Avenue	General Stewart Way
South Wellborn Street	General Screven Way	Court Street
North Wellborn Street	Court Street	Washington Avenue
Fraser Circle	General Screven Way	South Gause Street
Liberty Street	South Main Street	Oglethorpe Highway (US 84)
East Hendry Street	South Main Street	Oglethorpe Highway (US 84)

1. Sidewalk Accommodations

- Minimum width: 6'0"
- Preferred width: 8'0"
- Verge area minimum 6'0"
    - Verge area accommodates all vertical streetscape elements

2. Recommended Furnishings:

- **Lighting**
    - Maximum12' mounting height for pedestrian fixtures
    - Spaced forty feet (40') or eighty feet (80') alternating side to side.

- **Pedestrian Light Standard** *12' high*
  Traditional Globe L50-SE-SFO
  Lumec
  www.lumec.com

3. Street Tree Planting

- Street trees located between sidewalk zone and roadway.
- Use canopy trees when trees are absent
- Preserve existing canopy trees whenever possible
- Potential street trees:
    - Cabbage Palm *(Sabal palmetto)*
    - Allee Elm *(Ulmus parvifolia Emer II)*
    - Live Oak *(Quercus virginiana)*
    - Laurel Oak *(Quercus laurifolia)*

Level 4 Corridors

Facility	From	To
Commerce Street	Liberty County Courthouse	Hendry Street
Ryon Avenue	South Main Street	Oglethorpe Highway (US 84)
Gause Street	General Screven Way	General Stewart Way
Multi-use trails as identified in the City of Hinesville Redevelopment Master Plan		

1. Sidewalk Accommodations

- Preferred width: sixteen feet (16') to twenty feet (20').
    - Concrete inter-locking pavers
- Multi-use trails, a width of ten feet (10') to twelve feet (12')
    - Asphalt
- Multi-use trails adjacent to an existing roadway
    - Eight feet (8') minimum
    - Ten feet (10') maximum
    - Four inch (4") deep concrete reinforced with wire mesh.

2. Recommended Furnishings

- **Bench** Hyde Park Bench
  Landscape Forms
  www.landscapeforms.com

- **Trash Receptacle** Ashebrooke A403-FT
  BRP Enterprises
  www.brponline.com

- **Bicycle Rack** Bike Bollard RB4-03-SM
  BRP Enterprises
  www.brponline.com

- **Lighting**
  - Maximum12' mounting height for pedestrian fixtures
  - Spaced forty feet (40') or eighty feet (80') alternating side to side.

  - **Pedestrian Light Standard** *12' high*
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    Lumec
    www.lumec.com

  - **Bollard** (lighted or non-lighted):
    Columbia BOL/C44/12/LW
    Unique Solutions
    www.holophane.com

3. Street Tree Planting

- Siting for street trees is within the "verge" between the back-of-curb and pedestrian sidewalk zones.
- Potential street trees:
  - Cabbage Palm *(Sabal palmetto)*
  - Allee Elm *(Ulmus parvifolia Emer II)*
  - Live Oak *(Quercus virginiana)*
  - Laurel Oak *(Quercus laurifolia)*

4. Understory and flowering trees

- Installed in areas where there are space restrictions
- Potential understory and flowering trees:
  - Crape Myrtle "Tuskeegee" (red, single trunk) *Lagerstroemia indica*
  - Crape Myrtle "Tuskeegee" (red, multi-trunk) *Lagerstroemia indica*
  - Crape Myrtle "Natchez" (white, single trunk) *Lagerstroemia indica*
  - Crape Myrtle "Natchez" (white, multi-trunk) *Lagerstroemia indica*
  - Crape Myrtle "Choctaw" (pink, single trunk) *Lagerstroemia indica*

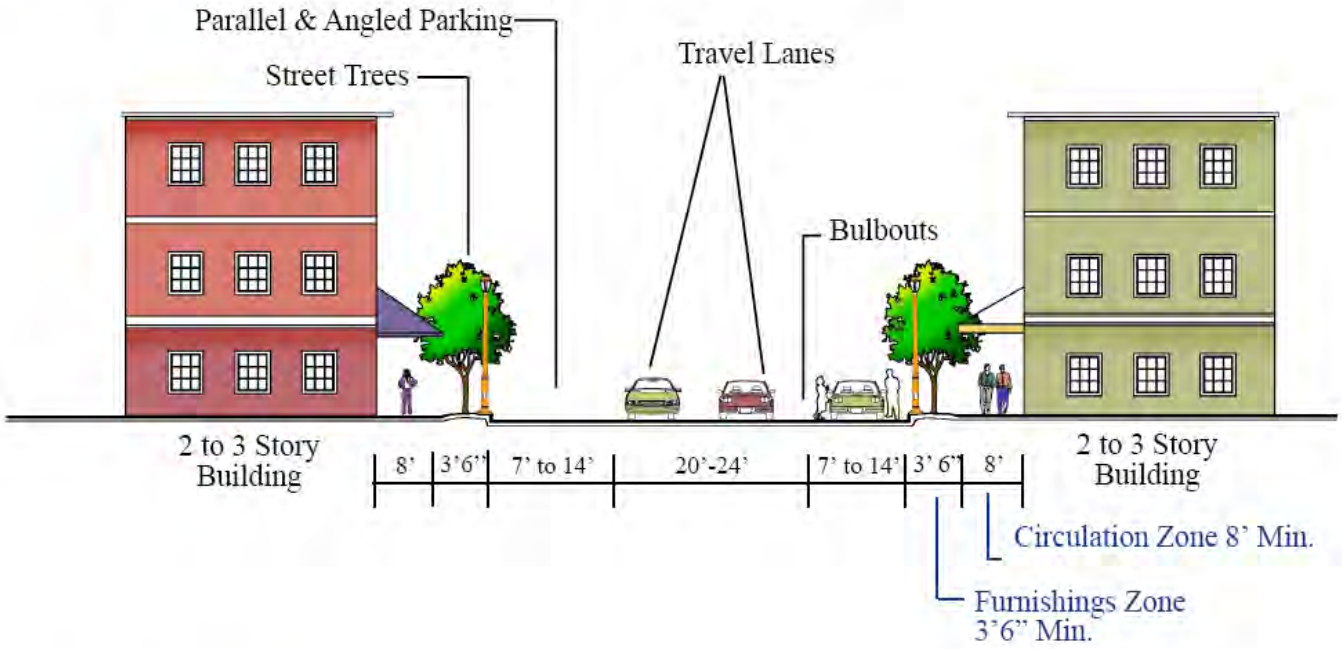
- Crape Myrtle “Choctaw” (pink, multi-trunk) *Lagerstroemia indica*
- East Palatka Holly *Ilex x attenuata*
- Savannah Holly *Ilex x attenuata*

The list of shrubs and ground covers available in Coastal Georgia is quite extensive and will be left to the discretion of the Design Review Board.

Graphics depicting each streetscape are found on the following pages.

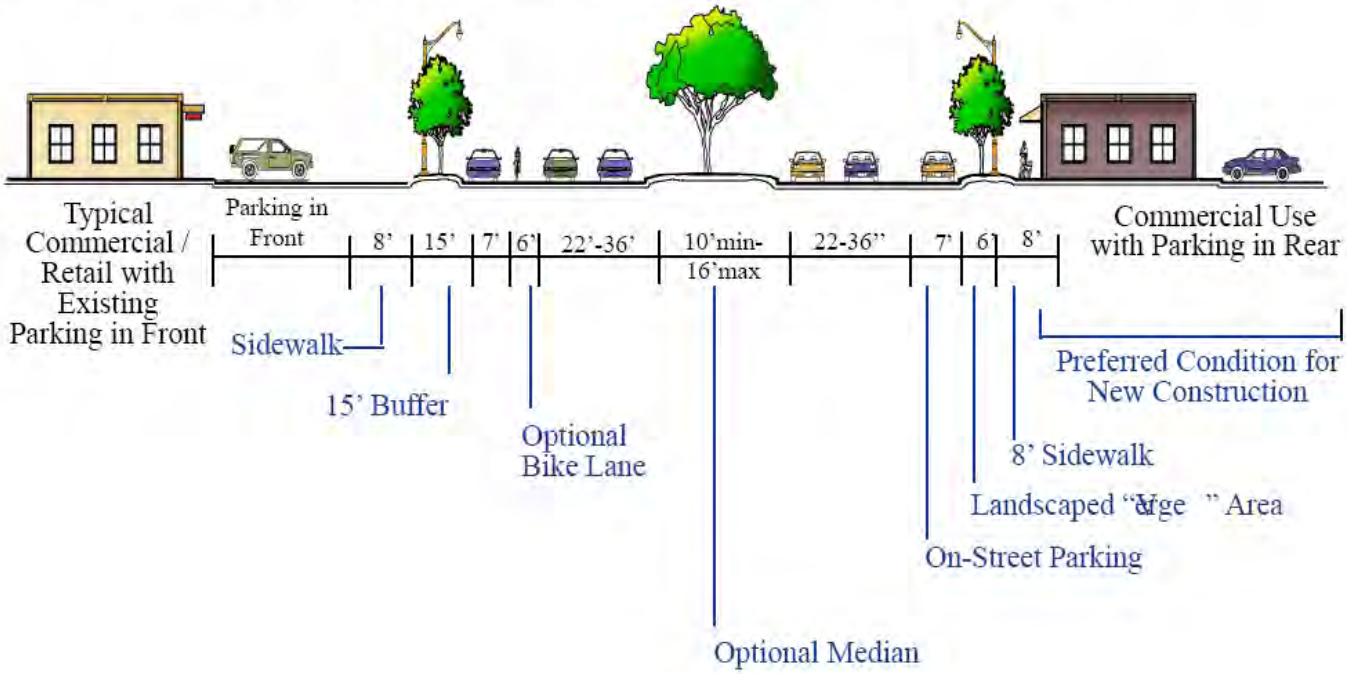
Streetscape Level 1

Main Street and East Martin Luther King , Jr. Drive and Liberty Street.



Streetscape Level 2

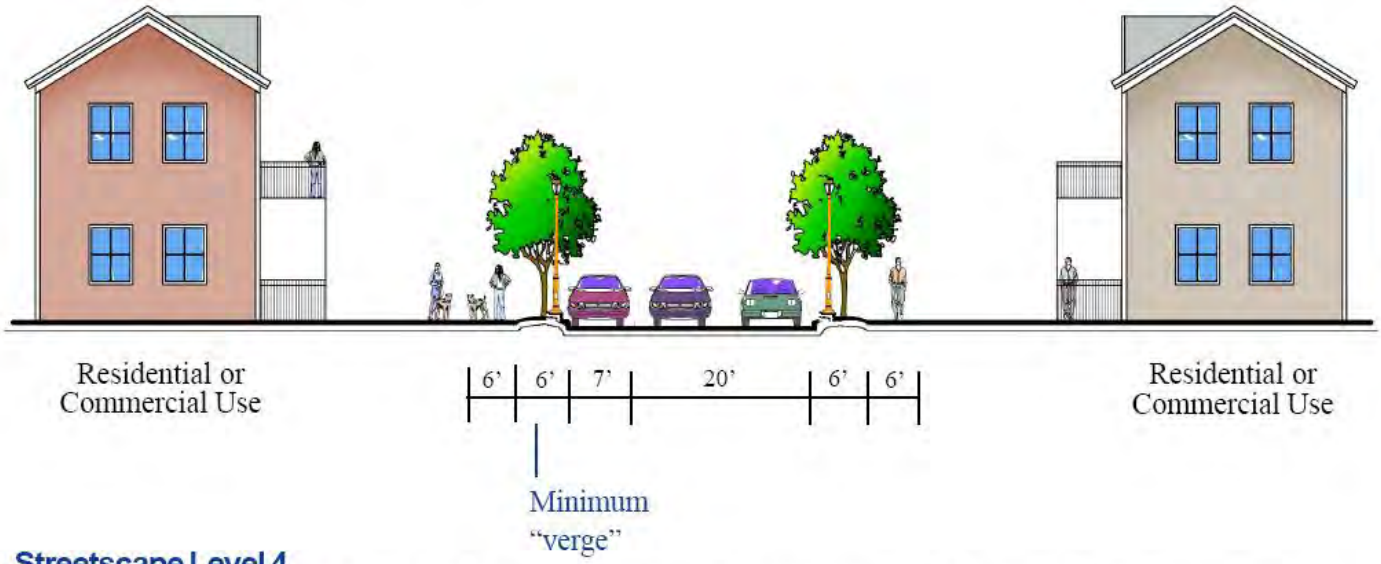
Oglethorpe Highway, General Screven Way, Memorial Drive, East Washington Avenue (no median), General Stewart Way (no median), E.G. Miles Parkway (Screven to Main).



Source: Hinesville Overlay District. W.K. Dickson

Streetscape Level 3

Commercial and residential connectors.



Streetscape Level 4

Shared-use streets and multi-use trails, Commerce Street from Liberty County Court House to Hendry Street and and Midway Street, Also, multi-use trails as identified in the City of Hinesville Redevelopment Master Plan.

Multi-Use Trail

Shared-Use

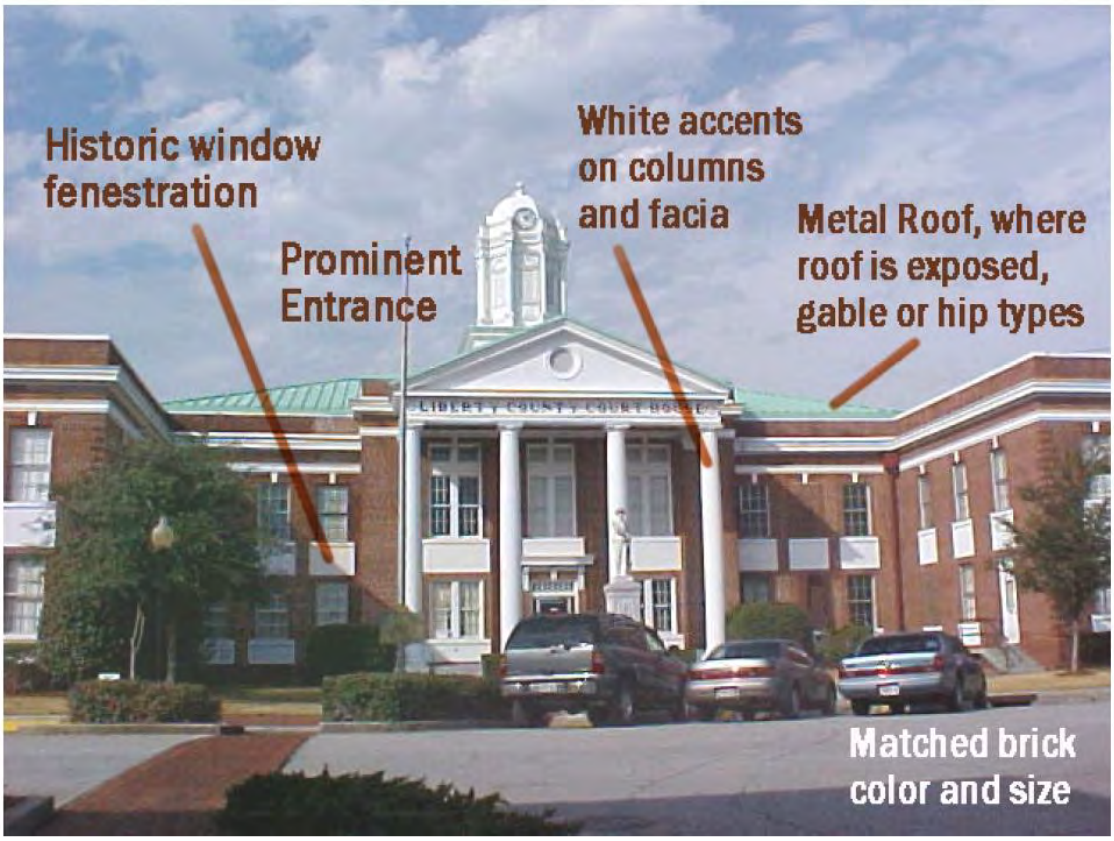
Source: Hinesville Overlay District. W.K. Dickson

Architectural Standards

1. Building Character

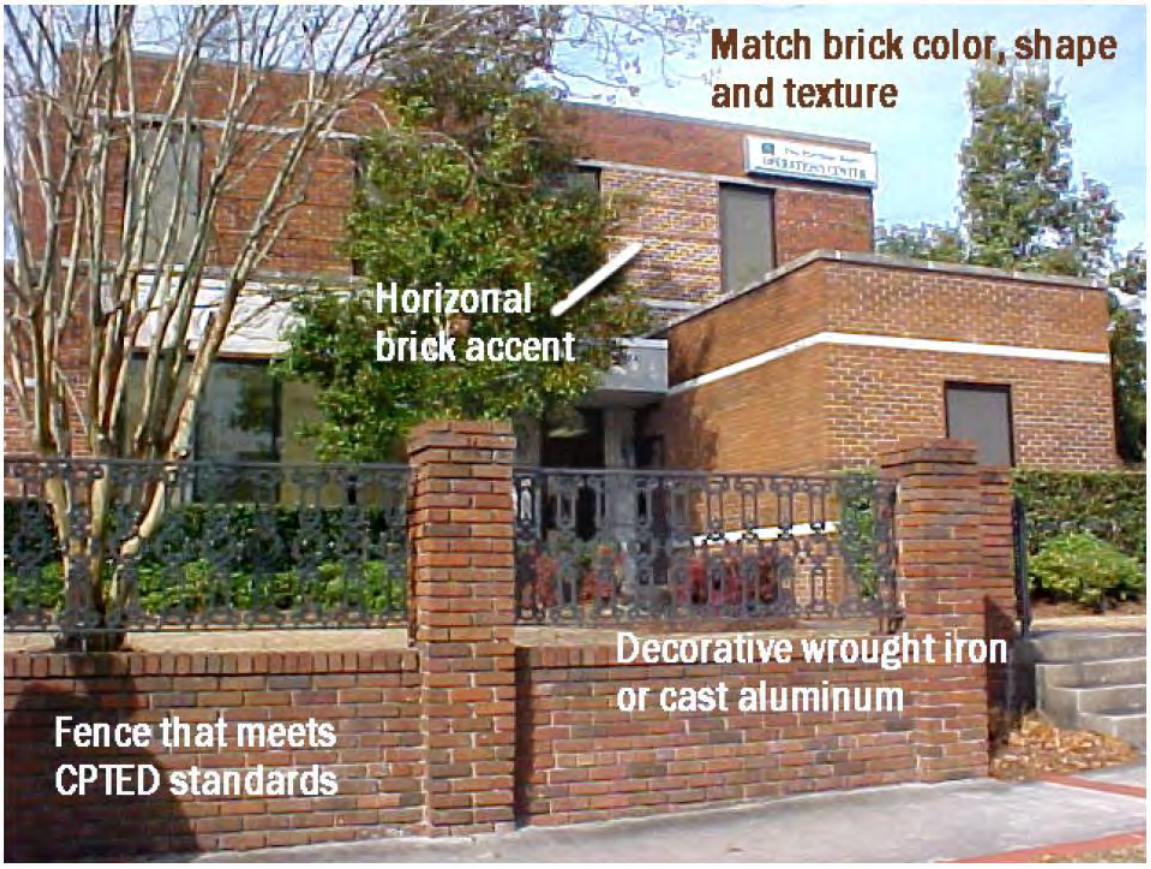
- 4 Buildings identified as image makers for Historic Urban Core and Overlay District
  - Liberty County Courthouse
  - Old Jail
  - Heritage Bank
  - Coca-Cola Building

- New structures should include similar design motifs, including color, texture and architectural elements



Source: Hinesville Overlay District. W.K. Dickson

Source: Hinesville Overlay District. W.K. Dickson



Source: Hinesville Overlay District. W.K. Dickson

2. Siting

- Parking lots are to be located behind proposed structures with buffers and landscaping

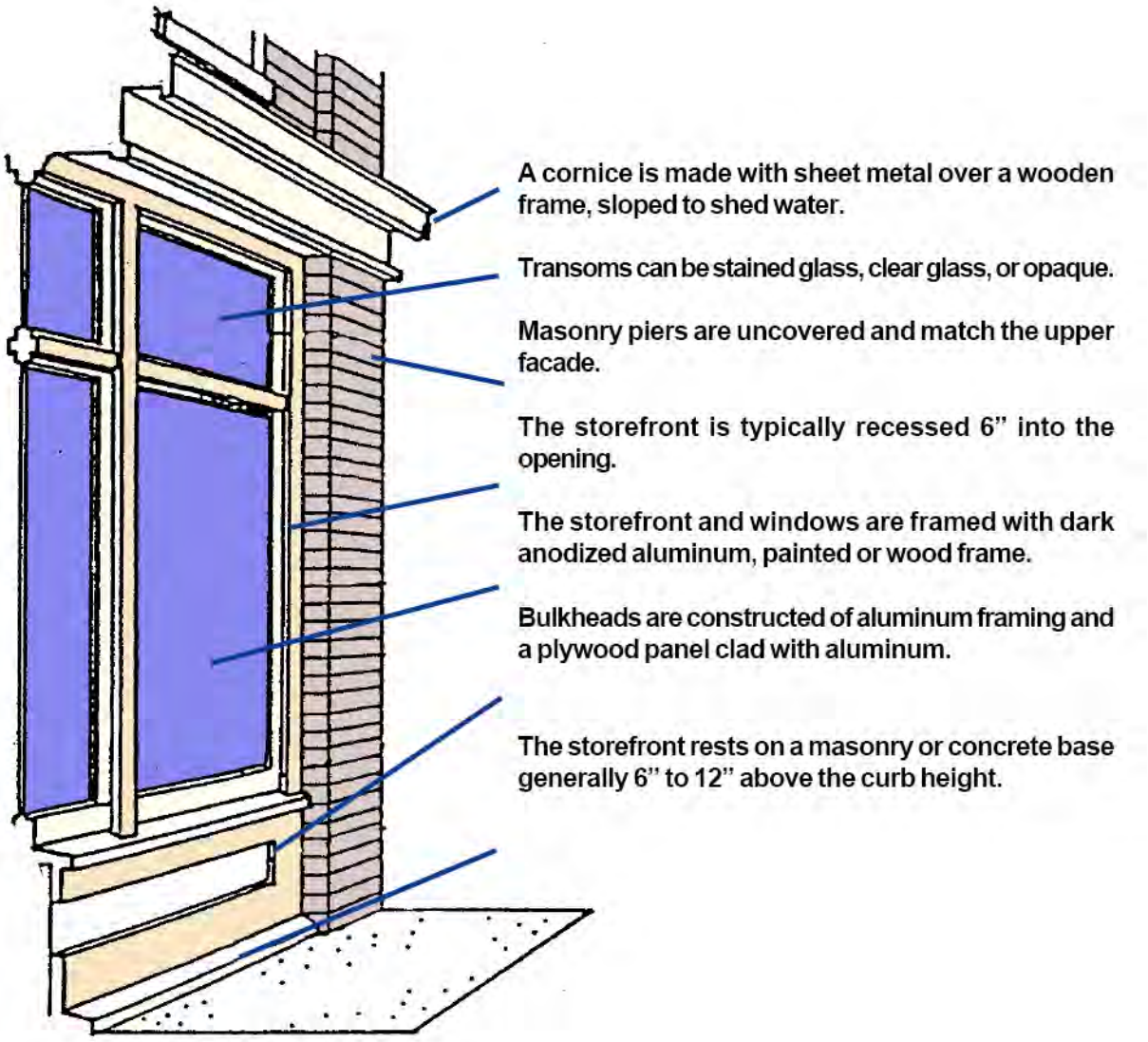
3. Roof/Canopies/Materials

- No free-standing, flat-roofed canopies
- All roof structures for main and ancillary buildings or canopies must be contiguous and match color, material, and texture.
- Brick facades are required for all new commercial buildings
    - Window fenestration that mimics the historic building examples.

4. Historic Urban Core Storefronts

- Modify storefronts with traditional materials.
- Modern materials should be used when excessive cost becomes an issue.
- Consider a storefront as a frame for the windows

- **Materials**
    - o Storefront constructed with contemporary materials



Source: Hinesville Overlay District. W.K. Dickson

- **Design Continuity**

  - Maintain the existing pattern of building widths.
  - Avoid visually dividing a building into a number of small facades.
  - Facade improvements should use traditional storefront design and similar architectural features to maintain continuity (i.e., color, canopy, window treatment).

- **Alignment**

  - Maintain the alignment of storefronts from the sidewalk edge.
  - Entrance areas and porticos may be set back as long as the dominant portion aligns with the sidewalk.
  - Use front display windows as a larger percentage of the storefront

Correct

Incorrect

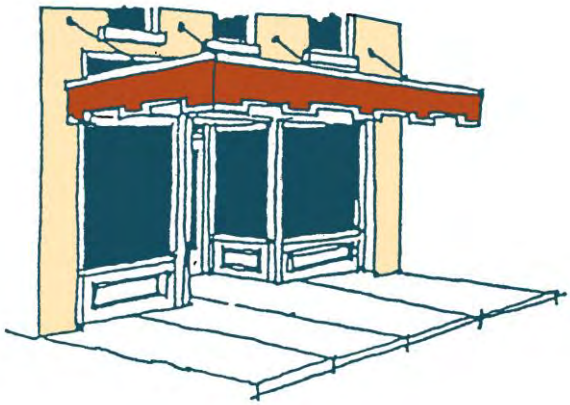
Source: Hinesville Overlay District. W.K. Dickson

Front display windows comprise a large percentage of the storefront

Storefront is situated too far from the sidewalk edge

- **Canopies**

  - Canopies are defined as the platforms or awnings suspended over the pedestrian zone
  - Aluminum awnings or canopies generally detract from the historic charm of a facade.
  - A flat canopy can be dressed up by using a twelve to twenty-four inch awning valance,
  - Unattractive features can be disguised by mounting an awning over a problem area while maintaining the proportions of a traditional storefront.



Source: Hinesville Overlay District. W.K. Dickson

- **Signs**
    - Fit signs within the architectural features of the facade.
        - Signage should be subordinate to the building design and
        - Should not block the view of the buildings' architectural detail.
        - Align signs on an individual building
        - Where possible, coordinate size, color and type of architectural style.
        - Consider using symbols as signs, i.e., shoe shape for a shoe store.
        - Keep the number of signs on the storefront to a minimum
        - The lettering used on the signage should be easy to read, contained, simple and properly proportioned.
        - Use materials compatible with the building.
        - Recommended materials include:
            - Brass plates,
            - Carved or painted wood,
            - Applied wood on metal lettering
            - Etched, sandblasted or gilded glass.
        - Enhance the historic charm of the downtown area with local signage.
        - Unacceptable materials include
            - Internally lit thermo formed plastic letters
            - Imitation wood grain materials,
            - Fluorescent colored paints or plastics.
        - Design lighting and mounting hardware is an integral part of the sign.
        - Lighting and mounting should be coordinated with architectural elements of the building and indirectly lit.

- **Transoms**
    - Closed transoms are encouraged to be included in re-design.
    - Stained glass windows allow the light to shine to the back of the store and reduce heat gain that results from unblocked sunlight through clear glass.
    - Transoms can be designed to incorporate your signage to enhance the storefront appearance

- **Cornices**
    - Cornices provide a building “cap” and help frame the facade.
    - Every effort should be made to restore the historic cornice to its original appearance.

- **Entries**
    - All entrances should be recessed when possible from the sidewalk.
    - Entrance doors should have large glass panels.

- **Kick Plates**
    - Storefront kick plates are encouraged and enhance the historical appearance of a building.
    - Masonry kick plates are most appropriate.
    - Kick plate heights should be aligned with adjacent building kick plates for continuity

- **Storefront Design**
    - A storefront should fit “inside” the original opening created by the pairs of pilaster of the building and not extend beyond the storefront.
    - There generally is, and should be, more glass on the lower facade.

- **Back of Buildings / Service Entries**
    - Advertise the storefront from the service entry using complimentary signage.
    - If service entry can be viewed by pedestrian traffic, the area should be kept safe and clean

- **Upper Stories**
    - Signs should not dominate the surface on second story buildings.
    - Upper story windows should not be boarded up or painted over.
    - Like storefronts, the size, proportion and “rhythm” of the upper story windows should be similar to that of the surrounding buildings.

Appendix C
Liberty Gateway Overlay District
Design Guidelines

Liberty Gateway District Design Guidelines

Introduction

Our sense of community is defined by our surroundings, both natural and manmade, and no single element stands alone. We strive to create an interwoven fabric made of streets, buildings, and landscape working together rather than a haphazard patchwork quilt of developments which ignore their surroundings. As our community grows, consideration of our community's rich history and appreciation of our natural resources should be balanced with new development.

These design guidelines provide direction for development occurring within Liberty County to support the overall vision of the community, stated below:

> *Liberty County's vision is to be the premier community in Coastal Georgia in which to live, work, and visit because of our rich history, heritage, cultural diversity, unsurpassed quality of life and respect for the environment and natural resources.*

Even though multiple governing jurisdictions are located within the Liberty Gateway District, we all support the principles outlined within this document to promote high quality, sustainable development. The *City of Midway's Historic Midway Master Plan* (November 2006) has provided guidance for the development of this document.

In order to maximize design creativity and innovation, the design guidelines typically provide general direction, but some standards are included as noted. Standards shall be followed as requirements unless substantial justification can be provided otherwise. This document is administered by the Liberty Consolidated Planning Commission (LCPC) and users are encouraged to work collaboratively with the LCPC in developing plans and designs in harmony with our community's vision.

Purpose and Intent

U.S. Highways 84 and 17 and the surrounding areas serve as a significant gateway into Liberty County and each of its communities. The overall appearance of this area and the efficiency of the transportation network are of the utmost importance to the county as a whole. Therefore, these design guidelines have been developed to provide a resource to address development within these areas.

The purpose and intent of these guidelines are as follows:

- Preserve and enhance natural, cultural, and historic resources of Liberty County and encourage designs compatible with these goals;
- Develop a gateway to the county to encourage tourism and economic development consistent with Liberty County's vision;
- Promote an attractive view from I-95, US 84 and US 17 which will

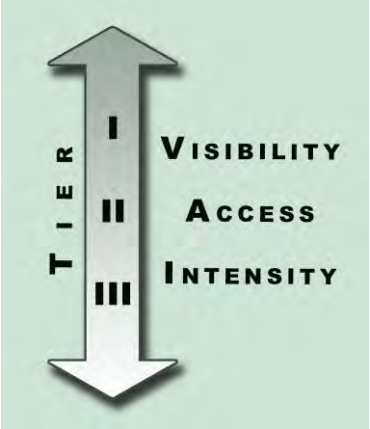
These guidelines were developed with the thoughtful guidance and input of the *Gateway Steering Committee* and the *Liberty Consolidated Planning Commission*

Guidelines prepared by

RS&H

LOTT BARBER

reflect a positive image of Liberty County to the travelling public;
- Develop an efficient transportation network of interconnected streets and multimodal facilities;
- Preserve and enhance the capacity and safety of regional highways, especially U.S. Highway 84 and US 17;
- Distinguish Liberty County from other exits along Interstate 95.



Applicability

These guidelines apply to all areas within the Liberty Gateway District, as indicated on the official zoning maps of Liberty County, Midway and Riceboro. Within this district, there are three tiers of applicability. Each tier represents a varying level of standards, with Tier I specifying the highest level of detail to Tier III, which includes the lowest level of detail. The three tiers are as follows:

- Tier I

This tier includes the properties that are adjacent to major regional roads that are most visible within the district. For this reason, the standards within Tier I are the most specific, detailed, and comprehensive. This tier includes areas adjacent to U.S. Highway 84, S. R. 38, S.R. 119, Islands Highway, Fort Morris Road, and U.S. Highway 17.

- Tier II

This tier includes properties that are adjacent to major local roads located in the district, particularly along Isle of Wight Road, Charlie Butler Road, Cay Creek Road, and parts of Barrington Ferry Road and Sandy Run Road.

- Tier III

All other properties within the Liberty Gateway District.

These tiers are categorized according to visibility, degree of access, and development intensity. Therefore, if a proposed development warrants, a property may be re-categorized into a higher-order tier upon the recommendation and approval of the LCPC.

In addition to the Tiers, there are also unique areas of special consideration, including Historic, Cultural, & Natural Resource Protection Areas; Interstate 95; Industrial Properties; Civic Uses; and Big Box Retail. Specific provisions for development within these areas are provided later in the document.

Character Areas

Within the Liberty Gateway District, there are two primary character areas – "town" and "rural." Town and rural characteristics are articulated for Tier I and Tier II. In general, as you travel along "town" corridors, the buildings are the focus; and as you travel along "rural" corridors, the landscape is the focus.

The "town" areas primarily include the interchange area around U.S. Highway 84 and Interstate 95 extending west into the City of Midway, and within the City of Riceboro on U.S. 17 and a portion of Sandy Run Road. A town character is also anticipated along some of the major local roads in the area. Town development

within the Liberty Gateway District is anticipated to include a diversity of retail, office, and entertainment venues, a high degree of pedestrian accessibility, buildings reflective of a downtown character, and higher density residential. In general, buildings and hardscape are the dominant features of the landscape.

The "rural" areas are primarily located on the eastern end of the District leading to historic village of Sunbury, the entries into the Cities of Midway and Riceboro along US 17, and along S.R. 119, Barrington Ferry Road and Sandy Run Road in the City of Riceboro. Rural development within the Liberty Gateway District is anticipated to include some retail, commercial, and office uses, but at a smaller scale than its town counterpart. Residential development is anticipated to occur at lower densities as well. In general, vegetation is the dominant features of the landscape.

How to Use this Document

1. *Determine level of applicability*

   First, locate the subject property in the Liberty Gateway District as shown on the official zoning map of the appropriate jurisdiction (Liberty County, Midway or Riceboro). Then, reference the pattern to determine the character – town or rural. Icons located throughout this document correlate with this map to indicate which standards apply.

   The shape and number inside the icon corresponds to the Tier. The pattern within the icon corresponds to the character. Icons with a solid fill apply to both character areas.

   Tier I – All
   Tier II – All
   Tier III – All

   Tier I – Town
   Tier II – Town

   Tier I – Rural
   Tier II – Rural

   "Town" and "rural" character areas do not apply to Tier III.

2. *Design Considerations*

   Once the level of applicability has been determined, review the Design Considerations which are provided in three main sections, as follows:

   Section I: Circulation & Access
   – Applies to Tiers I, II, & III
   Section II: Site
   – Applies to Tiers I & II only
   Section III: Buildings
   – Applies to Tier I only

   For example, for properties in Tier III, only Section I: Circulation & Access, applies. However, for properties in Tier I, all sections, including Circulation & Access, Site, and Buildings, apply. The symbols are repeated on the top right corner of each page for easy reference throughout the document. The chart on page 5 provides an overview of the applicability of the design guidelines

for each tier.

3. *Intent*

The intent of these design guidelines as a whole is to encourage innovation and creativity which supports the character of Liberty County. There are countless ways to achieve this goal. Therefore, each section begins with the *Intent* specifically for that section in order to describe how that section supports the overall vision. During the creation of development plans, property owners are strongly encouraged to work collaboratively with the Liberty Consolidated Planning Commission staff and the Design Review Board to explore design ideas beyond the recommendations of these guidelines which are consistent with the Intent and overall vision of Liberty County.

4. *Refer to Examples*

In addition to the guidelines and standards provided by this document, sample images are also included for reference of designs which are appropriate and inappropriate. The following icons are used for the sample images:

Appropriate design

Inappropriate design

		TIER I	TIER II	TIER III
GENERAL DESIGN PRINCIPLES		•	•	•
DESIGN CONSIDERATIONS				
CIRCULATION	Streets	•	•	•
	Connectivity	•	•	•
	Wayfinding	•	•	•
	Public Space	•	•	•
	Parking (General)	•	•	•
	Alternative Transportation	•	•	•
	Internal Circulation	•	•	•
	Stormwater Management	•	•	•
SITE	Access	•	•	
	Building Disposition	•	•	
	Parking (Specific)	•	•	
	Building Characteristics	•	•	
	Landscaping	•	•	
	Buffers	•	•	
	Lighting	•	•	
	Street Furniture	•	•	
	Signage	•	•	
	Utilities & Equipment	•	•	
BUILD-INGS	Building Envelope	•		
	Texture & Design Details	•		
SPECIAL CONSIDERATIONS	"Big Box" Retail	•	•	•
	Interstate	•	•	•
	Civic Uses	•	•	•
	Industrial	•	•	•
	Historic Corridor	•	•	•

General Design Principles

The following design principles should be considered throughout the Liberty Gateway District in order to promote quality development consistent with Liberty County's vision.

1. **Public space** - To preserve, enhance, or create many forms of publicly accessible open space, such as parks, plazas, water features, tree-lined streets and community gathering areas.

2. **Compact mixed-use** - To create a compact concentration of land uses within each development through multiple uses in a single building or in the same general area.

3. **Street activity** - To encourage a sense of place by allowing the imaginative and efficient utilization of land and to develop a sense of community by promoting year-round pedestrian and outdoor activities at the street level.

4. **Pedestrian-orientation** - To reduce the dependence upon and dominance of the automobile through street design, shared parking, bicycle and pedestrian pathways and spaces, and pedestrian-scaled buildings.

5. **Design** - To achieve a unique aesthetic design through high quality architecture and construction with attention to placement, relationship, and orientation of structures to provide a greater compatibility with surrounding land uses.

6. **Community cohesiveness** - To provide physical linkages and opportunities for recreational and social connections throughout the community to allow residents and visitors to enhance their quality of life in Liberty County.

7. **Sustainable practices** - To recognize our responsibilities to future generations by placing equal consideration on environmental, social, and fiscal responsibility through sustainable design, construction, and operation practices of communities, sites, and buildings.

Design Considerations

Section I:

Circulation & Access – Tier I, II, & III

Streets
Intent:
Street designs should permit safe and comfortable use of streets by motorists, pedestrians, and bicyclists.

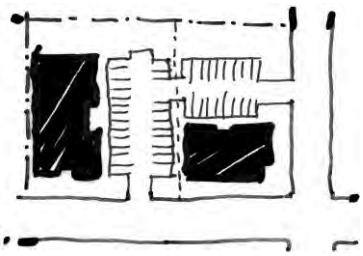
Streets

Street designs should permit safe and comfortable use of streets by motorists, pedestrians, and bicyclists.

Standards

- The specific design of any given street should consider the building types which have frontage and the relationship of the street to the overall street network.
- Streets should generally be designed as a prevalent public space and be scaled to the pedestrian.
- Streets should generally be bordered by sidewalks on both sides, with the exception of alleys or service corridors. Sidewalks on one side of the road or other pedestrian facilities may be permitted by the Liberty Consolidated Planning Commission as an incentive to protect water quality or to achieve other community goals as long as adequate pedestrian facilities are provided.
- Streets should generally be lined with street trees on both sides, with the exception of alleys.
- Streets should generally be the focus of buildings. Generally, all buildings will front on public streets.

Connectivity
Intent:
Create an integrated street network which supports new development and provides maximum mobility while maintaining community character.



Connectivity

Create an integrated street network which supports new development and provides maximum mobility while maintaining or establishing community character.

Inter-parcel Connections

Linking residential subdivisions and mixed-use developments using inter-parcel connections and pathways or trails shall be incorporated to facilitate non-auto movements in the area. Inter-parcel connections between properties in commercial areas shall be provided to minimize the need for auto traffic movements on the street system. Pedestrian facilities shall be direct and convenient.

- Streets should be designed in such a way that they provide connectivity within a development and to existing and future developments. Cul-de-sacs are strongly discouraged, but may be considered where topographical and/or lot line configurations offer no practical alternatives for connections or through traffic. Where cul-de-sacs do exist, they should be designed in such a way that they have a pedestrian egress point providing connectivity. Street stubs, with a temporary turn-around, or dedicated right-of-way shall be provided within each development adjacent to open land to provide for future connections.

Drives and walkways

Driveway and access points shall be designed in a way to preclude the obstruction of pedestrian facilities by vehicles which are parked and/or waiting in a queue.

Blocks

The creation of blocks builds an interconnected street network which provides for accessibility and a variety of travel path options. In order to create safe, efficient, and well-connected development which is accessed from primary corridors, specific guidelines for block perimeters within Tiers I & II are provided in *Section II: Site Design Considerations*.

For purposes of this section, a "block" shall mean a group of lots, tracts or parcels within well-defined and fixed boundaries surrounded by public rights-of-way or easements. Each block or building site shall be separated from other blocks or building sites by a public right-of-way or public access easement so as to be surrounded on all sides by such right-of-way or access easement.

Traffic Calming

Streets should be designed to safely accommodate vehicular, bicycle, and pedestrian traffic. Physical traffic calming measures, such as bulbouts (curb extensions) and textured driving surfaces, may be appropriate in some areas and shall be evaluated when proposed. Traffic calming may also be achieved through design of the streets by the use of street trees, on-street parking, narrow travel lanes, etc.

Traffic Control

Traffic control features, including signs, pavement markings, etc. shall be prepared in accordance with the guidance of the Manual on Uniform Traffic Control Devices (MUTCD) published by the Institute of Transportation Engineers (ITE). The developer is responsible for the initial installation of the devices and the maintenance thereof until the public entity accepts the street.

Alleys & Lanes

Alleys and lanes are permitted. Alleys typically provide service to the rear of commercial or mixed use buildings, while lanes typically provide service to the rear of single-family properties. The placement of utilities in alleys and lanes is encouraged. Utilities may be placed within the lane right-of-way and/or under the driving surface.

Lanes providing access to detached single-family lots may be surfaced with gravel or other pervious materials, upon approval.

Wayfinding

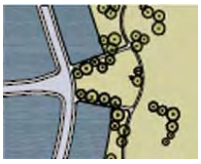
Wayfinding
Intent:
Create a user-friendly street network to help people move about in the community and reduce driver frustration and fatigue.

Create a user-friendly street network to help people move about in the community and reduce driver frustration and fatigue.

Streets shall be organized in a logical manner to facilitate easy vehicular and pedestrian movement. Wayfinding relies on visual cues and refers to how people orient themselves and move about the community. While signage may be a component, wayfinding should be inherent in a logical design and layout of the community.

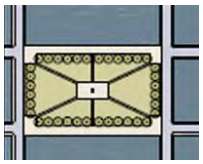
Public Space
Intent:
Maximize opportunities for people to interact with nature and one another.

Park

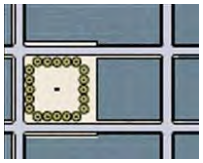


Green

Square



Plaza



Playground

Graphics courtesy of Duany, Plater, & Zyberk Co.

Parking
Intent:
Parking areas should be efficient, safe, and designed to minimize their visual impact.

Public Space

Maximize opportunities for people to interact with nature and one another.

The inclusion of public space is encouraged in all new developments. Public spaces are defined as areas which are readily and clearly accessible to the general public and may be owned by a local government, neighborhood association, or other entity. Public space may take many forms, including, but not limited to, the following examples.

a. Undisturbed: Unaltered existing vegetation in its most natural state.

b. Park: A natural preserve available for unstructured recreation. A park may be independent of surrounding buildings. Its landscape typically consists of paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically arranged. Parks may be linear, following natural corridors.

c. Green: An open space, available for unstructured recreation. A green may be spatially defined by landscaping, buildings, and/or public right of ways. Its landscape typically consists of lawn and trees, naturalistically arranged.

d. Square: An open space available for unstructured recreation and civic purposes. A square is spatially defined by buildings. Its landscape typically consists of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important streets.

e. Plaza: An open space available for civic purposes and commercial activities. A plaza shall be spatially defined by buildings. Its landscape shall consist primarily of hardscape. Trees are optional, although encouraged.

f. Playground: An open space designed and equipped for the recreation of children. A playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within residential areas and may be placed within a block. Playgrounds may be included within parks and greens.

Parking (General)

Parking areas should be efficient, safe, and designed to minimize their visual impact.

Location of Parking Areas

Buildings should be located at the corner of sites closest to the road intersection, so that the line of sight to parking areas is blocked by buildings and so that the travel path from public sidewalks is shortened. Parking shall be located in a way that it is not visually dominant. Parking is encouraged to be located to the side or rear of buildings. Parking located *only* between buildings and the road is prohibited. This does not preclude some parking in the front, but large parking areas should be avoided in front of buildings. Specific guidelines for parking areas within Tiers I & II are provided in *Section II: Site Design Considerations*.

Standard:

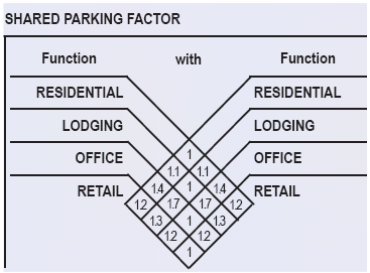
- Parking areas, including parking lots, garages, and parking structures, shall be connected to an interconnected pedestrian system.

Shade trees

Shade trees shall be provided in all parking areas.

Standard:

- For every twelve (12) spaces, a canopy tree should be established which contains a minimum planting area of no less than 400 square feet in size per tree.



Graphics courtesy of Duany, Plater, & Zyberk Co.

Shared Parking

Shared parking is encouraged when multiple uses are located close to one another and their parking demands differ by time of day or day of the week (e.g., church and an indoor theater). Parking requirements for shared uses may be reduced based on the Shared Parking Factor ratios shown. To calculate the number of spaces required, add the total number of spaces for each separate function, then divide by the shared parking factor.

Example:

Retail use	Spaces Required	100
Office use	Spaces Required	80
	Spaces Required (Total)	180
Shared Parking Factor		1.2

180 spaces / 1.2 = 150 spaces

(Total spaces / Factor = Shared parking requirements)

Alternative Transportation

Alternative Transportation
Intent:
Create safe, convenient, and adequate facilities to encourage alternative transportation modes, including walking and cycling, as a valuable part of a balanced transportation system.

Create safe, convenient, and adequate facilities to encourage alternative transportation modes, including walking and cycling, as a valuable part of a balanced transportation system.

Incorporating multi-modal transportation facilities is a high priority for the community. The inclusion of facilities to support alternative transportation, including walking, cycling, and non-gasoline powered vehicles, is encouraged and may be required depending on the intensity of the development. The American Association of State Highway Transportation Officials (AASHTO) "Bicycle Facilities Guidebook" provides guidance on a range of bicycle facilities, including bicycle lanes, bicycle paths, bicycle routes, and bikeways. Adequate bike parking facilities and signs are required in key locations to facilitate safe and secure bicycling in the area.

Standards:

- Dedicated bicycle facilities, sidewalks, and/or shared use paths are required for all new developments. Details shall be reviewed on a case-by-case basis.
- Bike racks shall be located in safe, visible, easily accessible areas.

Pedestrian Access

Pedestrian access shall be provided to individual developments and each establishment within the development. Pedestrians should not have to walk in and along parking aisles, driveways or roadways to get from any one building to another; rather, pedestrian ways shall be well defined, take as

direct a path as possible, and they should be separated where practical from automobile access ways. Wherever possible, pedestrian facilities should also be provided so that users can walk between commercial areas and surrounding residential districts in as direct a path as possible.

Standards:

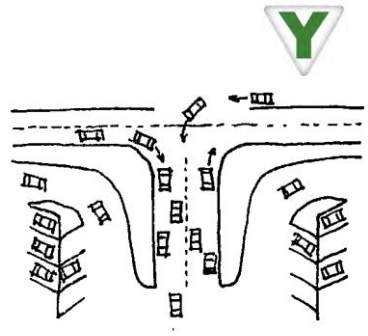
- Pedestrian facilites are defined as facilities which do not support the use of motorized vehicles and may include sidewalks, multi-purpose paths or trails, etc.
- Pedestrian facilities on individual properties must connect to any existing pedestrian system within the right-of-way and to adjacent parcels where compatible.
- Where no pedestrian facilities are provided, pedestrian facilities shall be located so they may be connected in the future to pedestrian facilities on adjoining properties, to create a seamless, interconnected network of pedestrian facilities within the corridor.
- Pedestrian facilities widths shall be determined for each development and should be appropriate to support the anticipated level of activity. In general, the following standards shall apply:
  - Town – Sidewalks adjacent to storefronts – 12' to 20' or greater; sidewalks adjacent to streets – 6' minimum
  - Rural – 6' minimum
  - Tier III – 5' minimum

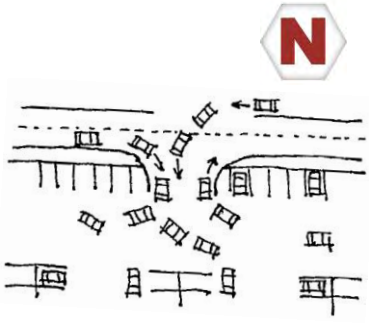
Internal Circulation

Promote safe and efficient circulation within individual developments and between developments.

Internal Circulation
Intent:
Promote safe and efficient circulation within individual developments and between developments.

The internal design of circulation within a development may help or hinder the mobility of cars entering and leaving the site, as well as traffic flow along the access road. Therefore, driveway into the site must be clearly expressed and appropriate in length and design for the development it is serving. Automobile and pedestrian circulation within a development should also be direct, efficient, and allow for connections to adjacent properties.





Stormwater Management
Intent:
Minimize the impacts of stormwater runoff on the natural environment through stormwater management techniques which reduce the quantity of runoff produced and mitigate stormwater impacts on the ecosystem.

Stormwater Management

Minimize the impacts of stormwater runoff on the natural environment through stormwater management techniques which reduce the quantity of runoff produced and mitigate stormwater impacts on the ecosystem.

In recognition of the sensitivity of the coastal environment and the importance of water quality, the incorporation of low impact development techniques for stormwater management may be permitted. In particular, parking areas create high volumes of stormwater runoff which may be mitigated through the use of pervious surfaces. In general:

- Infiltration practices should not be utilized in potential "hot spot" areas, such as gas stations, dumpster locations, etc.
- The use of pervious surfaces for parking areas is encouraged and shall be evaluated based on the size of the proposed development, anticipated traffic volumes, and other factors as deemed appropriate.
- In higher intensity development areas, pervious parking areas should be highly durable surfaces, such as permeable pavers or porous concrete.
- In lower intensity development areas, stabilized pervious surfaces, such as gravel, may be permitted.

Design Considerations

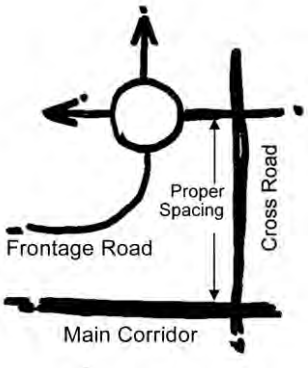
Section II:

Site – Tier I & II

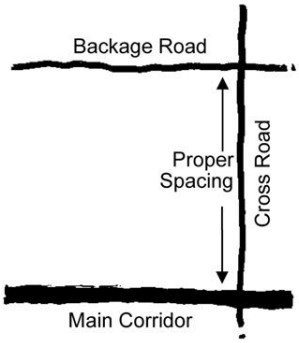
This section applies to properties within Tiers I & II of the *Liberty Gateway Design District*. The previous section, *Circulation & Access*, also applies to Tier I & II properties and should be reviewed by the user.

Access
Intent:
Developments shall be designed to provide safe and convenient vehicle, non-motorized, and pedestrian access to individual lots and building sites while maintaining maximum mobility along regional corridors.

Frontage Road



Backage Road



Access

Developments shall be designed to provide safe and convenient vehicle, non-motorized, and pedestrian access to individual lots and building sites while maintaining maximum mobility along regional corridors.

For parcels with direct access to the main corridor, newly created lots should be designed to properly access the main corridor through driveway spacing, the use of 'frontage' and/or 'backage' roads. Lots should also be designed to maximize internal connectivity.

In Tier I Town corridors, newly created lots may not be designed so each lot has its own individual access to the major road and no other access.

In Tier I Rural corridors and Tier II corridors, the creation of new lots so each lot has its own individual access to the major road and no other access is strongly discouraged.

Single family residences are exempted from this standard, and are allowed to have individual driveways.

Frontage and Backage Roads

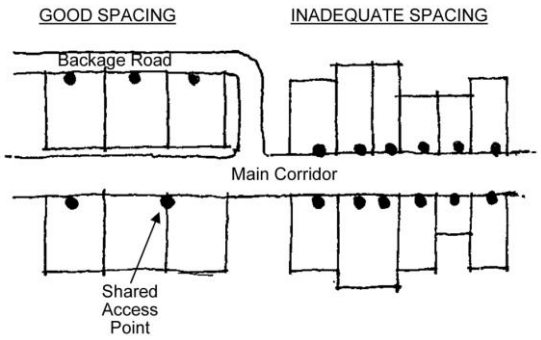
The use of frontage and/or backage roads the Tier I Town corridor is required. Frontage and backage roads are parallel to the main corridor and provide internal access and circulation. This approach provides a safer, more efficient environment for drivers and pedestrians, and also serves to maximize visibility of commercial establishments in the corridor.

Frontage Roads provide access to the front of commercial properties and are preferred to backage roads. Where provided, frontage roads may have parallel or angled parking provided, but may not provide access to parking lots in front of the building. Adequate separation shall be provided from the intersection of the frontage road and cross street to the arterial.

Backage Roads provide access to the rear of commercial properties adjacent to the main corridor. A backage road also provides access to the properties located on the other side, therefore increasing values and reducing infrastructure costs overall. Building fronts along backage roads are encouraged, but not required.

Access Driveways

It is the intent of these regulations to minimize the number of separate driveways to private properties, thereby reducing the potential for vehicular crashes and pedestrian injuries. If adjacent lots have direct vehicular access to a street, the Design Review Board may recommend that the governing jurisdiction require access through a common or joint driveway using inter-



parcel connections between properties. Access from private properties onto state highways or other designated roads shall be coordinated through the Design Review Board and the governing jurisdiction prior to requesting the access connection from the Georgia Department of Transportation.

Driveway Spacing

Appropriate driveway spacing along the corridor is important to reduce potential conflict points, thus creating safer conditions, and to maintain smooth traffic flow along the roadway.

Shared driveways are strongly encouraged. Driveways should be adequately spaced based on posted speed limits, the type of roadway, and the amount of traffic generated by the proposed development.

Tier I Town – Full access points to U.S. 84 are identified in the *HAMPO Long Range Transportation Plan.* Primary access to properties in the Tier I Town corridor should be provided by frontage roads. Right-in/right-out access may also be allowed and will be reviewed on a case-by-case basis.

Blocks (Specific)

For general information, refer back to Section I. Specific guidelines are found below.

Standards:

- *Tiers I & II – Town*: The intent is to create a continuous street grid thorugh the creation of blocks, where topography allows. The maximum size for blocks in new or modified plats or binding site plans, or for building sites on undivided land, shall generally not exceed a perimeter of 2,400 feet for town corridors.
- *Tiers I & II – Rural*: Within rural areas, it is anticipated that blocks will be more 'organic' in nature and therefore not necessarily a prescribed shape. The maximum size for blocks in new or modified plats or binding site plans, or for building sites on undivided land, shall generally not exceed a perimeter of 3,600 feet for rural corridors.

Building Disposition
Intent:
Promote development accommodates the pedestrian to an equal, or preferably greater, level than the automobile.

Building Disposition

Promote development accommodates the pedestrian to an equal, or preferably greater, level than the automobile.

Building Placement

Buildings shall be placed to frame outdoor spaces, including public right of ways, and to provide access from one to another along the public right of way.

Standards:

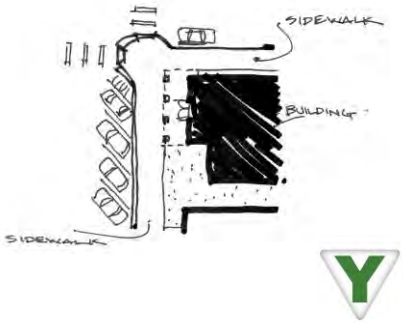
Tiers I & II – Town & Rural

- Buildings should be generally oriented towards the primary street frontage or public pedestrian facilities/amenities.
- Buildings on corner lots should be oriented toward the primary intersection and the primary and secondary street

frontages, while parking and auto access shall be located away from the primary intersection corners.

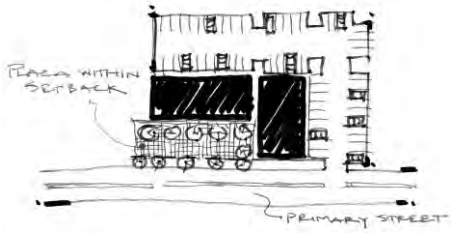
- The use of lot corner entrances, plazas, signage, and/or landscaping is encouraged to accentuate corner sites.

Tiers I & II – Town



- Buildings should be located along the primary street frontage and pulled to the public sidewalk.
- Where buildings are separated from the public sidewalk along the primary street frontage, the space should contain public and pedestrian amenities, such as plazas, landscaping, benches, bicycle racks, trash cans, and other pedestrian amenities.
- Facades should be parallel to the street and provide an organized framework along the streetscape.
- A primary entrance should be provided from the public sidewalk along the primary street frontage.

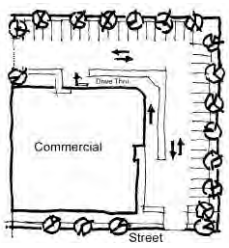
Tiers I & II – Rural



- Building disposition should be dictated by existing mature trees in order to maintain canopy coverage.
- In order to maintain a rural, organic development pattern, buildings do not necessarily need to be parallel with the primary frontage. However, the façade of the building should primarily face the primary street frontage or pedestrian facilities/amenities.
- Where buildings are separated from the public pedestrian facilities along the primary street frontage, the space may contain public and pedestrian amenities, such as plazas, landscaping, benches, bicycle racks, trash cans, and other pedestrian amenities or may be landscaped in a naturalistic manner.

Primary & Secondary Facades

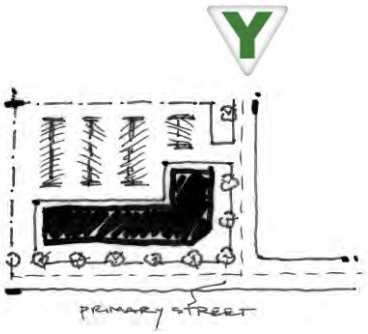
For buildings which are located on a corner or otherwise have more than one façade visible from the public right-of-way, equal attention should be given to the design of each side of the building. The primary façade is indicated by the primary entrance to the building. The secondary façade(s) shall include windows, fenestration, and other appropriate design elements to address the view from all public right-of ways.

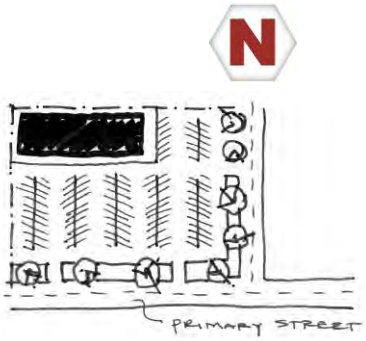


Drive-Thrus

Drive thru facilities should be located to the side or rear of the building and arranged to prevent cars in the queue from blocking pedestrian facilities or drive isles.

Parking
Intent:
Parking areas should be efficient, safe, and designed to minimize their visual impact.





Parking (Specific)

Parking areas should be efficient, safe, and designed to minimize their visual impact.

Location of Parking Areas

For general information, refer also to Section I. Specific guidelines are found below.

Tiers I & II – Town

- Open parking areas should be primarily located to the sides and behind buildings, except that driveways, drop-offs and parallel parking areas may be located at the front of the building.
- The use of parallel on-street parking is encouraged. Angled parking may also be permissible, although parallel is preferred.
- Parking lots should be arranged to provide a high level of order and structure with dedicated pedestrian facilities.
- Open parking areas shall be masked from the frontage by a building or streetscreen (see "Buffers").

Tiers I & II – Rural

- Parking areas shall be arranged to maximize preservation of mature vegetation, including trees and understory vegetation.
- Parking layouts should be staggered and meander.
- A connected series of small parking areas is preferred to one single large parking resource.
- Open parking areas shall be masked from the frontage by a building, streetscreen (see "Buffers), or vegetated buffer.
- Parking may be placed between the corridor and the building in order to maintain a meandering, informal arrangement and to maximize preservation of the existing canopy. Such parking shall still be screened. The site design should still strive to minimize the visual impact of parking by placing parking to the side and/or rear of buildings where feasible.

Building Characteristics
Intent:
Building design should be appropriate to the character of the area and scaled to the pedestrian.

Building Characteristics

Building design should be appropriate to the character of the area and scaled to the pedestrian.

Building Size

The size of a building has a tremendous impact on the character of an area. A corner store has a very different influence on a community than a mega-grocery store. Therefore, the size of a building should appropriately reflect the character of the area in which it is located.

Town

- Buildings over 60,000 square feet in area should incorporate the recommendations of "big box" retailers found in the "Special Considerations" section.

Rural

- Buildings over 35,000 square feet in area should incorporate the recommendations of "big box" retailers found in the "Special Considerations" section.

Building Walls

Lengthy, featureless façades and building walls facing the primary frontage are not acceptable. Building walls should not extend more than 50 linear feet parallel to the corridor unless the front façade of the building changes at the building line (i.e., front setback in relation to the corridor) by at least five feet (5') or the front building façade is designed in a way that breaks up the building face into discrete architectural elements. There should be some differentiation between the building base and the top, which can be accomplished with building articulation or details at the roof line. Building articulation can be accomplished through the following:

- Façade modulation: stepping back or extending forward a portion of the façade;
- Providing bay windows or repeating window patterns at regular intervals;
- Providing a porch, patio, deck, covered entry to portions of the façade at the ground level or in the case of two or more story buildings, balconies;
- Changing the roofline by alternating dormers, or using stepped roofs, gables or other roof elements;
- Changing materials with the change in building plane.

Landscaping
Intent:
Vegetation has a significant impact on community character and softens the heavy use of impervious surfaces associated with intensive development. Vegetation should be used to define the community character through vegetation types, including trees, shrubs, and other plants, and the arrangements of both natural and formal landscapes.

Landscaping

Vegetation has a significant impact on community character and softens the heavy use of impervious surfaces associated with intensive development. Vegetation should be used to define the community character through vegetation types, including trees, shrubs, and other plants, and the arrangements of both natural and formal landscapes.

Native vegetation

The preferred method of landscaping is to first incorporate and preserve existing trees and shrubs, topography and other existing natural features into the project design. Any unavoidable loss of existing native vegetation shall be mitigated. The use of native and non-invasive vegetation is strongly encouraged.

Planters

The use of planters, including flower boxes, is encouraged to create visual variety and to articulate pedestrian scale. Planters are to be maintained by the property owner and may be placed within the public sidewalk if adequate clear passage for pedestrians and emergency access is provided.

Standards:

Town

- Locate trees on storefront street frontages at appropriate spacing so that at maturity building signage and entrance are clearly visible from the street and sidewalk.
- Plant a mix of evergreen and deciduous plants to maintain year-round color and interest.
- Large areas of open turf should only occur in formal park settings intended for public use.
- When used, detention ponds, bioswales, and raingardens shall be incorporated into the project landscaping.

Rural

- The use of shrubs, grasses and other nontree vegetation should be included.
- Plantings should incorporate a variety of plant sizes in order to create diverse visual interest.
- Plants should generally be allowed to mature in their natural state without heavy or unnatural pruning.
- Large areas of open turf grass should be avoided. Naturalized grasses, fields, and wildflower meadows are encouraged.
- When used, detention ponds, bioswales, and raingardens shall be incorporated into the project landscaping.

Buffers

Buffers
Intent:
Screen unattractive views, private areas, and other features which are inappropriate to view from the public realm through the use of appropriate vegetation selection and arrangement.

Screen unattractive views, private areas, and other features which are inappropriate to view from the public realm through the use of appropriate vegetation selection and arrangement.

The appropriate use of buffers can help separate incompatible uses, screen undesirable views, and define the character of the area. There are four primary buffer types:

- Undisturbed – Existing vegetation is not removed, thinned, or pruned and new vegetation is not typically introduced through plantings.
- Natural –Vegetation is planted in naturalistic arrangements and is not formally pruned or shaped. Existing vegetation, especially mature trees, frequently remains.
- Landscaped – Most or all of the vegetation is planted. Plant arrangements are typically formal or have an arranged pattern. Plants may be shaped and formally pruned.
- Streetscreen – The primary purpose of a streetscreen is to hide an undesirable view, such as a parking lot, mechanical equipment, etc. Streetscreens should be the appropriate height for the object to be screened and may consist of thick evergreen vegetation, hardscape elements (wall, fence, etc.), or combination of both.

Standards:

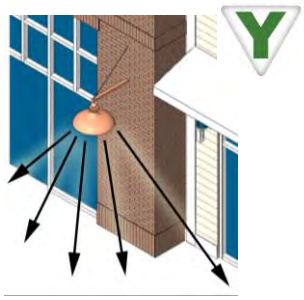
Town

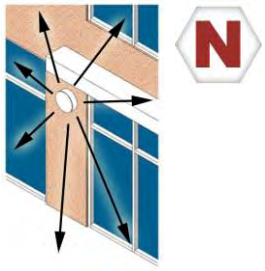
Within the town areas, buffers should not be frequently used. The use of buffers between adjacent uses increases the travel distance, which is of critical importance in pedestrian accessibility. However, buffers may be suggested or required to reduce conflicts with existing development. In new development, uses and scale should transition appropriately in order to negate any need for buffers.

Rural

The use of a natural buffer is encouraged along rural corridors, between the road and buildings, in order to maintain a more scenic roadway. Undisturbed buffers may also be appropriate in select instances.

Lighting
Intent:
Appropriate lighting is important in creating safe places and an attractive ambiance and should be designed to reduce the impact of lighting to night skies, improve visibility through glare reduction, and reduce the impact of development on nocturnal environments.





Lighting

Appropriate lighting is important in creating safe places and an attractive ambiance and should be designed to reduce the impact of lighting to night skies, improve visibility through glare reduction, and reduce the impact of development on nocturnal environments.

In order to reduce light pollution in our sensitive natural environment, developments should incorporate lighting fixtures which emit warm light and are directionally aimed to reduce light from leaving the site, both horizontally and vertically. More is not necessarily better. Lighting should be placed in the proper amount at the proper location for maximum effectiveness.

Standards:

- Streets should be lit by pedestrian-scaled fixtures emitting warm light.
- Lighting should be provided through the use of pedestrian-scaled pole fixtures, typically no more than 16 feet in height, or fixtures may be attached to the face of the building. The type and size of pole fixtures should be as consistent as possible along a single block.
- The use of waist-high lighting, low bollard type lighting, and other minimal fixtures may be used for walkways and drives.
- Use the lowest wattage of lamp feasible for the intended purpose.
- Lighting installations should be designed and installed to be fully shielded (full cutoff), except where otherwise required by building or electrical codes.
- Low voltage landscape lighting may be exempt from shielding standards, but should be located and shielded to eliminate glare and light trespass.

Street Furniture
Intent:
The use of street furniture is an important element for a pedestrian-oriented environment to provide places for people to rest comfortably and to create opportunities for social interaction.

Street Furniture

The use of street furniture is an important element for a pedestrian-oriented environment to provide places for people to rest comfortably and to create opportunities for social interaction.

The addition of street furniture and related hardscape elements adds character and visual variety to the area and is therefore encouraged. In particular, the frequent placement of benches and comfortable sitting areas enhances activity along the sidewalk and creates a more vibrant community.

Standards:

- Street furniture may include benches, trash receptacles, telephones, water fountains, and clocks, where appropriate.
- Street furniture may be fixed to the sidewalk if adequate clear passage for pedestrians and emergency access is provided.
- Cafe tables are encouraged and may occupy a portion of the public right-of-way if adequate clear passage for pedestrians and emergency access is provided.
- The design of street furnishings should unify areas with distinct character.
- Participation from private property owners is encouraged.
- Appropriate plantings are encouraged as well.

Utilities and Equipment
Intent:
Unsightly elements should be properly screened from public view.

Utilities and Equipment

Unsightly elements should be properly screened from public view.

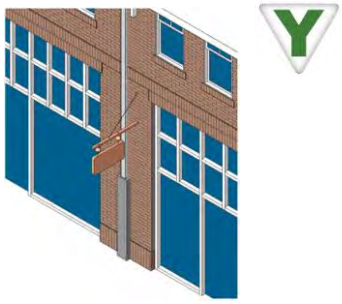
All utility or service lines must be underground or concealed within the structure. Any transformers, meters, compressors, utility cabinets, or waste receptacles (including but not limited to dumpsters) must be located in a discreet location and screened from view. The streetscreen proposed (as defined under the "Buffers" section) should be included with the submittal documents for review.

Signs
Intent:
Proper signage is important to provide awareness and information. However, signage should not dominate the landscape or the building.

Signs

Proper signs are important to provide awareness and information. However, signs should not dominate the landscape or the building.

The size, placement, and type of sign should be in the proper proportion, scale, and design to the building to which the sign relates. Colors and materials of signs should also be coordinated with the building to be complimentary. These requirements are in addition to the requirements of the regulating jurisdiction.



Signs along the corridors shall be provided as monument signs, which are freestanding signs placed directly on the ground with the sign support structure extending the length and width of the sign or hidden by an external material compatible with the sign. "Pylon" or "pole" signs are not allowed.

Signs placed on a building, such as a projecting sign, wall sign, or canopy sign, should be designed to compliment, not overpower, the building design. Lettering on signage should also be clearly legible, simple, and properly proportioned to the sign and the building.

Lighting and mounting hardware should also be coordinated with the sign and the architecture of the building. External lighting is encouraged and should be mounted to minimize excessive light pollution. Internal illumination may be used for illumination of architectural sign letters, such as cut out letters, reverse channel letters, etc. Animated signs are not allowed.

Gateways

Public entity gateway signs (i.e., "Welcome to Liberty County", etc.) shall be permitted and constructed only by a local government or their designee. Such signs are not exempted from review by the Design Review Board.

Design Considerations

Section III:

Buildings – Tier I

Design Considerations

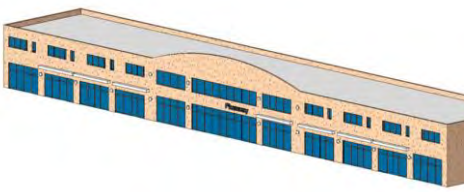
Section III: Buildings – Tier I

This section applies to properties within Tiers I of the *Liberty Gateway Design District*. The previous sections, *Circulation & Access* and *Site*, also apply to Tier I properties and should be reviewed by the user.

Building Envelope
Intent:
Buildings should reflect design elements which create a comfortable, pedestrian environment and reflect the community's character.

- Building mass broken into rhythmic divisions
- Variation in floor heights and building heights
- Regular, rhythmic openings
- Detailed secondary façade
- Historic roof forms
- Pedestrian scale

- Long, massive wall with no variations in the plane
- No variety of materials
- Inadequate detailing
- Irregular openings
- Blank secondary façade
- No precedence for roof form



Building Envelope

Buildings should reflect design elements which create a comfortable, pedestrian environment and reflect the community's character.

The building envelope refers to the exterior elements of a structure. The envelope of the building should be compatible with the buildings to which it will visually relate, which includes architectural elements of massing, height, building shape, and detailing.

Simplicity of Massing

The basis of nearly all traditional architectural massing is simplicity and practicality. No matter what the style, traditional architecture is usually characterized by simple masses to which other simple masses are added according to the needs of the building. And in every excellent example, this translates to building shapes that are rational and sensible.

Rhythm of Structures along the Street

The rhythm of the architecture establishes the overall feeling of the corridor, with regular openings between the solid forms of buildings creating a unified sense of place. Consider the pattern and scale of architecture within the development to determine the rhythm of the streetscape, including the appropriate distance from adjacent buildings and setback from the street.

Roof Shape

Roof shapes are important to defining architectural styles. Roof forms contribute to the massing, scale, and proportions of all buildings. Buildings should contain simple roof forms. The intent of these guidelines is to have roofs compatible with the structures to which they visually relate.

Scale

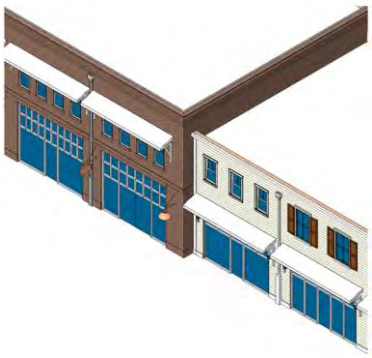
The scale of a building is its perceived size relative to the size of its elements, to the size of elements in neighboring buildings, and to the adjacent streetscape. The overall shape and massing of buildings plays a significant role in defining their character. A balance between building scale, outdoor spaces and other outdoor elements, such as landscaping, is essential to establishing the character of the corridor.

For large buildings, these guidelines establish other considerations which must be taken into account in addition to the underlying zoning requirements of the district. These considerations are summarized as follows:

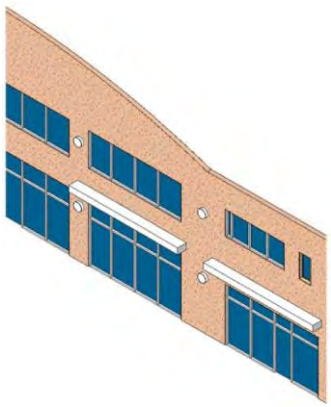
- The scale and proportions of new construction shall be compatible with adjacent buildings and those in the surrounding area.

Texture & Design Details
Intent:
Interest created through texture and design details creates visual variety and reinforces attention to human scale design.

- Appropriate fenestration
- Materials define individual spaces
- Design elements provided – shutters, awnings, gutters
- Rhythmic openings



- No fenestration
- No variety of materials
- Inadequate detailing
- Irregular openings



- The appearance of mass should be minimized through the use of design elements wherever feasible.

Texture and Design Details

Interest created through texture and design details creates visual variety and reinforces attention to human scale design.

The texture (visual surface characteristics of the exterior, which includes materials such as brick or wood) and the detailing (elements that contribute to the construction and, sometimes, the decoration) of a building façade often have the strongest impacts on how a new structure is perceived. Thus a sense of place is in part determined by the texture and design details of a building or group of buildings in a district.

Fenestration

Each individual building should possess a rhythm or an ordered pattern established by the arrangement of windows and doors versus solid wall sections.

- Regular Arrangement of Openings - Fenestration should be placed according to a rational system. While sometimes not obviously geometrical or symmetrical, is nonetheless rational and properly scaled to the building. For example, openings centered between regularly spaced columns are an obvious strategy.
- Door and Window Style versus Building Style – The style of the front door should match the style of the building, as should the style of the windows and window frames.

Materials

Materials establish architectural character and can lend variety to the appearance of a district. The intent of these guidelines is to help create a continuity of architectural character by using materials that have historically appeared in construction in the coastal region.

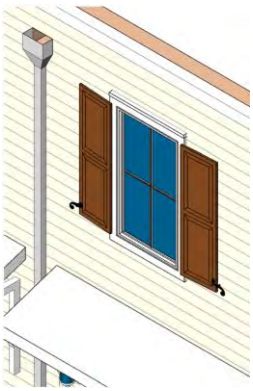
- New construction should use materials compatible with the chosen architectural style, which should also contribute to the image of the corridor.
- No more than two wall materials should be visible on any exterior wall, not counting the foundation wall or piers.

Style

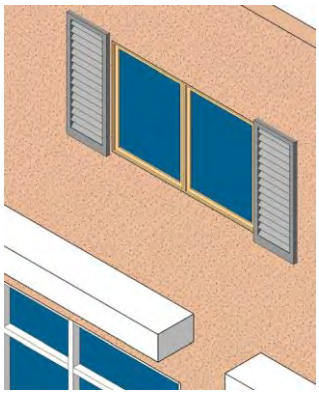
Although the intent of these guidelines is not to prescribe an architectural style for a particular site or district, the consistency of a single style used on a building is essential.

- Architectural stylistic integrity is encouraged.
- The architectural style of new construction should be consistent throughout all facades of the structure.
- All elements of design, shape, and form should be consistent with the selected architectural style.
- Additions should be of the same architectural style as the existing structure.

- Properly sized shutters with hardware
- Gutter serves two functions – rainwater and building detail
- Appropriate, simple window trim
- Divided light panes on upper floor



- Shutters smaller than windows
- No window trim or other ornamentation
- Inappropriate design of windows



Entryways

Entryways comprise doorways, porches and other elements that contribute to the sense of arrival into the building.

- Entries should be ornamented with simple detailing consistent with the building style.
- Entries should be a prominent feature of the façade.

Ornamentation

Ornamentation is the refinement of detail and the application of decorative elements, each with the purpose of enhancing the building's appearance.

- The richness, variety and amount of detail of ornamentation as seen in surrounding buildings should be used as a guide, without exactly mimicking the neighboring facades. Historic buildings in Liberty County should be considered in the design of new buildings.
- Ornamentation should be used with restrained careful consideration, so as to enhance the visual character of the area.

Shutters

Window shutters were often built into pre-1945 architecture to provide interior shading in the summer and to protect windows during storms. With the advent of air conditioning, window shutters became less functional and practical, serving instead as an ornamental design element. The following should be addressed when designing shutters for a building:

- Shutters should be of louvered or paneled wood construction.
- Shutters should be one-half the width of the sash they are covering. All shutters should be installed to be operable, with hinges and dogs (a device mounted to the wall that may be pivoted to prevent the shutter from moving when in the open position). In a region that is prone to hurricanes and high winds, functional shutters can serve to protect windows and interiors from wind and rain.

Original character of the property

Development should be integrated with the landscape and original distinguishing character of the property and its environment.

- The existing landscape should be properly protected during construction.

Porches

Although front porches are not appropriate for all styles of architecture, including many commercial types, they can help minimize the appearance of bulk by breaking-up the façade. Porches may be more appropriate in the rural tiers, which contribute to a more welcoming and human-scaled atmosphere.

- Front porches should be designed to have a depth that is great enough to make them functional spaces. In most cases, front porches should be at least 7 feet in depth to allow adequate

room for furnishings and circulation.

- Existing front porches should not be enclosed with wood, glass, or other materials, which would alter the porch's open appearance.
- Porches may be screened if the structural framework for the screen panels is minimal and the open appearance of the porch is maintained. Screen panels should be placed behind the original features such as columns or railings.

Fences

Properly designed fencing can create a unified look for the property on which it is erected, as well screening undesirable features, such as parking lots, dumpsters, and mechanical units. Fences are often character-defining features and should be treated sensitively. It is important that the fence design harmonize with the character of the structure.

- A number of different types of materials are appropriate for fences, garden walls, and gates. Fences and gates made of cast iron, wrought iron, brick, or stucco are appropriate for low screens, such as parking lots. Appropriate for full screens are solid, vertical board wood fences with a flat cap, brick, or stucco. Woven wire (chain link) and stockade fences (with jagged tops) are discouraged.
- Fences, garden walls, and gates should be appropriate in materials, design, and scale to the period and character of the structure they surround.
- Gates should be compatible with any existing fencing, walls or landscaping, and should be designed to swing onto the private walkway, not onto the public sidewalk or right-of-way.

Garages and Garage Doors

For residential structures, the garage should serve as a secondary use and be subservient in scale and mass to the house.

- Garages are encouraged to be detached and located at the rear of the property.
- Attached garages should be side-loading to avoid facing the street wherever possible.
- Garage bays should be individual bays with doors no wider than 9 feet. Double wide doors are discouraged.

Section IV:
Special Considerations

Interstate 95 Corridor

Historic, Natural & Cultural Resource Areas

Big Box Retail

Civic Uses

Industrial

Section IV: Special Considerations

This section may apply to properties within Tiers I, II, & III of the *Liberty Gateway Design District*, depending on their location within one of the two designated Special Consideration Areas (I-95 or Resource Areas) or based on a specific use of Big Box Retail, Civic Uses, and/or Industrial.

Interstate 95
Intent:
Properties visible from Interstate 95 should portray an attractive, inviting character to the travelling public.

Interstate 95

Properties visible from Interstate 95 should portray an attractive, inviting character to the travelling public.

As a part of the national interstate system, I-95 carries more traffic through the county than any other roadway. Therefore, the appearance of Liberty County from the interstate is just as important as other corridors. The same care for quality design should be given to developments which are visible from this corridor.

Properties along Interstate 95 should either appropriately address the view from the interstate through appropriate site and building design or should be completely buffered from view.

- Visible properties

Buildings visible from the interstate should incorporate the same standards for building front facades as articulated throughout this document. In other words, the "back" of the building should not be visible. Loading docks, service entrances, mechanical equipment, etc. should not be visible from the interstate. Parking lots should be adequately screened to reduce the visual impact.

- Buffered properties

Vegetated buffer

For properties buffered from view from the interstate, a natural buffer appropriate to screen buildings from view should be maintained. Additional plantings may be required if the existing vegetation is inadequate to properly screen the view from the interstate. If a natural buffer does not currently exist, the proposed buffer plan should be presented for review and approval.

Berm

In addition or in place of a natural buffer, properties may also install a vegetated berm to buffer the view from the interstate. The size of the berm shall be reviewed on a case by case basis.

- Signs

In order to provide advertising signs along the interstate corridor consistent with the provisions of this ordinance, property owners may provide large-scale signs on the side of a vegetated berm. The installation of such signs will also require proof of a written agreement of the party responsible for such signs.

Example of a berm sign

Historic Corridor
Intent:
Sunbury Road should be respected for its significant historic importance to Liberty County and the State of Georgia.

Historic, Natural & Cultural Resource Areas

These areas should be respected for their significant historic, natural, and cultural resources and the importance of these resources to Liberty County and the State of Georgia.

Any development occurring within these areas should occur to support the education and appreciation of, and conservation, of these resources.

Sunbury Road – The historic Sunbury Road was laid out in the early 1790s and is one of the longest vehicular thoroughfares of post-Revolutionary Georgia. While a portion of this road has been impacted through development within the industrial park, as a public road, it is the intent of Liberty County to respect this important component of history by adhering to the Guidelines outlined in the National Scenic By-way Program.

Melon Bluff Nature and Heritage Reserve/Springfield Legacy Foundation – This property is currently a significant nature and heritage reserve and is proposed for conservation, research, education, eco-tourism, and supporting uses.

Civic Uses
Intent:
Civic uses should be placed in prominent locations to serve as a social and focal anchor for the community.

Civic Uses

Civic uses should be placed in prominent locations to serve as a social and focal anchor for the community.

Civic uses include government buildings, post office buildings, churches, community centers, libraries, schools, and other buildings intended to serve the public at large. Civic uses should serve as a community focal point and be located at prominent locations, such as:

- A vista termination
- Adjacent to a park, plaza, or other community gathering space
- At a key intersection

Architectural review is required of all civic buildings with Tiers I, II and III. Civic buildings in particular should strive to draw design cues from historic buildings in the community.

Industrial
Intent:
Industrial uses should be developed in context with the community as a whole.

Industrial

Industrial uses should be developed in context with the community as a whole.

Industrial buildings within established industrial parks, including Tradeport East, Tradeport West, and Technology Park, are governed by the design standards of the Liberty County Development Authority. Within Tier I & II, industrial buildings and development shall meet the requirements of these guidelines or be completely buffered from public view. All other non-industrial buildings and development in Tier I & II, as well as development within Tier III contained within the aforementioned parks, shall also be governed by this ordinance.

"Big Box" Retail
Intent:
Large-scale retail should be an integrated part of the community fabric and support the character as defined in these guidelines.

"Big Box" Retail

Large-scale retail should be an integrated part of the community fabric and support the character as defined in these guidelines.

Large-scale retail development, specifically "big-box" stores, can be inconsistent with the existing community character due to large, blank wall areas which are in contrast to supporting a pedestrian-oriented, visually diverse community. In addition, larger establishments are typically situated in an auto-oriented site, with a large parking lot separating the shop from the street. Therefore, stores exceeding thresholds as described below should be given special attention to design in order to minimize the community impact of large structures.

Town - Buildings over 60,000 square feet in total area

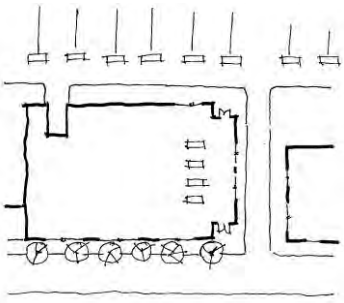
Rural - Buildings over 35,000 square feet in total area

There are multiple strategies for minimizing the massing of large buildings. The following considerations provide examples of approaches in which to achieve the desired goal:

- Urban Vestibule

This model maintains the desired continual street frontage while providing easy access both from the street and the parking resource located behind the building. The creation of a vestibule between the two entrances addresses the very important and sensitive issue for retails of maintaining the security of a single entry and exit. The wall along the street should be broken into bays with display windows, which provides retailers an excellent opportunity to display their products.

Urban Vestibule

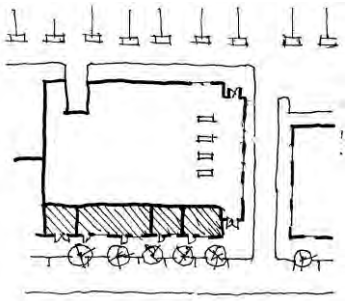


- Urban Vestibule & Linear Shops

This model takes the urban vestibule model a step further through the addition of shops along the street, which increase street activity. These shops are ideal for the "extra services" many grocery stores provide, such as a pharmacy, bakery, florist, etc. Security can be addressed through:

  - A two-sided counter in the liner shops can serve customers from both the street side and the store side, but customers from the street cannot enter the store.
  - Another alternative allows customers to enter from the street or store side, but only exit from the store, thus increasing foot traffic inside the main store and maintaining the security of a single exit.

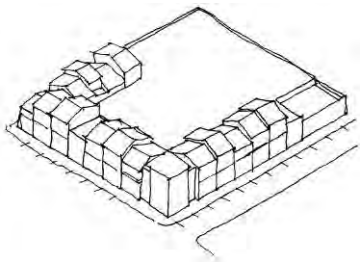
Urban Vestibule & Linear Shops



- T-Model Linear Shops

The most urban and vibrant of the models, the T-model surrounds the main store with linear shops on three sides, thus creating the highest level of street activity. Entry to the main store is provided on each side. This model also provides strong support to the smaller stores, which benefit from the high volume of foot traffic brought in by the anchor store.

T-Model Linear Shops



Appendix D
Flemington OC-1 Commercial Overlay District Regulations

Where the (OC-1) commercial overlay district has been imposed, the land use regulations and development standards of the existing land use zone (herein referred to as the "underlying" zone) shall remain in full force except as follows:

A. **Landscape buffers**.

1. Site planning and design of projects proposed adjacent to dissimilar land uses shall carefully address the potential undesirable impacts on existing uses. These impacts include traffic, parking, circulation and safety issues, light and glare, noise, odors, dust control and security concerns.

2. Unattractive project elements such as storage areas, trash enclosures, transformers, generators and similar features should be sited in areas which are generally not visible from the street and must also be screened from view.

3. Landscaping shall be provided adjacent to and within parking areas to screen vehicles from view and to minimize the expansive appearance of parking fields. This landscaping should include fast growing trees in parking lots to create summer shade.

4. Landscape planting areas shall be provided an average of every 20 parking stalls within a surface parking lot to provide visual relief and summer shade. Landscape planting areas that are used for separation between banks of parking stalls shall be a minimum of four feet in width. In general, the minimum clear inside dimension of a landscape planting area shall be two feet. However, trees (with the exception of shrub standards) shall not be planted in areas of less than four feet in width.

B. **Signage**

1. All signs shall be architecturally integrated with their surroundings in terms of size, shape, color, texture, and lighting so that they are complementary to the overall design of the building and are not in visual competition with other signs in the area.

2. All signs shall complement their surroundings without competing with each other, shall convey their message clearly and legibly, shall be vandal-proof and weather resistant, and if illuminated, shall not be overly bright for their surroundings.

3. New signs proposed for existing buildings shall provide a compatible appearance with the building signage of other tenants. With multiple signs on a single building, attempt to bring in a unifying element (such as size), even where no sign program exists.

4. New construction design shall anticipate signage and, where necessary, a sign program. New building design should provide logical sign areas, allowing flexibility for new users, as the building is re-tenanted over time. Designs that provide for convenient and attractive replacement of signs are encouraged.

C. **Building compatibility**

Architectural design shall be compatible with the developing character of the neighboring area. Design compatibility includes complementary building style, form, size, color and materials.

a. Multiple buildings on the same site shall be designed to create a cohesive visual relationship between the buildings.

b. Exterior building design and detail on all elevations shall be coordinated with regard to color, types of materials, number of materials, architectural form, and detailing to achieve harmony and continuity of design.

D. **Building structures**

a. Encourage the decline of the "mini-mall" and building structures like it.

b. The appearance of a "sea of asphalt" parking lot in the front of the center shall be avoided. Both perimeter and interior parking lot trees shall be provided for shade and visual relief in the parking area while maintaining view corridors to the storefront areas.

E. **Utilities**

Encourage the use of underground utilities whenever possible on new construction and property improvements. Such buried utilities must be in compliance with standards as set forth by the Georgia Power Company. Such standards read, in part, as follows:

1. Buried encroachments may be permitted within rights of way provided operation and maintenance are not adversely affected and provided the following standards are observed:

    a. All buried encroachments cross the right of way perpendicularly, if at all possible, at least 25 feet at ground line from any structure or attachment.

    b. Underground construction parallel to the centerline of any easement is limited to the outside five feet of the right of way. Locate manholes off the right of way, if at all possible. If it is necessary for manholes to be on the right of way, place them flush with the ground and use Georgia Department of Transportation (GDOT) strength specifications. Bolted covers may be required on gravity sewer systems.

    c. Locate septic drain fields off the right of way except where terrain dictates it must be on right of way. Drain field should be limited to the outer five feet of the right of way if at all possible.

    d. The utility will not be responsible for any damage to any facilities placed on its right of way.

2. Electrical transformers, which are installed as part of a new project, shall be located to the rear of the site or underground. Substantial landscaping and/or an architectural barrier shall screen existing transformers located at the front of the site.

3. Utility lines and utility located within the easement on either side of a highway shall have landscape buffers as allowed by the Georgia Power Company. Landscapes buffers shall consist of vegetation acceptable by Georgia Power's standards. Such standards read, in part, that the following is a list of trees and ornamentals are acceptable species for planting on Georgia Power Company transmission rights of

way. Generally, in order to qualify for consideration, a plant cannot reach a mature height greater than fifteen feet, and must be located in a landscaped area. This area shall be maintained by the property owner in such fashion that it is obvious to all that it is a landscaped area, not requiring work from a right of way crew. If the trees are planted in an area where right of way crews could mistake it for "brush", it will likely be cut down.

General Acceptable Plants			
Plant	***Height***	***Group***	***Comment***
Flowering Dogwood	10'-15'	deciduous	
Crepe Myrtle	10'-15'	deciduous	
Youpon Holly	10'-15'	evergreen	
Foster Holly	10'-15'	evergreen	
Flowering crabapple	10'-15'	deciduous	
Sweet Acacia	10'-15'	evergreen	
Southern Yew	8'-12'	evergreen	
Flowering Peach	8'-10'	deciduous	
Apple (golden, etc.)	8'-10'	deciduous	
Pyramid Plum	8'-10'	deciduous	
Fruitland Elaegnus	8'-10'	evergreen	
Glossy Ligustrum	8'-10'	evergreen	
Azalea	5'-6'	deciduous	variety
Rhododendron	10'-15'	evergreen	Rosebay
Rhododendron	8'-10'	evergreen	hybrid
Pampas Grass	6'-'8'	evergreen	ornamental
Red Chokeberry	6'-8'	Aronia arbutifolia	
Silky dogwood	8'-10'	deciduous; cornus amonum	
Winterberry	8'-10'	Ilex verticillata	
Elderberry	8'-10'	Sambucus canadensis	
Southern Arrowood	10'-12'	Viburnum dentatum	
Possum-Haw	10'-12'	Viburnum nudum	

The following plants are not permitted:		
Pear	25’-40’	Common fruit tree
Bradford Pear	25'-35'	ornamental
Leyland Cypress	35'-50'	ornamental evergreen
Maple	40'-65'	deciduous hardwood
Oak	50'-90'	deciduous hardwood
Pine	50'-100'	evergreen
Magnolia	40'-70'	evergreen
Red Tip Photinia	15'-25'	evergreen
Pecan		

F. **Auto Dealerships**

a. Special attention shall be directed toward the site landscaping which is visible from the street. Trees to provide both shade and visual relief shall be located within the dealership (insofar as it is reasonably practical with auto display) as well as on the site perimeter. The vehicle display parking areas may remain relatively open, if balanced by substantial landscaping and tree planting on other visually prominent areas of the site.

b. Landscaping, special paving treatments, setbacks, and building orientation shall be used to provide an attractive appearance from the front property line.

c. The architecture of the dealership buildings shall be well designed to provide a strong and unique visual identity for the auto dealership.

d. The service area and/or service bays shall be screened or sited so they are not visible from the street.

e. Vehicles under repair shall be kept either inside a structure or in an area that is screened from views from the street.

f. Service areas shall provide adequate queuing space that does not impede vehicle circulation through the site or result in vehicles stacking into the street.

g. Perimeter fencing, security fencing, or gateways shall be constructed of attractive materials, which are compatible with the design, and materials used throughout the project. Razor wire or electric fencing shall not be allowed and chain link fencing is strongly discouraged.

h. Night lighting and security lighting shall be sensitively designed to ensure that no off-site glare is directed to neighboring parcels and that the overall intensity of the site lighting is not excessive. The use of excessive night-time security lighting is discouraged. Other security measures should instead be considered.

G. **Site plan review.** Preliminary and final site development plans shall be prepared by the developer for all proposed developments in any OC-1 overlay commercial district and shall be submitted for review and approval in accordance with Div. IV and as follows:

1. Plans required. Plans for a development shall be drawn at an appropriate scale and shall include the following:

   a. Survey. Property and topography, showing land owned and proposed for development, the surrounding streets, adjoining streets and adjoining lots and their uses;

   b. Buildings. Location, size, height and use of all proposed main and accessory buildings, the general design, materials and colors, and the nearest buildings on adjoining lots and their uses;

   c. Traffic. Proposed system of on-site vehicular circulation, details of accessways to streets, methods for control of traffic and types of pavement;

   d. Parking areas. Layout and estimate of the number of spaces, landscaping and other design features and types of pavement;

   e. Utilities. Location, size and grade of all utility installations and connections to present or proposed facilities;

   f. Site development. Grading plan, designs of landscaped yards, planting areas and fence screens adjoining residential areas, the size, location and type of all outdoor signs, and exterior lighting; and

2. Agreements. Preliminary drafts of all agreements, contracts, dedications, deed restrictions, sureties and other instruments as may be required.

3. Approval of plans.

   a. A preliminary development plan designed in accordance with the planning standards, regulations and criteria established in this section and elsewhere in this ordinance shall be submitted to LCPC for review and approval. If the preliminary development plan, together with any modifications thereof proposed by the developer, is found by LCPC to be in compliance with the requirements of this section and any other applicable parts of this ordinance, LCPC shall approve such preliminary development plans within 40 business days from the date of the meeting when all required plans and data were received.

   b. Upon approval of the preliminary development plan, the developer shall prepare and submit to the Flemington City Council a final development plan, which shall include the final grading plan and detailed plans and specifications for all streets, storm and sanitary sewers, water distribution and all other site features designed in accordance with this section and all other applicable sections of this ordinance. If the City Council finds that the proposed final development plan is in accordance with and represents a detailed expansion of the preliminary plan heretofore approved, that it is in conformity with the provisions of this chapter and all other applicable sections of this ordinance, and that it complies with all of the conditions which may have been imposed in the approval of the preliminary plan or in the review of the final plan by the City Council, the City Council shall approve such final plan within 40 business days. After approval, the developer may apply for a building permit, which shall be issued by the building official.

H. Revision and lapse of approval. The final development plan may be revised by the developer and resubmitted through the same procedure required for the original

preliminary and final development plan. Failure to begin construction of all or a substantial portion of the improvements approved in the final development plan within one year after the issuance of a permit shall make null and void the plan as approved, unless an extension of time is granted by the city.

Appendix E
Allenhurst Historic District Regulations

A. Design Guidelines for structures.

Any structures that are built or significantly altered in the Historic District should be built in the vernacular architecture of the Farm House/Mill House style of the others in the district. Additions and alterations to buildings must conform to the buildings' form and architecture. Changes to the building require approved plans from the Historic Preservation Committee of Allenhurst. Inappropriate changes that alter the historic context of the Dunlevie Historic District or buildings are not permitted. This covers: railings, stairs, door styles, window styles, roof styles, etc. Aluminum siding and vinyl siding products are not permitted. Hardi-plank type materials are acceptable.

B. Design Guidelines for signs.

Any new signs that are allowed under the sign ordinance shall also be in keeping with the desired vernacular architecture of the Farm House/Mill House style.

1. Any sign that meets the requirements as defined in this ordinance shall first obtain a permit from the Liberty Consolidated Planning Commission (LCPC). The LCPC will notify the Historic Preservation Committee.
2. The Historic Preservation Committee will meet and consider recommendations within 45 days of the application.

C. Additions to the Liberty County Tree Ordinance.

1. Long Leaf Pines – 10 inches (The Long Leaf Pine has been adopted as the Town of Allenhurst official tree October 4, 2010)
2. Magnolia – 2.5 inches
   Grandi flora – 10 inches
3. Franklinia Alatamaha
4. Dogwood – 4 inches
5. Live Oak (reference Tree Ordinance)
6. Camellia – (Heirloom to the area)

D. Burning and Smoke.

1. In order to preserve the character, public safety and welfare with the Historic District, no open fires are permitted.
2. The following types of fires are permitted:
   a. Cooking fires that are in a container (i.e. grill) made for that purpose

b. Warming fires that are in a covered fire pit that are made for that purpose (i.e. Kiva fireplace, chiminea fire pit)

3. All fires that are permitted must adhere to the following:

a. No fire shall create excessive smoke

b. No person shall leave a fire which has been lawfully started outdoors while the same is burning, but shall remain in the vicinity of the fire until it has been fully extinguished.

c. Fire shall be under observation at all times while it is burning by the person starting the same or someone specifically designated to do so.

d. Tools need to control the fire must be with the person attending the fire at all times.

e. A charged water hose that will reach beyond the burning pile shall be maintained at all times while burning.

E. Infrastructure.

Dunlevie Road shall not be widened for any purpose. This is in keeping with the purpose of preserving the original state of the Historic District of the Town of Allenhurst.

F. Procedures for Obtaining a Permit.

1. Any development that meets the thresholds as defined in this ordinance shall first obtain a permit from the LCPC. The LCPC will notify the Historic Preservation Committee.

2. The Historic Preservation Committee will meet and consider recommendations within 45 days of the application.

3. Final recommendations on any application must be made within 90 days or the application will be considered approved.

Appendix F
Military Installation Zoning Overlay District Regulations

The following provisions apply to the MIZOD and are a continuation of the provisions in Sec. 208.

B. **Definitions.** For the purpose of this section, certain terms and words are hereby defined:

1. A-weighted decibel: A measure of sound that depicts higher frequency noise caused by small arms firing, aircraft use and vehicle operations.
2. Attenuation: Special design and construction practices intended to lower the amount of noise and vibration that penetrates the windows, door and walls of a building.
3. Avigation: Aerial navigation.
4. Day-night sound level (DNL): The twenty-four-hour average frequency-weighted sound level, in decibels, from midnight to midnight, obtained after additional of ten (10) decibels to sound levels before 7:00 a.m. and after 10:00 p.m.
5. Decibel: A logarithmic unit of measure of sound pressure.
6. C-weighted decibel: A measure of sound that depicts low frequency noise and vibration associated with the firing of large-caliber weapons systems.
7. Exterior door: All exit doors of a building that are located between conditioned and unconditioned space. A basement, crawl space or garage is considered unconditioned space unless it is provided with a positive heat supply to maintain a minimum temperature of fifty (50) degrees Fahrenheit.
8. Habitable space: A space or room in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, solariums, sunrooms, and similar areas are not considered habitable space.

C. **Relationship to zoning districts.** The MIZOD shall be designated on the official zoning map and its boundaries shall be based on the Fort Stewart/Hunter Army Airfield Joint Land Use Study, as amended. In all zoning districts within the boundaries of the MIZOD, the regulations for both the underlying zoning district and the MIZOD regulations shall apply. Whenever, there is a conflict between the regulations of the underlying zoning district and MIZOD, the more restrictive regulation shall apply.

D. **Applicability.** The standards for this section shall apply to those properties that lie within the MIZOD boundaries. When a parcel is split by the boundary of the MIZOD, only that portion of the parcel within the MIZOD shall be required to meet the provisions of this article.

E. **Establishment of MIZOD zones and boundaries.** For purpose of administering these regulations, there shall be three (3) noise subzones and three (3) air safety subzones that reflect where use restrictions or standards apply within the *MIZOD*. The boundaries for these noise and air safety subzones shall be defined on the official zoning map.

1. *MIZOD* noise zones. The boundaries for these noise subzones are inclusive of areas surrounding the Fort Stewart installation and WAAF and shall be based on the Fort Stewart/Hunter Army Airfield Joint Land Use Study, as amended.

    1. Noise Zone I (NZ I). This zone consists of an area between the 55 and 65 A-weighted decibel noise level (ADNL) and 57 and 62 C-weighted decibel noise level (CDNL) contour lines.

    2. Noise II (NZ II). This zone consists of an area between the 65 and 75 ADNL and 62 and 70 CDNL contour lines.

    3. Noise III (NZ III). This zone consists of an area in which the contour lines are greater than 75 ADNL and 70 CDNL.

2. *MIZOD* air safety zones. The boundaries for these air safety subzones adjacent to WAAF shall be based on the Fort Stewart/Hunter Army Airfield Joint Land Use Study, as amended.

    1. Clear Zone (CZ). This zone is an area at the immediate ends of the runway one thousand (1,000) feet wide by three thousand (3,000) feet long in which there is a high potential for accidents.

    2. Accident Potential Zone I (APZ I). This zone is an area leading to the runway beyond the CZ, one thousand (1,000 feet wide extending two thousand five hundred (2,500) feet in which there is a significant potential of accidents.

    3. Accident Potential Zone II (APZ II). This zone is an area leading to the runway beyond the APZ 1, one thousand (1,000) feet wide and extending two thousand five hundred (2,500) feet in which there is a moderate potential for accidents.

3. Parcels located within more than one subzone. In the event a lot or parcel of record is located within more than one (1) zone identified in this article, the entire lot shall be subject to the restrictions of the zone which most restricts development of the lot.

F. **Use regulations.** Any use permitted in the underlying zoning district in which the proposed use is located shall be allowed in the *MIZOD*, except as expressly prohibited within the provisions of this article and provided that additional standards set forth in this article are met. References to permitted uses as provided within this article are conditioned upon the said use being in compliance with permitted uses within the underlying zoning district.

G. **Permitted uses in relation to *MIZOD* noise zones**.

1. The use of a building or premises for any use permitted under subsection F above shall be allowed in the *MIZOD* if it lies within the specified noise zone as set out in Table 208.1 at the end of this section and conditioned upon compliance with subsection L below.

2. Where property is undeveloped, only such portion of it as is actually within the noise zone shall be considered within that noise zone. However, at such time as said property shall be subdivided or platted, any platted buildable lots intersected by a noise zone shall be deemed to be wholly within the highest noise zone.

H. **Conditional permitted uses in relation to *MIZOD* noise zones**.

1. The use of a building or premises for a use designated Y[1] as set out in Table 208.1 shown at the end of this section is permitted in the *MIZOD* if it lies within the specified noise zone and is in conformance with the requirements of subsection L below and the conditions prescribed herein: A building permit may be issued by the chief building official provided that the building plan shows a design and construction that incorporates sound attenuation features to achieve an outdoor to indoor noise level reduction (NLR) of at least twenty-five (25) decibels, which shall include but not limited to the requirements described below in addition to all other applicable requirements of the building code, as amended:

   a. All exterior doors shall be either:

      i. Solid-core or metal-clad construction

      ii. Separately equipped with wood or metal storm door

      iii. Multiple-glazed

   b. Multiple-glazed windows shall be provided for all habitable space.

   c. Through-the-wall/door mailboxes, venting skylights, jalousie windows or other direct openings from the interior to the exterior of the building shall be prohibited.

   d. Mechanical ventilation shall be provided of a type and design to provide adequate environmental comfort with all doors and windows closed during all seasons. Window and through-the-wall ventilation units shall not be used. Commercial cooking areas are exempt from these conditions.

2. The development of residential uses within Noise Zone II, designated Y[2] as set out in figure 1 should only be approved in the absence of viable development options and as a result of a determination and evaluation indicating that a demonstrated community need for residential use would not be met if development were prohibited. This requirement is due prior to approvals.

I. **Permitted uses in relation to MIZOD air safety zones.**

1. The use of a building or premises for any use permitted under subsection F above shall be allowed in the MIZOD pursuant to the specified air safety zone regulations as set out in Table 208.2 shown at the end of this section.

2. Where property is undeveloped, only such portion of it as is within the air safety zones shall be considered within that air safety zone. However, at such time as said property shall be subdivided or platted, any platted buildable lots intersected by an air safety zone shall be deemed to be wholly within the highest air safety zone.

3. Only single-family detached dwellings with a minimum lot size of two and five-tenths (2.5) acres are permitted within the APZ II air safety zone.

J. **Additional regulations in relation to MIZOD air safety zones.**

1. Interference**.** No use is permitted within the MIZOD air safety zones that creates electrical interference with radio communication between an air traffic control (ATC) facility and an aircraft; or to make it difficult for pilots to distinguish between airport lights and other lights; or to cause glare in the eyes of pilots using the airport; or to impair visibility in the vicinity of the airport; or to otherwise endanger the landing, taking off or maneuvering of aircraft at an airport or in the vicinity of an airport.

2. Height. Maximum height limits for structures exist for areas in close proximity to the runways of the WAAF. These height limits shall apply to all structures including, but not limited to, buildings, wireless telecommunication facilities, broadcast transmission towers and construction cranes. The maximum limits are generally based upon the path of aircraft that are taking off from, landing on or circling in a holding pattern around the runway and vary based on distance from the runway. The height limit map (to-be-developed) is based upon the approach and clear zone plans. When the maximum height permitted by the underlying zoning district and this overlay district conflict, the more restrictive height shall apply. All new wireless telecommunication facilities and broadcast transmission towers meeting the requirements of this article shall be constructed with lights on the tower.

3. Aircraft wildlife strike hazards. Human-made uses such as retention ponds, roosting habitats on buildings, landscaping, putrescible-waste disposal operations, wastewater treatment plants, agricultural or aquaculture activities, surface mining, or wetlands, which may be used by wildlife for escape, feeding, loafing, or reproduction are prohibited. Wildlife use of areas within an airport's approach or departure airspace, aircraft movement areas, loading ramps, or aircraft parking areas may cause conditions hazardous to aircraft safety. Human-made uses shall be sited in accordance with the following criteria to achieve adequate separation between the attractant and aircraft movement.

K. **Notification of proposed zoning amendments.** In addition to written notification of the surrounding property owners as prescribed in Article 601 [Public Hearings], the zoning official shall notify the garrison commander at Fort Stewart of all proposed zoning amendments within the MIZOD in compliance with O.C.G.A. 36-66-6.

L. **Avigation and noise easements.** All uses permitted within the MIZOD, except the area within the noise zone (NZ I) boundary and uses or properties exempted by this article, shall be conditioned upon the grant by the property owner of an avigation and noise easement to Liberty County. Such easement shall be a condition of subdivision, planned unit development, special permit, use permit, building permit or similar permit. The avigation and noise easement is to be submitted pursuant to the terms of this article and shall conform to the provisions contained in the model avigation and noise easement, a copy of which is shown in Figure 16.1 at the end of this section. An executed copy of the avigation and noise easement for said property shall be provided to LCPC and kept on file as proof of easement. All avigation and noise easements shall be recorded with the Liberty County Clerk of Court at the property owner's expense.

M. **Pre-existing uses.** Any existing use, which was lawfully established at the time of the effective date of this article, may be continued; although, such use does not conform to the provisions hereof. However, the requirements set forth in this section shall be applicable to the portion of the use subject to enlargement, extension, conversion, reconstruction, or structural alteration, and not be retroactive to the entire pre-existing structure. Nothing shall prohibit the reconstruction of a building legally in use at the time of the adoption of this article. A request for enlargement, extension, conversion, reconstruction or structural alteration of a pre-existing use which does not conform to the provisions of this article shall be processed through the permit procedures for nonconforming uses and structures as set forth in Section 24-10 [Non-conforming Uses, Buildings and Structures]. The permit to enlarge, extend, convert, reconstruct, or alter a structure lawfully in existence at the time of the enactment of this section, shall not be conditioned upon the execution of an avigation and noise easement pursuant to subsection L above.

N. **Enforcement and exemption.**

1. Prior to the issuance of a building permit or other certificate, the chief building official shall ensure the proposed building, premises or development is in compliance with the requirements of this article.

2. The garrison commander or his/her designee shall be informed of all requests for development within the MIZOD, except the area within the noise zone (NZ I) boundary. This provision does not supersede or modify existing state or federal laws. The chief building official shall forward a copy of all applications to the garrison commander or his/her prior to issuance of any permits. The garrison commander or his/her designee shall verify receipt of such information and, within a reasonable time period, forward any comments concerning the request to the chief building official.

3. Any use located within the MIZOD and utilized in connection with the operations of Fort Stewart/WAAF; properties owned or leased by Liberty County; any public authority; military units; or other governmental agencies, except for private or public educational facilities are hereby declared compatible and shall be exempted from the requirements of this section.

O. **Protection.** The degree of protection provided by this article is reasonable for regulatory purposes and is based on planning, engineering and scientific methods of study and in coordination with aviation and defense agencies. This section does not imply that areas outside of the MIZOD area will be totally free from noise impacts and aircraft hazards, and, therefore, shall not create a liability on the part of Liberty County, or any of its officers or employees, for any damages resulting from reliance on this article.

P. **Variances.** Variances shall not be permitted from the height limits or use regulations for properties within any noise zone or air safety zone of this overlay district. Additionally, no application for a variance to the other requirements of this article may be considered by the governing authority unless a copy of the application has been furnished to the garrison commander or his/her designee for a written recommendation as to the aeronautical effects of the variance. If the garrison commander or his/her designee does not respond to the application within thirty (30) days after receipt, the governing authority may act on its own to grant or deny the application.

Table 208.1 - Generalized Use Matrix for MIZOD Noise Zones			
Permitted Within Each Noise Zone	**NZ I**	**NZ II**	**NZ III**
Residential	Y	Y [1][2]	N
Manufactured housing	Y	N	N
Industrial	Y	Y	Y
Retail and service businesses	Y	Y [1]	Y [1]
Office	Y	Y [1]	Y [1]
Restaurants	Y	Y [1]	Y [1]
Service stations and repair services	Y	Y	Y
Health and childcare	Y	Y [1]	N
Hotels/motels	Y	Y [1]	N
Education and religious facilities	Y	Y [1]	N
Public assembly	Y	Y [1]	N
Indoor sport, recreation and entertainment facilities	Y	Y [1]	N
Outdoor sport, recreation and entertainment facilities	Y	Y	N
Parks, open space and golf courses	Y	Y	N
Agriculture	Y	Y	Y

Table 208.1 Notes:

- Y: Permitted
- N: Not Permitted

[1] Development is required to incorporate sound attenuation features as a condition of building permit issuance, as described in subsection H (1) above.

[2] The development of residential uses should only be approved in the absence of viable development options and as a result of a determination and evaluation indicating that a demonstrated community need for residential use would not be met if development were prohibited, as described in subsection H (1) A.

Table 208.2 - Generalized Use Matrix for MIZOD Air Safety Zones			
Permitted Within Each Air Safety Zone	**APZ II**	**APZ I**	**CZ**
Residential	Y [1]	N	N
Manufactured housing	N	N	N
Industrial	Y	Y	N
Retail and service businesses	Y	N	N
Office	Y	N	N
Restaurants	N	N	N
Service stations and repair services	Y	Y	N
Health and childcare	N	N	N
Hotels/motels	N	N	N
Education and religious facilities	N	N	N
Public assembly	N	N	N
Indoor sport, recreation and entertainment facilities	Y	Y	N
Outdoor sport, recreation and entertainment facilities	Y	Y	N
Parks, open space and golf courses	Y	Y	N
Agriculture	Y	Y	N

Table 208.2 Notes:

Y: Permitted

N: Not Permitted

Only single-family detached dwellings with a minimum lot size of 2.5 acres are permitted pursuant to subsection I(3) above.

Figure 208.1 - MODEL AVIGATION AND NOISE EASEMENT

INDENTURE made this _____ day of _____, 20___, between _____, hereinafter called "Grantor," and Liberty County Board of Commissioners a public body corporate and politic, hereinafter called Liberty County:

WHEREAS, Grantor is the owner in fee simple of a certain tract of land situated in Liberty County, State of Georgia, more particularly described as:

See attached Exhibit "A",

said tract of land being hereinafter referred to as "Grantor's Land"; and

WHEREAS, Grantor has agreed in consideration of _____ ($_____) and other valuable consideration, receipt of which is hereby acknowledged, to grant Liberty County the following

Avigation and Noise Easement for the right of flight and consequent aircraft noise over Grantor's Land.

NOW THIS INDENTURE, WITNESSETH:

Grantor, for itself, its heirs, successors and assigns, for the said consideration, hereby grants and conveys to Liberty County, the following Avigation and Noise Easement for the right of flight and consequent aircraft noise over Grantor's Land.

NOW THIS INDENTURE, WITNESSETH:

Grantor, for itself, its heirs, successors and assigns, for the said consideration, hereby grants and conveys to Liberty County, its successors and assigns, a perpetual easement and right-of-way for the unobstructed and unrestricted flight of aircraft in, through and across the airspace over and above Grantor's Land, at any legally permissible altitude, and the right, to the extent permitted by law, to make noise and cause fumes and disturbance arising from the ground and flight operations of all civil and military aircraft to, from and upon the Fort Stewart/WAAF military installation, regardless of the means of propulsion.

The Grantor, for itself, its heirs, successors, and assigns, does hereby waive all right to and interest in any claim or cause of action against Liberty County, arising out of or from any legally permissible noise, vibration, avigation, firing of large-caliber weaponry or detonations, pollution, light or noise generated from, above or on military property, or sonic disturbance of any description, caused by flight operations of civil and military aircraft regardless of the means of propulsion, to, from and upon Fort Stewart/WAAF, which may result in damage to land or to any person, structure or other property located upon Grantor's Land, excepting, however, any claim or cause of action for any damage or injury to person or property resulting from any aircraft, or object there from, falling on, propelled into, or striking any person or property on Grantor's land.

The Grantor, for the said consideration, further agrees, that if Grantor or its heirs, successors or assigns, should sell or alienate any portion of Grantor's Land, Grantor, its heirs, successors or assigns shall include in every deed or conveyance evidencing such sale or alienation, a recitation that the grant is subject to all conditions contained within this Avigation and Noise Easement, and further as a condition of such transaction, Grantor shall require each Grantee to include such recitation in any subsequent deed or conveyance of any of the property herein above described as Grantor's Land.

In the event any condition or provision herein contained is held to be invalid by any court of competent jurisdiction, the invalidity of any such easement, condition or provision shall in no way affect any other condition or provision herein contained.

It is understood and agreed that this easement shall be binding upon the heirs, administrators, executors, and assigns of the Grantor, and that this easement shall run with Grantor's Land.

TO HAVE AND TO HOLD said Avigation and Noise Easement hereby granted unto Liberty County for the use of the Fort Stewart/WAAF military installation, its successors, and assigns.

IN WITNESS WHEREOF, the undersigned has caused its signature to be affixed this _____ day of _____, 20___.

By: _____

STATE OF _____ , COUNTY OF _____

On this _____ day of _____, 20___, before me, a duly appointed and qualified notary public, personally appeared _____, to me personally known to be the same and identical person who signed the above and foregoing instrument and he did acknowledge the execution thereof to be his voluntary act and deed and that of _____.

WITNESS my hand and seal on the date last aforementioned.

_____

Notary Public

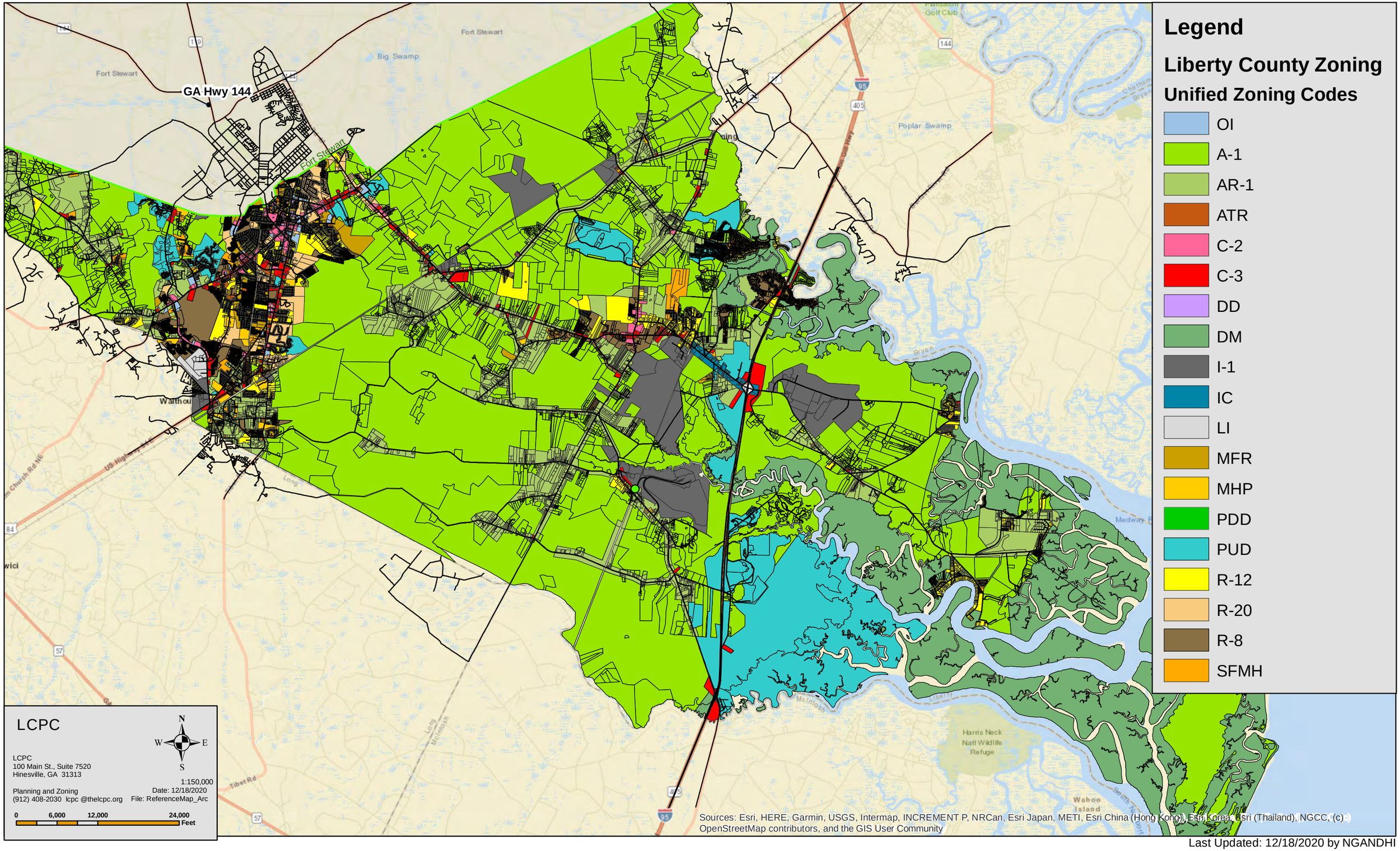
Appendix G
Zoning Maps

- Zoning Maps – the complete map and the following inset areas:
  - ◊ Allenhurst
  - ◊ Coastal Area
  - ◊ Fleming Area
  - ◊ Flemington
  - ◊ Gum Branch
  - ◊ Hinesville
  - ◊ Midway
  - ◊ Riceboro
  - ◊ Sunbury Area
  - ◊ Walthourville
- Hinesville Downtown Overlay District
- Liberty Gateway Overlay District
- Allenhurst Historic District

Due to the large file size, the inset maps showing the zoning districts are available in a separate file.

Unified Zoning Map

Date: 12/18/2020



Legend

Liberty County Zoning

Unified Zoning Codes

- OI
- A-1
- AR-1
- ATR
- C-2
- C-3
- DD
- DM
- I-1
- IC
- LI
- MFR
- MHP
- PDD
- PUD
- R-12
- R-20
- R-8
- SFMH

LCPC

N
W E
S

LCPC
100 Main St., Suite 7520
Hinesville, GA 31313

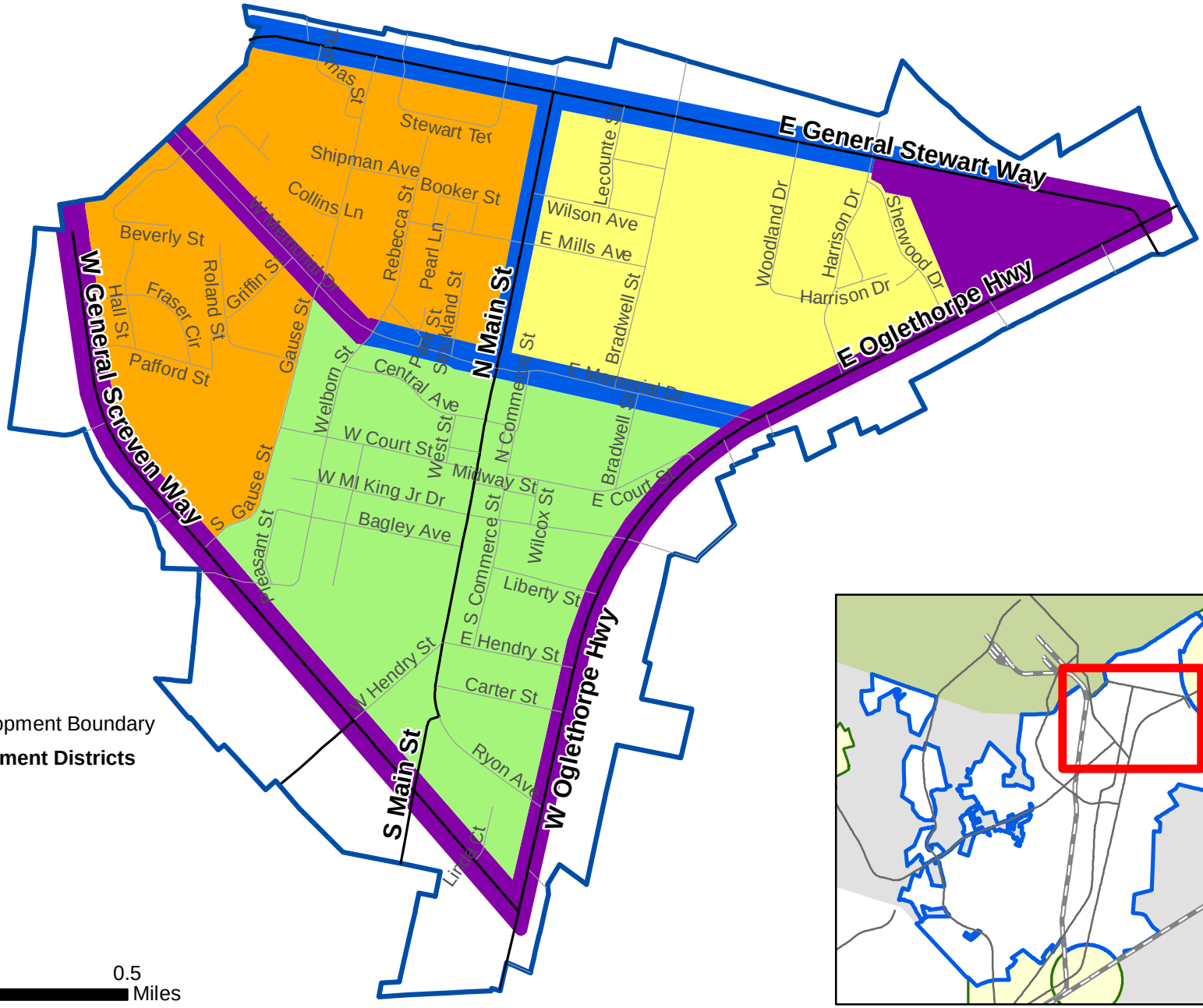
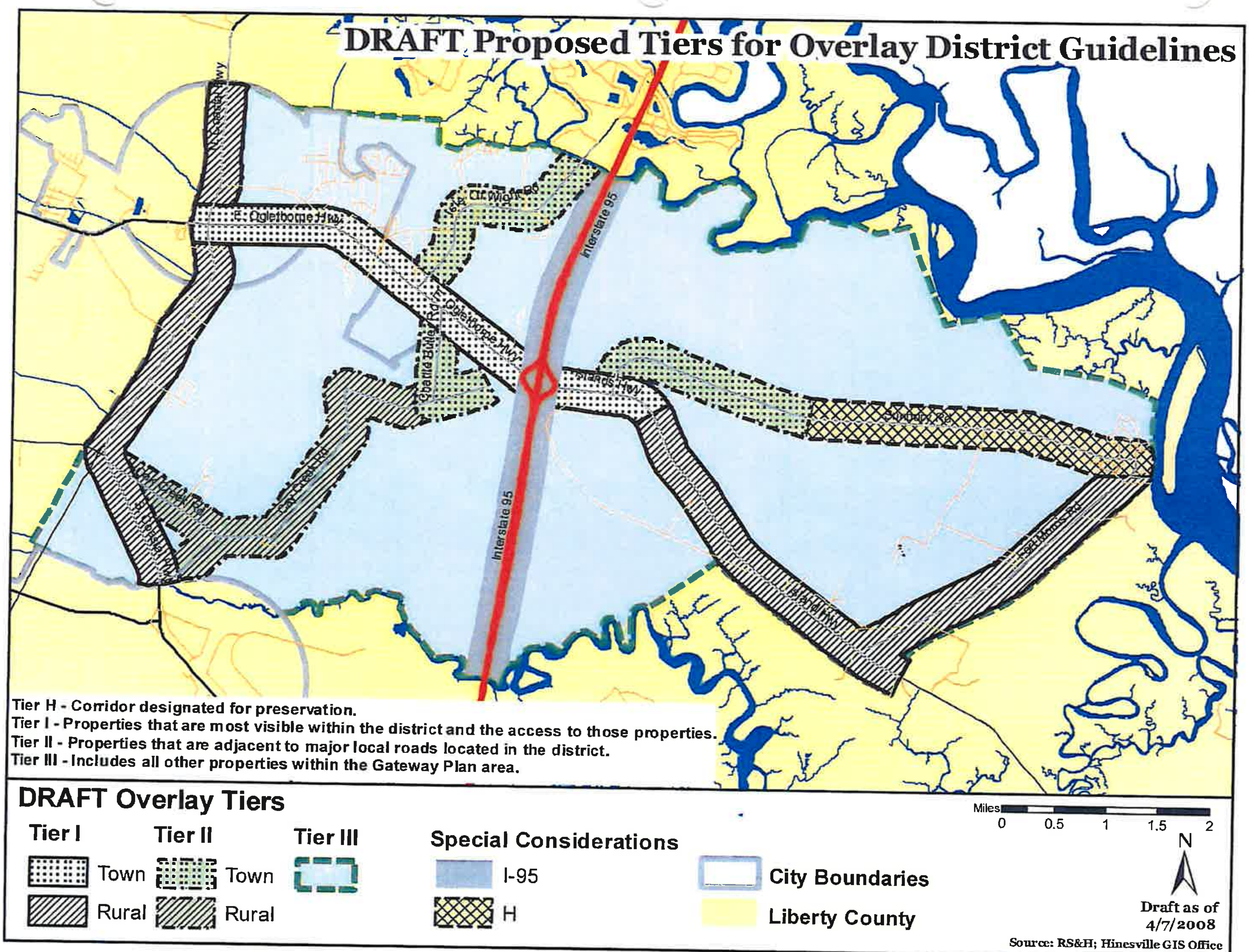
Planning and Zoning
(912) 408-2030 lcpc @thelcpc.org

1:150,000
Date: 12/18/2020
File: ReferenceMap_Arc

0 6,000 12,000 24,000 Feet

Last Updated: 12/18/2020 by NGANDHI

Downtown Redevelopment Districts



DRAFT Proposed Tiers for Overlay District Guidelines