

# Zoning Ordinance

of the

## City of Williamson, Georgia

This Zoning Ordinance, in its entirety, is considered part of the City of Williamson Municipal Code of Ordinances and shall be updated and amended in accordance with the State of Georgia Zoning Procedures Act and all applicable sections of the City of Williamson Charter and City of Williamson Municipal Code.

(13 July 2023)

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## **ARTICLE I. GENERAL PROVISIONS**

### **§156.001 SHORT TITLE.**

This document is entitled “The Zoning Ordinance of The City of Williamson, Georgia.” It may also be known by and cited by the short title of “City of Williamson Zoning Ordinance.”

### **§156.002 AUTHORITY.**

The power of a municipality to enact an ordinance such as this which is intended to protect the public health, safety and welfare, is provided by the Home Rule provisions of the Constitution and Laws of the State of Georgia.

### **§156.003 JURISDICTION.**

This ordinance applies to all land within the incorporated areas of The City of Williamson, Georgia.

### **§156.004 PURPOSES.**

- A. The Zoning Ordinance of the City of Williamson, Georgia seeks to encourage the development of desirable land use patterns within the City of Williamson in accordance with the City of Williamson Land Use Plan and Comprehensive Plan. The promotion of sound land use patterns is intended to reduce or eliminate the occurrence of certain conditions which can threaten the general health, safety and welfare of the residents of the City of Williamson. This ordinance should serve the following purposes:
1. Reduce the occurrence of hazardous traffic patterns and general congestion;
  2. Secure safety from fire, panic and other dangers;



3. Assure that adequate light and air are provided;
  4. Prevent the overcrowding of land and undue concentration of population;
  5. Facilitate the adequate provision of public utilities and facilities;
  6. Promote adequate living conditions and sustained suitability of neighborhoods;
  7. Protect property against blight and depreciation.
  8. Protect residential and commercial property owners from value loss by keeping compatible zoning classifications and uses in suitable areas and avoiding proximal uses from detracting from the value of nearby properties which are in compliance with the zoning code.
- B. Additional benefits to the public interest which can accrue from the development of sound land use patterns are as follows:
1. Efficient development and use of community utility networks;
  2. Economy in governmental expenditures;
  3. A higher level of convenience, order, prosperity and aesthetics.

**§156.005 CONTENT.**

This ordinance provides for the following:

- A. Defines certain terms used in this ordinance;
- B. Establishes certain land use districts and specifies the boundaries of those districts;
- C. Provides procedures for administering and amending the ordinance;
- D. Regulates the erection, alteration and use of buildings and structures;
- E. Provides penalties for violation of this ordinance;
- F. Regulates the use of buildings and structures;
- G. Regulates the location, height and bulk of structures, as well as percentage of lot which may be occupied;
- H. Defines the powers and duties of the Zoning Administrator, the Planning Commission, and the Mayor and City Council in relation to this ordinance; and
- I. Repeals conflicting ordinances.

**ARTICLE II. DEFINITIONS OF TERMS USED**

### **§156.006 INTERPRETATION OF CERTAIN COMMON TERMS.**

When used in this Ordinance, the following words and phrases have the meaning as defined in this Article. Terms not defined herein have the same meaning as found in most dictionaries, where consistent with the context. The words “must” and “shall” are mandatory in nature, indicating an action that has to be done. The term “should” is used to mean a recommended action unless another action is reasonable or other requirements indicate another course of action. The term “may” is permissive and allows discretion regarding an action. When consistent with the context, words used in the singular number include the plural and those used in the plural number include the singular. Words used in the present tense include the future.

### **§156.007 DEFINITIONS OF TERMS.**

For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**AGRICULTURE.** The raising of soil crops, poultry and livestock in a customary manner on tracts of land at least three acres in size, including all related buildings, structures and appurtenances necessary to carry out all associated activities. Retail selling of products raised on the premises is permitted, provided that space necessary for the parking of customer’s vehicles is provided off the public right-of-way.

**AIRPORT.** A transportation terminal facility where aircraft take off and land.

**AIRSTRIP, PRIVATE.** An area designated for the take-off and landing of private, noncommercial aircraft, with no terminal facilities and no scheduled take-offs and landings.

**ALLEY.** A secondary way which affords access to the side or rear of abutting property.

**ALTERATION.** Any change in the supporting members of a building, any modification or change in construction, any addition which increases the area or height or any change in use from that of one district classification to another or movement of a building from one location to another.

**ANTENNA, DISH.** A structure intended for receiving audio or video signals via a satellite orbiting the earth. It is constructed of a round or square surface which is parabolically curved focusing on a low-noise signal amplifier and the apparatus is mounted on a base. Such antennas are permitted as an accessory use in all districts, with the following restriction: they must not exceed a size of 18 feet in diameter or 20 feet above the surface upon which the base is affixed.

**AUTOMOBILE SERVICE STATION.** A land use where gasoline, oils, greases, batteries, tires and general automobile accessories may be provided, but where no part of the premises is used for the storage or dismantling of wrecked or junked vehicles.

**BLOCK.** A piece or parcel of land entirely surrounded by public highways or streets, other than alleys.

**BOARDING OR ROOMING HOUSE.** A building used or intended for use as a place for lodging or feeding or both of three or more persons for compensation.

**BUFFER.** That portion of a lot established for open space purposes and intended to separate properties with different and possibly incompatible types of uses. A BUFFER must not be otherwise occupied with structures. A BUFFER must be at least ten feet wide and provide reasonable visual screening of the property through the provision of one of the following:

1. Planted vegetative screen at least ten feet wide and six feet high;
2. Fence or wall at least six feet high which provides visual screening.

**BUILDING.** Any structure having a roof and intended for shelter, housing or enclosure of persons, animals or property of any kind. Includes the word STRUCTURE.

**BUILDING, ACCESSORY.** A structure used for a purpose that is customarily incidental and subordinate to the principal use or structure and located on the same lot as such a principal use or structure.

**BUILDING HEIGHT.** The vertical distance of a building measured from the average elevation of the finished grade at the front of the building to the highest point of the building.

**BUILDING LINE.** A line, projected from the closest edge of a structure's foundation parallel to the front property line or street right-of-way line or chord.

**BUILDING, PRINCIPAL.** The building on a lot in which the principal use of the lot is conducted.

**CEMETERY.** Land either already reserved for burial plots for the deceased or which may in the future be so reserved; it may be maintained either by a family, a church or other place of worship or a private corporation.

**CENTER LINE, STREET.** That line surveyed and monumented by the governing authority as the center line of a street, or if such a center line has not been surveyed, it is the line running midway between the outside curbs or ditches of the street.

**CITY CLERK.** The City Clerk of the City of Williamson, Georgia.

**CLINIC.** An establishment where medical or dental patients are admitted for examination and treatment, but where there is no overnight lodging.

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

**CONVENTIONAL CONSTRUCTION.** A dwelling unit constructed on the building site from basic materials delivered to the site and which is constructed in accordance with the Standard Building Code of the Southern Building Code Congress International (SBCCI) or a similar, nationally recognized code adopted by the State of Georgia and meeting the following standard. The pitch of the home's main roof system has a minimum vertical rise of four (4) feet for each 12 feet of horizontal run, except that any such dwelling unit from which a building permit was applied prior to the adoption of this ordinance may be extended, enlarged or repaired as otherwise provided by this ordinance with the same roof pitch as that

allowed by the aforesaid building permit. This standard shall not apply to those structures that exceed one story above ground.

**CURB CUT.** The point at which vehicular access is provided to an adjoining street from a lot.

**DCA.** Georgia Department of Community Affairs.

**DEER COOLER.** Any business or commercial operation which processes deer carcasses either by butchering the carcasses and/or skinning the carcasses. It shall also mean a facility wherein deer carcasses are under refrigeration pending the butcher and/or skinning of the carcasses.

**DENSITY.** The number of dwelling units per acre of land use for residential purposes. Unless otherwise stated, density figures are to be in terms of net acres or the land devoted to residential use exclusive of streets or other public lands.

**DEVELOPER.** Includes a firm, corporation, co-partnership, association, institution or person.

**DOUBLE WIDE.** An obsolete term used to describe a mobile home or manufactured home having a width of generally between 20 and 28 feet. In the context of this ordinance, this term has no specific meaning. See definition of **MANUFACTURED HOME**.

**DWELLING.** A building or portion thereof designed, arranged or used principally for residential occupancy, not including motels, hotels, boarding houses or rooming houses.

**DWELLING, APARTMENT.** One or more dwelling units, under a single ownership, located on one lot of land, occupied by renters.

**DWELLING, CLUSTER.** One of a series of attached and/or detached dwelling units developed under a single ownership.

**DWELLING, CONDOMINIUM.** An individually-owned dwelling unit in an attached, detached or multi-family structure, combined with joint ownership of common areas of the buildings and grounds.

**DWELLING, GARDEN APARTMENT.** A multi-family dwelling one or two stories in height containing from one to four dwelling units and where the area immediately surrounding the dwelling is landscaped and may contain recreation facilities for the private use of dwelling occupants.

**DWELLING, MULTIPLE-FAMILY.** A building designed, constructed, altered or used for five or more adjoining dwelling units, with each dwelling unit having a party wall or walls and/or a party floor and ceiling connecting it with at least one other dwelling unit located on one lot of land. A **MULTIPLE-FAMILY DWELLING** may be apartments or condominiums.

**DWELLING, PATIO.** A single-family dwelling in which all or a portion of the area required for side and rear yards may be consolidated onto one or more garden court spaces within the walls of the dwelling unit.

**DWELLING, SINGLE-FAMILY ATTACHED.** A building containing two or more single-family dwelling units joined at one or more points by one or more party walls or other common facilities (not including the walls of an enclosed courtyard or similar area) and with property lines separating each dwelling unit.

**DWELLING, SINGLE-FAMILY DETACHED.** A single residential detached building designed for or containing one dwelling unit for the housing of one (1) family as defined in this ordinance.

**DWELLING, TOWNHOUSE.** One of a series of three or more attached dwelling units on separate lots which are separated from each other by fire walls extending at least from the lowest floor level to the roof.

**DWELLING, TWO-FAMILY.** A detached dwelling designed, constructed, altered or used for two adjoining dwelling units, with each dwelling unit having a party wall connecting it with the other dwelling unit, located on one lot; also known as a DUPLEX.

**DWELLING UNIT.** One or more rooms within a dwelling forming a separate, independent housekeeping establishment for use of one family involving owner or renter occupancy, with provisions for cooking, eating and sleeping and which is physically set apart from other rooms or dwelling units in the same building.

**EASEMENT.** The right or privilege of using another's property for purposes such as constructing and maintaining sanitary sewers, water mains, electric lines, telephone lines, storm sewers, gas lines, bicycle paths, pedestrian ways or other purposes.

**ELEVATION, FRONT.** The view of a building or group of buildings as seen from directly in front of the structure.

**EMPLOYEE, FULL-TIME.** Constitutes 40-hour workweek.

**FACTORY BUILT HOUSING.** An obsolete term used to describe a residential industrialized building. In the context of this ordinance, this term has no specific meaning. (See definition of RESIDENTIAL INDUSTRIALIZED BUILDING.)

**FAMILY.** One or more persons related by blood, marriage or adoption, including up to three (3) additional unrelated individuals, occupying a dwelling unit. A family, for dwelling purposes, may also consist of no more than four unrelated individuals.

**FARM.** Any tract or parcel of land containing three or more acres which is devoted to the raising of agricultural products, including, but not limited to, soil crops, livestock, fish, poultry and commercial timber, regardless of the quantity or value of production and all related buildings, structures and appurtenances necessary to carry out all associated activities.

**FLAG (PANHANDLE) LOT.** A lot, the main portion of which is located away from the public street, with a connecting strip of land that is less than the minimum required building lot width at any point providing frontage on the public street. The panhandle access must be at least 60 feet wide at all points, including, but not limited to, road frontage, and may be no more than 500 feet long. No two such panhandle access points may abut each other nor be

closer than 400 feet apart. Flag lots are intended only to provide a means of using the rear portion of an extremely deep tract of land for residential or agricultural purposes and are not intended to provide access to other properties so as to circumvent the requirements of this ordinance or other applicable ordinances.

**FLOOD BOUNDARY.** That area in The City of Williamson threatened by possible flood under normal to severe circumstances, determined as shown on the Flood Hazard Boundary Map and published by the Federal Emergency Management Agency (FEMA), 1972.

**FLOOR AREA.** The area of a dwelling exclusive of attic, basement, garage, carport, patios and open porches measured from the exterior face of the exterior walls of a dwelling. Also, the gross leasable floor area for any business or industry based on interior dimensions.

**GARAGE or CARPORT, PRIVATE.** A covered space for the storage of one or more motor vehicles belonging to the occupants of the principal use on the lot. No business occupation or service may be conducted for profit within the private garage except a home occupation under conditions specified in this section.

**GARAGE, PUBLIC.** Any garage, other than a private garage, which is used for storage, minor repair, rental, servicing, washing, adjusting or equipping of automobiles or other motor vehicles, but not including the storage of wrecked or junked vehicles.

**GARAGE, REPAIR.** A public garage intended to be used to make major commercial automobile, motorcycle, lawn mower or other motor vehicle repairs, provided that all body work and painting is conducted within fully enclosed buildings, and further provided that there is no open storage of junk, wrecked vehicles, dismantled parts or supplies visible beyond the premises.

**HOME OCCUPATION.** An occupation for gain or support conducted only by members of a family residing on the premises and entirely within the main dwelling. The following required development standards must be met by all HOME OCCUPATIONS:

1. Only residents of the dwelling may be engaged in the home occupation;
2. The home occupation must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the building;
3. No display of products may be visible from the street;
4. Use of the building for this purpose may not exceed 25% of the principal building;
5. No internal or external alterations inconsistent with the residential use of the building is permitted;
6. The home occupation must not constitute a nuisance in the neighborhood;
7. No accessory buildings or outside storage may be used in connection with the home occupation, except a private garage;
8. Only vehicles designed and used primarily as passenger vehicles (this includes light pickup trucks) may be used in connection with the conduct of the home occupation.

**HOTEL.** A building in which overnight accommodations, without separate cooking facilities, are provided to the public. The term HOTEL includes the terms MOTEL and TOURIST COURT.

HUD. U.S. Department of Housing and Urban Development.

**INDUSTRIALIZED BUILDING.** Any structure or component thereof which is, wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to or destruction thereof and which bears the insignia of approval issued by the Commissioner of the Georgia Department of Community Affairs.

**INDUSTRIALIZED HOME.** A home manufactured in accordance with the Georgia Industrialized Building Act and the Rules of the Commissioner of the Georgia Department of Community Affairs issued pursuant thereto, or any subsequent applicable state law. State approved buildings meet the State Building and Construction Codes and bear an insignia of approval issued by the Commissioner.

**INSTITUTION.** A non-profit corporation, establishment or entity for public or semi-public use.

**INTERMEDIATE CARE HOME.** A facility which admits residents on medical referral. It maintains the services and facilities for institutional care and has a satisfactory agreement with a physician and dentist who will provide continuing supervision, including regulations contained in Chapter 290-5-9: Intermediate Care Homes (Rules of the Georgia Department of Human Resources.)

**JUNK YARD.** Any use involving the parking, storage or disassembly of junked vehicles or wrecked or non-operable automobiles, trucks or other vehicles or storage, bailing or otherwise dealing in bones, animal hides, scrap iron and other metals, used paper, used cloth, used plumbing fixtures, old stoves, old refrigerators and other old household appliances and used brick, wood or other building materials. These uses are considered JUNK YARDS whether or not all or part of these operations are conducted inside a building or in conjunction with, in addition to or accessory to other uses of the premises.

**JUNKED VEHICLE.** Any wrecked or non-operable automobile, truck or other vehicle which does not bear a current license plate.

**KENNEL.** The housing of for four or more dogs, cats or other domestic animals for the purpose of providing an income or revenue.

**LIMITED LODGING.** An owner-occupied accessory use of all or part of a residential dwelling unit by rental for temporary occupancy of no more than fourteen (14) consecutive days, and no longer than a total of forty-five (45) days per calendar year. The arrangement of such rental by the owner may be conducted through a booking agent.

**LOADING SPACE.** Space logically and conveniently located for pickup and delivery service, scaled to the vehicles expected to be used and accessible to such vehicles at all time.

**LOT.** A parcel of land occupied or capable of being occupied by one or more buildings and customarily incidental accessory buildings or uses, including such open spaces as are required by this ordinance. Includes the words PLOT and PARCEL.

LOT, CORNER. A lot located at the intersection of two or more streets.

LOT, DOUBLE FRONTAGE. A lot, other than a corner lot, which has frontage on more than one street.

LOT WIDTH. The distance between side lot lines measured at the front building line; if a corner lot, the distance between lot lines measured along the front building line which parallels or more nearly parallels the rear lot line.

#### MANUFACTURED HOME, CLASS A.

A dwelling unit fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with the Federal Standards Act, 42 USC 5401 through 5445 (the HUD Code, which became effective on June 15, 1976) and meeting the following development standards:

1. The home has a length not exceeding four times its width;
2. The pitch of the home's roof has a vertical rise of four (4) feet for each 12 feet of horizontal run and the roof is finished with a type of shingle that is commonly used in conventional residential construction, except that any such home for which a building permit was applied prior to the adoption of this ordinance may be extended, enlarged or repaired as otherwise provided by this ordinance with the same roof pitch as that allowed by the aforesaid building permit;
3. The exterior siding consists of wood, hardboard 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 standard residential construction;
4. A curtain wall, unpierced except for required ventilation and access, and constructed of either masonry or a simulated rock or brick material manufactured for such a purpose is installed so that it encloses the area located under the home to the ground level. Such a wall must meet the standards specified in ANSI A225.1;
5. The tongue, axles, transporting lights and towing apparatus are removed after placement on the lot and before occupancy.
6. All manufactured homes must be installed in accordance with ANSI A225.1.
7. Manufactured homes are not permitted to be used as storage buildings.

MANUFACTURED HOME, CLASS B. A dwelling unit fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying it is constructed in compliance with Federal Manufactured Home Construction and Safety Standards Act, 42 USC 5401 through 5445 (the HUD Code, which became effective on June 15, 1976), but does not satisfy the criteria necessary to qualify the house as a Class A manufactured home. All manufactured homes must be installed in accordance with ANSI A225.1. Manufactured homes are not permitted to be used as storage buildings.

MANUFACTURED HOME, CLASS C. Any manufactured home that does not meet the definitional criteria of a Class A or Class B manufactured home (not constructed to the HUD Code). All manufactured homes must be installed in accordance with ANSI A225.1. Class C



manufactured homes must meet the construction standards specified in ANSI A119.1. Compliance with ANSI A119.1 may be determined by any of the following procedures:

1. For manufactured homes moved within The City of Williamson, the City of Williamson Zoning Administrator must inspect the unit and determine what (if anything) is needed to bring the unit up the standards of ANSI 119.1. Upon determining that the unit meets ANSI 119.1 standards and that the provisions of all other applicable The City of Williamson ordinances are met by the proposed placement of the manufactured home, the Zoning Administrator will issue the permit for placement of the manufactured home;
2. For manufactured homes located outside of The City of Williamson, the owner may pay expenses incurred by the City of Williamson Zoning Administrator to travel to the location of the manufactured home in order to inspect it and determine what (if anything) is needed to bring the unit up to the standards of ANSI 119.1. Upon determining that the unit meets ANSI 119.1 standards and that the provisions of all other applicable The City of Williamson ordinances are met by the proposed placement of the manufactured home, the Zoning Administrator will issue the permit for placement of the manufactured home;
3. For manufactured homes located outside of The City of Williamson, the owner of the unit may, by agreement with the City of Williamson Zoning Administrator, arrange for the Zoning Administrator of a competent jurisdiction in the locality in which the manufactured home is located to inspect it and determine what (if anything) is needed to bring the unit up to the standards of ANSI 119.1. Upon determining that the unit meets ANSI 119.1 standards, that Zoning Administrator must certify the same to the City of Williamson Zoning Administrator. After receiving such a certification and after determining that the provisions of all other applicable The City of Williamson ordinances are met by the proposed placement of the manufactured home, the City of Williamson Zoning Administrator will issue the permit for placement of the manufactured home;
4. The City of Williamson Zoning Administrator is not bound by the findings of the Zoning Administrator of the other locality. If upon final inspection the City of Williamson Zoning Administrator finds that the manufactured home does not meet the ANSI 119.1 standards, he or she will not issue a certificate of occupancy until these standards are met;
5. Manufactured homes are not permitted to be used as storage buildings.

**MANUFACTURED HOME SPACE.** An area of land within a planned manufactured home park designed to accommodate one manufactured home.

**MANUFACTURED HOUSING.** A general term used to describe a type of housing which is produced, either completely or partially, in a factory, including manufactured homes, modular homes and residential industrialized buildings. In the context of this ordinance, this term has no specific meaning.

**MAYOR AND CITY COUNCIL.** The Mayor and City Council of the City of Williamson, Georgia.

**MOBILE HOME.** An obsolete term used to describe a manufactured home. In the context of this ordinance, this term has no specific meaning. See definition of **MANUFACTURED HOME**.

**MOBILE HOME PARK.** An obsolete term used to describe a planned manufactured home park. In the context of this ordinance, this term has no specific meaning. See definition of **PLANNED MANUFACTURED HOME PARK**.

**MODULAR HOME.** An obsolete term used to describe Class A manufactured homes. In the context of this ordinance, this term has no specific meaning. See definition of **RESIDENTIAL INDUSTRIALIZED BUILDING**.

**MULTI-SECTION HOME.** An obsolete term used to describe a manufactured home finished in two or more sections. In the context of this ordinance, this term has no specific meaning. See definition of **MANUFACTURED HOME**.

**NATIONAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS.** The national building code for all manufactured homes built since June 15, 1976, written and administered by the U.S. Department of Housing and Urban Development; also known as the “HUD CODE.”

**NURSING HOME.** A facility which admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision. It maintains the services and facilities for skilled nursing care, rehabilitative nursing care and has a satisfactory agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental supervision of the home. It otherwise complies with the rules and regulations contained in Chapter 290-5-8: Nursing Homes (Rules of the Georgia Department of Human Resources).

**OCCUPY.** To live in or be the established user of a place such as a home or office.

**OFFICIAL MAP.** The map entitled “The Official Zoning Map of The City of Williamson, Georgia,” indicating the locations of zoning district boundaries in The City of Williamson.

**PARKING SPACE.** The storage space for one motor vehicle. (See Standard Building Code of SBCCI for dimension standards required of standard parking spaces and those accessible to handicapped persons.)

**PERSONAL CARE HOME.** A building or group of buildings, a facility or place in which is provided two or more beds and other facilities and services, including rooms, meals and personal care for non-family ambulatory adults. It otherwise complies with the rules and regulations contained in Chapter 290-5-35: Personal Care Homes (Rules of the Georgia Department of Human Resources). For the purpose of this ordinance, **PERSONAL CARE HOMES** are classified as follows.

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

**PERSONAL CARE HOME, GROUP.** A home for adult persons in a residence or other type building(s), non-institutional in character, which offers care to seven (7) through 15 persons.

**PERSONAL CARE HOME, CONGREGATE.** A home for adults which offers care to 16 or more persons.

**PLANNED APARTMENT HOME COMMUNITY.** A lot used or intended for use as a residential area occupied by apartment homes and conforming to an approved development plan, with appropriate and adequate community services, recreation facilities, utilities, streets and sidewalks provided by the developer.

**PLANNED MANUFACTURED HOME COMMUNITY.** A lot used or intended for use as a residential area occupied by manufactured homes, with appropriate and adequate community services, recreation facilities, utilities, streets and sidewalks provided by the developer, where the resident owns or rents the manufactured home and rents the manufactured home space. All manufactured home parks must be designed and constructed in accordance with ANSI A225.1 (NFPA 501A), Manufactured Home Installations, 1982, as amended.

**PLANNING COMMISSION.** The City of Williamson Planning Commission.

**PLAT.** A map, plan or layout of a county, city, town, section or subdivision indicating the location and boundaries of properties.

**PRE-FABRICATED HOME.** A general term used to describe any home constructed in a factory setting, including manufactured homes, modular homes and residential industrialized buildings. In the context of this ordinance, this term has no specific meaning.

**RECREATIONAL VEHICLE.** A motor coach, fifth-wheel, travel trailer or camper. These units are considered vehicles and not residences for zoning purposes. They may not be used as a residence or as a principal use on a residential parcel. One unoccupied recreational vehicle may be parked upon a lot for storage, but not for residential occupancy.

**RIGHT-OF-WAY.** A strip of land designed, reserved, dedicated or purchased for the purpose of pedestrian or vehicular access or utility line installation.

**ROAD, ARTERIAL.** A road which is on the Georgia state highway system and is designated by a state route number. Such a street primarily serves the purpose of moving traffic through the city. Connecting roads and access to adjacent property should be kept to a minimum on an ARTERIAL ROAD, as these interfere with traffic flow, adversely affecting the capacity and safety of the road. (See Functional Classification of Thoroughfares in the City of Williamson Land Use Plan.)

**ROAD, COLLECTOR.** A road which is not on the Georgia state highway system. Such a street would usually serve to distribute traffic from individual lots of arterial roads. They may also connect neighborhoods with one another. (See Functional Classification of Thoroughfares in the City of Williamson Land Use Plan.)

**ROAD, LOCAL.** Serve adjacent property by providing access to the highway network. These roads are characterized by short trips, low speeds and small traffic volumes. The

design of these roads should be toward eliminating through traffic. (See Functional Classification of Thoroughfares in The City of Williamson Land Use Plan.)

SBCCI. Southern Building Code Congress International.

SECTIONAL HOME. A general term used to describe any home constructed in a factory setting, especially manufactured homes. In the context of this ordinance, this term has no specific meaning.

SINGLE-WIDE. An obsolete term used to describe a mobile home or manufactured home having a width of between eight and 14 feet. In the context of this ordinance, this term has no specific meaning. See definition of MANUFACTURED HOME.

SITE BUILT HOME. See definition of CONVENTIONAL CONSTRUCTION.

STICK BUILT HOME. See definition of CONVENTIONAL CONSTRUCTION.

STORY. That portion of a building, not including a basement, between the surface of any floor and the surface of the floor next above it, or if there is no floor above, then the space between the floor and the ceiling next above it.

STRUCTURE. Anything constructed, erected or set in place that requires a fixed location on the ground or which is attached to something having a fixed location on the ground.

SUBDIVISION. The division of a lot of record at the time of enactment of this ordinance into two or more lots, building sites or other divisions for the purpose, whether immediate or future, of sale, legacy or building development and includes all divisions of land involving a new street or a change in existing streets, includes re-subdivision and, where appropriate to the context, relates to the process of subdividing or to the land area subdivided.

TRAILER. An obsolete term used to describe both a mobile home built before June 15, 1976 and a manufactured home. In the context of this ordinance, this term has no specific meaning.

TRAILER COURT. An obsolete term used to describe a planned manufactured home community. See definition of PLANNED MANUFACTURED HOME COMMUNITY.

TRAILER PARK. An obsolete term used to describe a planned manufactured home community. See definition of PLANNED MANUFACTURED HOME COMMUNITY.

TRAVEL TRAILER. A vehicle designed as a temporary dwelling for travel or recreational uses. Residential occupation of travel trailers is not allowed within the City of Williamson.

TRAVEL TRAILER PARK. A lot on which are parked two or more travel trailers for a period of less than 30 days.

USE. Any purpose for which a building or tract of land may be designed, arranged, intended, maintained or occupied or any activity, occupation, business or operation carried on, or intended to be carried on, in a building or structure or a tract of land.

USE, ACCESSORY. A use or structure customarily incidental and subordinate to the principal use or structure and located on the same lot as the principal use or structure.

**ACCESSORY USES** are allowed only within rear yards, unless their purpose is ornamental or decorative in nature.

**USE, CONDITIONAL.** That use which is permitted in a particular zoning district, but only under certain specified conditions.

**USE, NONCONFORMING.** Use of land and/or buildings that does not conform to the regulations and standards of the district in which it is located, which lawfully existed at the time of adoption of this ordinance and is allowed to continue under the provisions for **NONCONFORMING USES**. (See § 156.022).

**USE, PRINCIPAL.** The main purpose for which a lot is intended and for which it is used. Only one principal use is allowable on a parcel or lot.

**USED or OCCUPIED.** As applied to any land or building, includes the words **INTENDED, ARRANGED or DESIGNED, TO BE USED or OCCUPIED**.

**VACATION RENTAL.** The primary use of all or part of a residential dwelling unit by rental for temporary occupancy for dwelling, sleeping or lodging of no more than thirty (30) consecutive days. Vacation rentals include the arrangement of such rental by the owner through a booking agent.

**VARIANCE.** A permit issued by the Mayor and City Council which allows use of a parcel of land in a way that does not meet certain requirements for the district in which the property is located. See § 156.026 for further details.

**YARD.** A required open space on a lot that is left unoccupied with structures and facilities, except as permitted in this ordinance. A **YARD** may also be known as a setback.

**YARD, FRONT.** The open space on a lot located between the front property line or right-of-way boundary of the abutting street, and the nearest point of the structure to such property line or right-of-way boundary.

**YARD, REAR.** The open space between the rear property line and the structure at the nearest point.

**YARD, SIDE.** The open space between the side property line and the structure at the nearest point.

**ZONING DISTRICT.** One or more sections of The City of Williamson, Georgia, as delineated and designated on the Official Map, within which the zoning regulations are uniform.

**ZONING ADMINISTRATOR.** The person, officer or official and his or her authorized representative, whom the Mayor and City Council of the City of Williamson has designated as its agent for the administration of these regulations.

## ARTICLE III. ESTABLISHMENT OF DISTRICTS

### § 156.008 DISTRICTS ESTABLISHED.

(A) For the purposes of this ordinance, The City of Williamson is divided into districts as follows:

- (1) A-R Agricultural-Residential - 1,100 sq. ft.;
- (2) R-22 Single-Family Residential - 2,200 sq. ft.;
- (2) R-20 Single-Family Residential - 2,000 sq. ft.;
- (3) R-18 Single-Family Residential - 1,800 sq. ft.;
- (4) R-15 Single-Family Residential - 1,500 sq. ft.;
- (5) R-11 Single-Family Residential - 1,100 sq. ft.;
- (6) R-6 Single-Family Residential - 600 sq. ft.;
- (7) DR-6 Duplex Residential;
- (8) Greenbelt - City owned
- (9) P-R Planned Development - Residential;
- (10) P-M Planned Development - Mixed Use;
- (11) P-I Professional - Institutional;
- (12) C-1 Neighborhood Commercial;
- (13) C-2 General Commercial;
- (14) C-3 Heavy Commercial;
- (15) M-1 Manufacturing - Light;
- (16) M-2 Manufacturing - General;

(B) In addition, overlay districts apply additional standards to specific areas which may lie within any of the above districts. Those districts are as follows:

- (1) S-1 Sensitive Land - Flood Hazard;
- (2) S-2 Sensitive Land - Watershed.
- (3) Commercial Design Standards (Previously Appendix K)

### **§ 156.009 DISTRICTS EXPLAINED.**

(A) Districts are areas of land within The City of Williamson to which different development requirements and standards are applied. These differences are intended to promote the separation of incompatible uses, encourage sound land use patterns and retain the character of the community. Although this ordinance establishes the locations of district boundaries, as indicated on the Official Map, the boundaries may be amended in the future in order to meet changing needs if facts are presented and accepted in support of such an amendment.

(B) This may be done, however, only if the proposed change is in conformance with the City of Williamson Land Use Plan (where one exists). (This does not necessarily mean a one-to-one correspondence.) If conditions have changed to the point that a genuinely needed change in a district boundary is not in conformance with the City of Williamson Land Use Plan (where one exists), then the City of Williamson Land Use Plan (where one exists) must first be amended to address the changing needs.

(C) In making the decision to amend the boundary of a district, the points contained in § 156.028 must be considered by the Planning Commission as well as the Mayor and City Council.

## **ARTICLE IV. GENERAL PROCEDURES**

### **§ 156.020 INITIAL INFORMATION.**

(A) This article outlines the procedures to be followed in order to comply with the requirements of this ordinance. The developer who initially may not be familiar with this ordinance first visits the City of Williamson City Hall and the City Clerk to get information concerning Ordinances affecting his or her proposed development.

(B) The City Clerk may show the developer a copy of this ordinance. The developer may either review the document in the office or he or she may purchase a copy for his or her own use.

### **§ 156.021 COMPLIANCE WITH ZONING ORDINANCE REQUIRED.**

(A) No building is to be erected, used, occupied, moved or altered in a manner that does not conform to the requirements specified for the district in which it is located.

(B) The only exception to this requirement is that all buildings or uses which lawfully existed at a particular location at the time this ordinance was adopted may be continued as nonconforming uses.

### **§ 156.022 CONTINUANCE OF NONCONFORMING USES.**

(A) Invariably, at the time a land use and development control ordinance is adopted or amended, certain uses which lawfully existed prior to the adoption or amendment will not conform to the regulations and standards for the districts in which they are located.

(B) These are known as nonconforming uses and in order to feasibly adopt the ordinance and so as not to cause undue economic hardship on owners of nonconforming uses,

these uses are allowed to continue under special conditions as outlined in the following parts of this section:

(1) Where a nonconforming use of a building or lot has ceased for more than six months or has changed to a permitted or conforming use, further use of the building or lot must be in conformance with the standards and requirements for the district in which it is located;

(2) A nonconforming use must not be extended or altered unless the extension or alteration is in conformance with the requirements of this ordinance;

(3) A nonconforming use which is altered or extended must meet applicable The City of Williamson building codes and development regulations. When an applicant seeks a building permit for the extension or alteration of a nonconforming use, the Zoning Administrator will inspect the unit and determine what (if anything) is needed to bring the unit into conformance with applicable building codes and development regulations. Upon determining that the unit meets applicable building codes and development regulations, he or she will issue the building permit for the nonconforming use;

(4) If a nonconforming building suffers damage which does not exceed 50% of its assessed valuation, the building may be reconstructed and reused as before if done within six months from the time such damage occurred. If such damage is greater than 50% of its assessed valuation, such a building may only be reconstructed and used in conformity with the standards and requirements for the district in which it is located;

(5) A use which is nonconforming only with respect to screening or buffer requirements must provide required screens or buffers within a period of three years from the effective date of this ordinance. This time period is to allow for the growth of natural vegetative buffers.

### **§ 156.023 BUILDING PERMIT REQUIRED.**

(A) The developer or other person wishing to do any of the following must first apply to the Zoning Administrator and be issued a lawful building permit on behalf of the City of Williamson prior to beginning any of the following actions:

- (1) Excavation or filling of a lot for the construction of a building;
- (2) Construction, erection, movement, extension or enlargement of a building or structure;
- (3) Work on an existing building which increases the assessed value \$500 or more.

(B) No electric current, water or sewage hookup will be made available to the site of new construction until a building permit is secured.

(C) The building permit must be applied for either by the owner of the land upon which the proposed building or alteration is to be located or by the contractor doing the work.



(D) The applicant may obtain a building permit application from City Hall, complete the application form and submit it to the Zoning Administrator, together with any supporting documentation which the Zoning Administrator may specify.

(E) Before the Zoning Administrator forwards a building permit application to Pike County for the issuance of a building permit, the Pike County Health Department must approve the proposed water supply and sewage disposal facilities required in connection with the proposed building or structure. In areas served by a public water and sewage system, the Health Department may elect to waive either requirement for approval. After study of the site of a proposed use, the Health Department may require for health reasons that all or any portion of the site not be used for the intended purpose. The Health Department may also set a minimum lot size larger than that required by this ordinance. The Pike County Health Department will either approve or disapprove the water and sewer facilities within 30 days of receipt of the application from the Zoning Administrator, providing a written decision, including reasons for the decision.

(F) An existing use which is altered or extended must meet applicable City of Williamson building codes and development regulations. When an applicant seeks a building permit for the extension or alteration of an existing use, the Zoning Administrator will inspect the unit and determine what (if anything) is needed to bring the unit into conformance with applicable building codes and development regulations before a building permit may be issued.

(G) The Zoning Administrator is in charge of evaluating building permit applications. The Zoning Administrator may need to contact the applicant at the address shown on the application for clarification as needed. The building permit application will be forwarded to Pike County for issuance of a permit if, upon review of the application and inspection of the site, the Zoning Administrator is satisfied that the proposed project will meet the requirements of this ordinance and all other applicable ordinances. The Zoning Administrator may require the submission of additional materials if he or she feels additional information is needed in order to determine if the proposed project meets the requirements of this ordinance.

(H) If the Zoning Administrator feels that the proposed project as presented in the building permit application will not satisfy the requirements of this ordinance, he or she will not forward to the application to the Pike County Department of Building and Zoning for the issuance of a building permit. He or she will notify the applicant in writing within ten days of the submission of the application stating reasons for the refusal. The applicant will then need to confer with the Zoning Administrator to determine what he needs to do in order to comply with this ordinance and be eligible for a building permit.

(I) Construction on an approved project must start within six (6) months from the date of issue of the building permit or the permit will become invalid and a new one must be applied for if construction of the project is desired at a future date. If construction has begun on an approved project and then ceases before the project is completed, construction must be restarted within 12 months from the time that it was stopped or the permit will become invalid and a new one must be applied for if construction of the project is desired to resume at a future date. Records of building permit applications and supporting materials will be maintained by the Zoning Administrator.

(J) All newly constructed buildings, as well as additions, extensions or enlargements of structures, must comply with all building codes in effect in The City of Williamson. The Zoning Administrator will explain the procedures and timing of inspections to determine if work meets applicable codes.

#### **§ 156.024 CERTIFICATE OF OCCUPANCY REQUIRED.**

(A) A certificate of occupancy is required before a structure for which a building permit has been issued may be occupied or used. The Pike County Department of Building and Zoning shall issue Certificates of Occupancy on behalf of the City of Williamson, certifying that to the best of that office's knowledge, all requirements of this ordinance have been met. The owner/contractor will then receive the certificate of occupancy to be used as confirmation that he or she has complied with the provisions of this ordinance.

(B) If Pike County Department of Building and Zoning finds that all requirements of such ordinances have not yet been met when the owner/contractor seeks a certificate of occupancy, the certificate of occupancy will not be issued. Pike County Department of Building and Zoning will notify the owner/contractor within ten (10) days, stating reasons for the refusal. The owner/contractor will then need to confer with the Pike County Department of Building and Zoning to determine what he or she needs to do in order to comply with this ordinance and be eligible for a certificate of occupancy.

#### **§ 156.025 APPEALING AN ACTION OF THE ZONING ADMINISTRATOR.**

(A) If the Zoning Administrator executes an action which the developer or other aggrieved party believes to be contrary to the provisions of this ordinance, that action may be appealed. Such an appeal must be filed within 30 days of the action which forms the subject matter of the appeal.

(B) The Mayor and City Council has jurisdiction for hearing appeals concerning actions of the Zoning Administrator related to this ordinance. Applications for appeal may be obtained from and submitted to the City Clerk, who will transmit them to the Mayor and City Council for its consideration.

(C) When an action of the Zoning Administrator is appealed, all construction or other activity authorized by the appealed action must be stopped immediately. In certain cases, however, the Zoning Administrator may feel that the stopping of such construction or other activity authorized by the appealed action will cause imminent peril to life or property. Then the Zoning Administrator may certify to the Mayor and City Council that, by reason of facts stated in the certificate, the halting of construction or other activity authorized by the appealed action would in his or her opinion cause imminent peril to life or property. In such cases, the construction or other activity authorized by the appealed action is allowed to continue unless a restraining order is granted by either the Mayor and City Council or a court of appropriate jurisdiction.

(D) When an application for appeal of an action of the Zoning Administrator is received, the Mayor and City Council will set a time and place for a public hearing on the appeal. Notice of the hearing must be published in a newspaper of general circulation in The City of Williamson at least 15 days before the hearing. In addition, the parties to the appeal will be

notified of the date of the hearing by the Mayor and City Council by letter at least 15 days before the hearing. Any person may appear at the hearing or have a representative attend instead.

(E) The Mayor and City Council will make a decision concerning the appeal and record the decision in the minutes for that meeting. Further appeal shall be to the City of Williamson Municipal Court.

### **§ 156.026 VARIANCES.**

(A) A variance is a permit, authorized by the Planning Commission, which allows use of a parcel of land in a way that does not meet certain requirements for the district in which the property is located. A variance may be granted only in an individual case where an extreme hardship would result if all of the requirements of this ordinance were applied stringently to a particular piece of property. The hardship must be proven by showing beyond a doubt that reasonable use of the land is not possible if all of the requirements of this ordinance are to be met. The hardship cannot be self-created such as:

- (1) A lot purchased with knowledge of an existing restriction;
- (2) A claim of hardship in terms of prospective sales;
- (3) An expressed economic need requiring a variance, when such a need can be met in other ways which would not require a variance.

(B) Relief from the hardship and the variance must not cause substantial detriment to the public good or impair the purposes of this ordinance.

(C) When a variance is issued, the spirit of this ordinance must be observed and the public safety and welfare secured. A variance may be granted only for permitted uses in the zoning district in which the property in question is located. (For example, a two-family dwelling would not be allowed to be placed in an R-20 District under a variance).

(D) Application for a variance may be made with the City Clerk. The Zoning Administrator will take the required information and transmit it to the Planning Commission for its consideration. No application is to be accepted from any person in violation of the Zoning Ordinance. If an applicant for a variance or any other action by the City is, at the time of such application, determined by the City Clerk to be in violation of the Zoning Ordinance, then the City Clerk will be prohibited from accepting or processing any application from said applicant until the applicant does one of the following:

- (1) Voluntarily removes or changes the cause of the violation and ceases to be in violation, provided the applicant gives notification to the City Clerk and obtains a release from the City Clerk as to the violation; or
- (2) Has been tried before a court of competent jurisdiction and acquitted of charges and presents a certified copy of the court order to the City Clerk within 30 days of the final order of the court.

(E) When the applicant has ceased to be in violation by either paragraph (D) (1) or (2) above, the City Clerk will then accept the application for variance or other action by the Mayor

and City Council or Planning Commission and submit it to the appropriate Board in the manner prescribed.

(F) The Planning Commission will make a decision concerning the variance and record the decision in the minutes for that meeting.

(G) The variance authorized by the Planning Commission must specify which requirements are to be varied from. It must specify alternative requirements to be met, replacing the requirements varied from.

(H) The Planning Commission may establish performance bonds to assure compliance with any requirements it has set for granting a variance. Where a variance is granted for a construction activity requiring a building permit, the building permit must be obtained and construction begin within six (6) months of the issuance of the variance. Otherwise, the variance expires after six (6) months. The decision of the Planning Commission on the application for variance may be appealed on points of law to the City of Williamson Mayor and Council.

(I) An administrative variance may be granted by the Zoning Administrator or designated City Official with the filing of an application with the City Clerk, at City Hall and the meeting of certain criteria. (Note: An administrative variance provides relief from certain standards of the Williamson Zoning Ordinance. It is not intended to provide relief from any standards related to deed restrictions or restrictive covenants that certain private properties may be subject to.) Reasonable effort shall be made to comply with the full standards of the Zoning Ordinance first, but if the Zoning Administrator or designated City Official believes that relief is warranted, he or she may grant administrative variance approval of certain Zoning Ordinance requirements based on the following criteria:

1. Up to 10% deviation from minimum road frontage, building setbacks, front, back and side yards in all zoning classifications.

2. Up to 10% deviation from minimum buffer widths or landscape strips specified in Chapter 156.

3. Up to 5% deviation from the minimum acreage requirement specified in Section 156.054 (B), Section 156.64 (B), Section 156.79 (B), Section 156.94 (B), and Section 156.174 (A).

4. Up to 10% deviation from the square foot maximum for accessory buildings, per Section 156.048 (E)(4), and (5), 156.053 (E)(4), and (5), Section 156.063 (E)(4), and (5), Section 156.73 (E)(4), and (5), Section 156.78 (E)(4), and (5), Section 156.93 (E)(4), and (5), Section 156.188 (E)(4), and (5), Section 156.203 (E)(4), and (5), and Section 156.218 (E)(4), and (5).

5. Up to 10% deviation from the minimum separation requirement between principal buildings and accessory buildings in all zoning classifications.

6. Up to 10% deviation on maximum building heights in all zoning classifications.

7. Approval of accessory buildings / uses which straddle the front and side yards of principal buildings in all zoning classifications.

8. Up to 10% deviation on the number of required parking spaces for developments. 29 9. For Class “B” manufactured homes, approval of a 3:12 roof pitch versus the normally required minimum of a 4:12 roof pitch. Also, up to a 10% deviation from the maximum 4:1 length / width ratio allowed for manufactured homes. Instances of administrative variance approvals by the Zoning Administrator or designated City Official shall be included in the Mayor’s reports submitted monthly to the City Council.

*(Amendment 7 Oct 2021)*

**§ 156.027 SPECIAL USE PERMITS (FORMERLY SPECIAL EXCEPTIONS).**

(A) Some zoning districts permit certain uses only upon approval. These are called Special Use Permits (SUP). Consideration is given to whether or not the objectives of this ordinance will be hindered in an individual situation.

(B) The developer or owner wishing to request a special use permit must have at least 51% ownership of the subject property or be the duly authorized agent of such a person, possessing notarized authorization in writing, under the owner’s signature.

(C) Application for a special use permit may be made with the City Clerk. The City Clerk will take the required information and transmit it to the Mayor and City Council for its consideration. If an applicant for a special use permit is, at the time of such an application, determined by the City Clerk to be in violation of the Zoning Ordinance, then the City Clerk will be prohibited from accepting or processing any application from said applicant until the applicant does one of the following:

(1) He or she must voluntarily remove or change the cause of the violation. The applicant must notify the City Clerk that he or she has ceased the violation and obtain a release from the administrative officer as to the violation;

(2) He or she must be tried before a court of competent jurisdiction and acquitted of charges and present a certified copy of the court order to the administrative officer within 30 days of the final order of the court.

(D) When the applicant has ceased to be in violation by either subdivision (C)(1) or (2) above, the City Clerk will then process the application for special use permit.

(E) When an application for a special use permit is received:

(1) The Mayor and City Council will set a time and place for a public hearing on the special use permit. Notice of the hearing must be published in a newspaper of general circulation in The City of Williamson at least 15 days prior to the hearing. Notice of the time, place and subject of the hearing will be sent to the applicant or petitioner and all property owners within 500 feet of the subject property in writing by regular U.S. mail;

(2) When an amendment is initiated which involves a special use permit to the zoning district of a parcel of land and the special use permit is initiated by a party other than the local government (OCGA §36-66-4), i.e., the City of Williamson, the City Clerk must ensure that a sign 18 by 24 inches in size is posted in a conspicuous place on the property at least 15 days but not more than 45 days prior to the date of the scheduled public hearing. The sign must

set forth the fact that it is a public hearing and must show the date, time and place of the scheduled public hearing.

(F) The Mayor and City Council will consider the following points in arriving at a recommendation on the special use permit:

- (1) It must not be contrary to the purpose of these regulations;
- (2) It must not be detrimental to the use of development of adjacent properties or to the general neighborhood, and it must not adversely affect the health, safety or welfare of the residents or workers;
- (3) It must not constitute a nuisance or hazard because of the number of persons who will attend or use such a facility, vehicular movement, noise or fumes generated or type of physical activity;
- (4) It must not adversely affect existing uses and it must be proposed to be placed on a lot of sufficient size to satisfy the space requirements of the use;
- (5) It must meet all other requirements of these regulations.

(G) The Mayor and City Council shall review and make recommendation of approval, denial, deferral, withdrawal without prejudice or no recommendation on each application or the Mayor and City Council, by majority vote of those present and voting, may table the application for no more than one month if, in the opinion of the Mayor and City Council, there is insufficient information to make a recommendation.

(H) Before approving a special use permit pursuant to this section, the Mayor and City Council must conduct a public hearing on the special use permit application. Notice of the hearing must be published in a newspaper of general circulation in The City of Williamson at least 15 days but not more than 45 days before the hearing. Proper notification procedures for hearings used for special use permits shall be used by the Mayor and City Council. The Mayor and City Council in reaching its decision shall consider the points set forth in division (F) of this section.

(I) The Mayor and City Council may impose additional conditions, restrictions and development standards on a special use permit as may be necessary to protect the health, safety and welfare of workers and residents.

(J) If any restrictions upon which a special use permit was granted are not being complied with or any conditions upon which the granting of a special use permit are based are no longer applicable, the permit may be revoked after giving notice to all parties concerned and granting full opportunity for appeal.

*(Amendment passed 1 July 2010, changed to special use permit 15 June 2023)*

## **§ 156.028 AMENDMENTS.**

(A) If a developer or landowner finds that a proposed new use of his or her land does not meet the requirements of this ordinance, he or she may request that this ordinance be amended to permit his or her proposed use. The developer or owner wishing to request an

amendment of the Official Map must have at least 51% ownership of the subject property or be the duly authorized agent of such a person, possessing notarized authorization in writing over the owner's signature. The Planning Commission or the Mayor and City Council may also propose an amendment. However, the power to approve and enact an amendment rests with the Mayor and City Council.

(B) Application for an amendment to the Zoning Ordinance of The City of Williamson may be made with the City Clerk. The City Clerk will take the required information and transmit it to the Planning Commission and the Mayor and City Council for their consideration. No application is to be accepted from any person in violation of the Zoning Ordinance. If an applicant for amendment to the Zoning Ordinance is, at the time of such an application, determined by the City Clerk to be in violation of the Zoning Ordinance, then the City Clerk will be prohibited from accepting or processing any application from said applicant until the applicant does one of the following:

(1) Voluntarily removes or changes the cause of the violation and ceases to be in violation, provided that the applicant gives notification to the City Clerk that he or she has corrected the violation and obtains a release from the City Clerk as to the violation; or

(2) Has been tried before a court of competent jurisdiction and acquitted of charges and presents a certified copy of the court order to the City Clerk within 30 days of the final order of the court.

(C) When the applicant has ceased to be in violation by either subsection (B)(1) or (2) above, the City Clerk will then accept the application for amendment to the Zoning Map and process same through the Planning Commission and the Mayor and City Council.

(D) When an amendment is initiated which involves changing the zoning district of a parcel of land and the rezoning is initiated by a party other than the local government (OCGA §36-66-4), i.e., the City of Williamson, the City Clerk must ensure a sign 18 by 24 inches in size is posted in a conspicuous place on the property at least 15 days but not more than 45 days prior to the date of the scheduled public hearing. The sign must set forth the fact that it is a "zoning notice." It must show the present zoning classification, the proposed zoning classification and the purpose, date, time and place of the scheduled public hearing, and it must inform the public that additional information may be obtained at Williamson City Hall.

(E) All applications for amendment must first be reviewed by the Planning Commission. Before taking action on the application, the Planning Commission will hold a public hearing. Notice of the time and place of the hearing must be published in a newspaper of general circulation within the territorial boundaries of The City of Williamson at least 15 days but not more than 45 days before the hearing. Such notice will state the application number, owner's name, property location, its area, present classification and proposed change as applicable. Any such hearing will be open to the public and those parties at interest in the application will be given reasonable opportunity to be heard upon the application being heard.

(F) The Planning Commission will consider the following points in arriving at a decision on a zoning amendment:

(1) It must not be contrary to the purpose of this ordinance;

(2) It must not be detrimental to the use or development of adjacent properties or to the general neighborhood and it must not adversely affect the health or safety of residents or workers;

(3) It must not constitute a nuisance or a hazard because of the number of persons who will attend or use such a facility, vehicular movement, noise or fumes generated or type of physical activity;

(4) It must not adversely affect existing uses.

(G) After conclusion of the hearing on an application for amendment to the Zoning Map, the Planning Commission, by a majority vote of those members present and voting, will make a recommendation on the disposition of the application. The recommendation will be forwarded to the Mayor and City Council for final action. If the Planning Commission fails to send its recommendations to the Mayor and City Council within 30 days, the Mayor and City Council will assume that the Planning Commission approves.

(H) Before enacting an amendment to this ordinance, the Mayor and City Council must conduct a public hearing on the amendment. Notice of the hearing must be published in a newspaper of general circulation in The City of Williamson at least 15 days but not more than 45 days before the hearing. The same notification procedures for hearings used by the Planning Commission will also be used by the Mayor and City Council. The following policies and procedures will be observed in conducting the required public hearing.

(1) The hearing will be held in the City of Williamson City Hall.

(2) Written comments on the subject of the hearing may be submitted by any citizen or property owner at any time prior to the adjournment of the hearing.

(3) Persons desiring to be heard orally may present their views at the hearing. The length of time of oral presentations permitted to each speaker will be governed by the Mayor and City Council, depending upon the number of persons present and desiring to speak. Personal remarks will not be tolerated.

(4) Any person desiring a transcript of the hearing must arrange for a court reporter at their own expense.

(5) Cross-examination of persons making oral presentations will not be permitted.

(6) All questions will be addressed to the presiding member of the Mayor and City Council or the presiding Chairperson of the Planning Commission as applicable.

(7) Standing to challenge a zoning decision is not conferred by being permitted to speak orally at a hearing, nor by being permitted to file statements or pleadings.

(I) The Mayor and City Council will, when considering a proposed amendment to the Zoning Ordinance, first determine whether the limitation imposed by such an amendment, if any, on the right to unrestricted use of property which might result from the proposed amendment is necessary to promote the public health, safety or general welfare. In considering whether to



change the zoning classification of any particular property, the Mayor and City Council will balance the benefit to the public of the present zoning classification of the property against the detriment to the property owner and scrutinize the application in light of the character of the land in question and the zoning decision upon the property owner's rights. In making these determinations, the Mayor and City Council must consider the following:

- (1) The existing uses and zoning of nearby properties;
- (2) The suitability of the property for the zoned purpose;
- (3) The length of time the property has been vacant;
- (4) The threat to the public health, safety and welfare, if rezoned;
- (5) The extent to which the value of the property is diminished by the present zoning;
- (6) The extent to which the value of nearby property may be affected if the zoning amendment is enacted;
- (7) The balance between the hardship on the property owner and the benefit to the public in not rezoning.

(J) The Mayor and City Council may also consider whether development of the property in the zoning classification sought would do any of the following:

- (1) Would have an adverse effect on the insurance rating of the City or any substantial portion of the City issued by the Insurance Service Office or similar rating agency;
- (2) Overtax the public utilities and streets presently existing to serve the site;
- (3) Have a substantial adverse impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality and quantity.

(K) After conducting the public hearing and considering recommendations from the Planning Commission, the Mayor and City Council will then make an official decision on the proposed amendment. The decision may or may not concur with the recommendations of the Planning Commission.

(L) If the proposed amendment is for a change in zoning to a given piece of property, and the Mayor and City Council denies a proposed amendment, a minimum period of 12 months must pass before the same property may again be considered for a change in zoning.

(M) If the proposed amendment is a textual change to the ordinance, and the Mayor and City Council denies the proposed amendment, the proposed amendment may again be considered at the next regularly scheduled meeting of the Mayor and City Council.

*(Amendment 9 February 2017)*

### **§ 156.029 APPEALING AN ACTION OF THE CITY COUNCIL.**

If the Mayor and City Council executes an action which the developer or other aggrieved party believes to be contrary to law, that action may be appealed to the City of Williamson Mayor or City of Williamson Municipal Court as appropriate. Findings of fact, however, may not be appealed. Such an appeal must be filed within 30 days of the date on which the action of the Mayor and City Council was taken.

### **§ 156.030 REVERSION.**

If no substantial construction or alteration of the property or other affirmative action to develop the property in accordance with the approved site plan and letter of intent occurs within 12 months of the effective date hereof or of the granting of an application for rezoning to Planned Development - Mixed Use (P-M), Planned Development - Residential (P-R), Commercial (C-1, C-2, C3), Manufacturing (M-1, M-2) or Professional - Institutional (P-I), said rezoning may be repealed by the City after taking official and appropriate action to revert the property to the prior zoning classification. If such prior zoning classification has been repealed, the property will be deemed to have such zoning classification as, in the opinion of the Zoning Administrator, most closely approximates such prior zoning classification; provided, however, that in all cases requiring a determination of the Zoning Administrator as herein provided, said Zoning Administrator will in writing notify the owner of the property whose zoning classification is so changed of his or her determination, and such property owner will have the right to appeal such determination to the Mayor and City Council as hereinafter provided for the appeal of other decisions of said Zoning Administrator.

## **A-R AGRICULTURAL-RESIDENTIAL**

### **§ 156.045 PURPOSE.**

A-R Zoning Districts are intended to establish and preserve quiet areas where the primary activities are those of farming, agriculture, livestock, husbandry, timber cultivation and related uses consistent with maintaining the land resources of the county reserved for these purposes. Residences of a low-density nature which are incidental to these activities are also permitted. These districts are free from other uses which are incompatible with a low-density, agricultural-residential neighborhood.

### **§ 156.046 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN AN A-R DISTRICT.**

The factors contained in § 156.028 must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of The City of Williamson.

### **§ 156.047 BOUNDARIES OF A-R DISTRICTS.**

The official map shows the boundaries of all A-R Districts within The City of Williamson.

**§ 156.048 PERMITTED USES.**

- (A) The following principal uses are permitted in A-R Districts:
  - (1) Agriculture: on tracts of land not less than three acres;
  - (2) Farm: on tracts of land not less than three acres;
  - (3) Garden, crop growing;
  - (4) Site-built, single-family detached dwelling with a floor area of at least 1,100 square feet of finished, heated living area;
  - (5) Industrialized home with a floor area of at least 1,100 square feet of finished, heated living area;
  - (6) Class A manufactured home with a floor area of at least 1,100 square feet of finished, heated living area;
  - (7) Local, state or federal government building;
  - (8) Publicly owned and operated park or recreation area;
  - (9) Subdivision recreation area owned, operated and maintained by a homeowner’s association exclusively for use of residents and their guests;
  - (10) Utility substations meeting the following development standards: a buffer must be provided along all property lines;
  - (11) Riding academy or stable on tracts of land not less than three acres.
  
- (B) The following principal uses may be permitted as special use permits in A-R Districts:
  - (1) Church, synagogue, chapel or other place of religious worship or educational instruction meeting the following development standards:
    - (a) It must be located on either an arterial or collector road;
    - (b) The lot must have a minimum road frontage of 200 feet;
    - (c) The lot must have an area of at least four acres;
    - (d) All buildings must be located at least 50 feet from any property line;
    - (e) A buffer must be provided along all side and rear property lines;
  - (2) Nursery school or kindergarten meeting the following development standards:
    - (a) At least 200 square feet of outdoor play area must be provided;

- (b) At least 35 square feet of indoor space per child must be provided;
- (c) Outdoor play areas must be enclosed by a fence at least four feet in height;
- (3) School, elementary, middle or high, public or private;
- (4) Golf course, public or private, meeting the following development standards:
  - (a) It must be for daytime use only;
  - (b) All buildings, greens and fairways must be set back at least 100 feet from any property line;
- (5) Radio or television tower meeting the following development standards:
  - (a) All such structures and support facilities must be set back at least 200 feet from adjacent property lines;
  - (b) All Federal Aviation Administration requirements must be met;
- (6) Airport, private, paved or unpaved with the following development standards:
  - (a) All Federal Aviation Administration requirements must be satisfied; and
  - (b) A plat must be submitted showing the proposed location of the runway and any existing proposed buildings;
- (7) Ambulance or emergency service;
- (8) Armory;
- (9) Crematory;
- (10) College or university with dormitories, fraternity and/or sorority houses, when located on main campus;
- (11) Kennel of a commercial nature meeting the following development standards: all structures must be set back 200 feet from all property lines;
- (12) Private club or lodge;
- (13) Hospital meeting the following development standards:
  - (a) Must have a minimum lot area of three acres;
  - (b) Must have minimum side and rear yards of 50 feet;

(c) Lot must front on an arterial road as specified in the City of Williamson Land Use Plan;

(14) Library;

(15) Cemetery;

(16) Deer cooler meeting the following development standards:

(a) All new structures must be at least 50 feet from all property lines;

(b) Animal waste cannot be buried or burned on property, unless permitted by state and/or federal regulations;

(c) Individuals maintaining deer coolers must obtain a permit from the Georgia Department of Natural Resources; and

(d) Individuals maintaining deer coolers must purchase a business license annually.

(C) The following accessory uses are permitted in A-R Districts:

(1) Private garage or carport not to exceed the storage capacity of three automobiles per dwelling unit;

(2) Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds;

(3) Structure for a children's playhouse and the storage of children's play equipment;

(4) Private swimming pool and bath house or cabana meeting the following development standards: all such swimming pools which are at least three feet deep must be completely enclosed by a fence that is at least four feet high;

(5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;

(6) Non-commercial garden, including a greenhouse and other customary garden structures not over eight feet in height;

(7) Deck, patio, barbecue grill or other such facility;

(8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;

(9) Temporary building or storage of materials meeting the following development standards:

(a) Permitted only in conjunction with construction of a building;

- (b) Allowed either on the same lot where construction is taking place or on adjacent lots;
- (c) Such a use must be terminated upon completion of construction;
- (10) The parking of one unoccupied travel trailer, motor coach or pleasure boat;
- (11) Sign as permitted by the City of Williamson sign regulations;
- (12) Roadside stands for sale of agricultural products grown on the premises, but not to exceed 500 square feet in floor area;
- (13) Satellite dish antennas and television antennas;
- (14) Guest quarters meeting the following development standards:
  - (a) No more than one is permitted on a lot with another dwelling;
  - (b) It is permitted only within a rear yard;
  - (c) Such a use must not be used as rental property;
- (15) Garden, crop growing.

(D) The following accessory uses may be permitted as special use permits in AR Districts:

(1) Home occupation, excluding public garage and repair garage. A Home Occupation is an occupation for gain or support conducted only by members of a family residing on the premises and entirely within the main dwelling. The following required development standards must be met by all HOME OCCUPATIONS:

- (a) Only residents of the dwelling may be engaged in the home occupation;
- (b) The home occupation must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the building;
- (c) No display of products may be visible from the street;
- (d) Use of the building for this purpose may not exceed 25% of the principal building;
- (e) No internal or external alterations inconsistent with the residential use of the building is permitted;
- (f) The home occupation must not constitute a nuisance in the neighborhood;
- (g) No accessory buildings or outside storage may be used in connection with the home occupation, except a private garage;
- (h) Only vehicles designed and used primarily as passenger vehicles (this includes light pickup trucks) may be used in connection with the conduct of the home occupation;

(2) Manufactured home for temporary use for full time employee quarters meeting the following development standards:

- (a) No more than one unit is permitted per lot;
- (b) The unit must be located entirely within the rear yard of the principal dwelling;
- (c) The unit must meet standards established by the Pike County Health Department;
- (d) Must be removed within 30 days of ceasing to be occupied by full time employee;
- (e) Permits must be renewed every 12 months. They are non-transferable from one owner to another;

(3) Manufactured home for temporary use at construction site meeting the following development standards:

- (a) The procedure for applying for a special use permit for a temporary manufactured home at a construction site is as follows:
  - 1. Plans for a water/well and sewage/septic system suitable for the principal building proposed to be constructed on the site must be submitted to the Pike County Health Department for its review and approval;
  - 2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed principal building, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for the proposed principal building, including the water and sewage systems;
  - 3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with construction of the proposed principal building. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;
  - 4. Upon certification of the Zoning Administrator that the water and sewage systems have been properly installed according to approved plans, the owner will be eligible to apply for the special use permit for temporary use of a manufactured home at the construction site until the principal building is complete;
  - 5. Application should be made to the Zoning Administrator for the special use permit for temporary use at a construction site;
  - 6. The Zoning Administrator will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the permit;

7. The Zoning Administrator will consider such applications, and upon determining that all requirements have been met for such a permit, will issue the permit;

(b) The following conditions apply to special use permit issued for temporary use of a manufactured home at a construction site:

1. It is allowed only in conjunction with a valid building permit which has been issued for the principal building to be placed on the lot;

2. It is temporary and valid only for a specified period of time. It is nontransferable from one owner to another;

3. The valid period of the permit will be set to expire at the same time that the building permit for the principal building on the site will expire;

4. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

5. In the event that construction of the principal building on the lot has been well underway, but the building is not yet completed and approved for occupancy when the building permit and accompanying temporary special use permit expire after 12 months, the permittee may apply to the Zoning Administrator for an extension of the two permits. The Zoning Administrator will assess the situation and, at his or her discretion, may extend both permits for a period of up to 12 months in addition to the original period for which the permits were valid. In no case will a temporary manufactured home be allowed to remain for a period in excess of 24 months;

(c) During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems for the principal building. No other water or sewage systems are permitted on the site;

(d) Upon approval of the principal building for occupancy, the temporary manufactured home must be disconnected from the water and sewage systems and occupancy of the temporary manufactured home must cease;

(e) The temporary manufactured home must be removed within 30 days of either the issuance of the certificate of occupancy for the principal building or the expiration of the special use permit for the temporary manufactured home, whichever is earlier;

(f) The temporary manufactured home must be either a Class B or Class C manufactured home;

(g) No more than one such unit is permitted per lot;

(4) Manufactured home for temporary use in case of certified hardships meeting the following development standards:



(a) A person having a certified hardship shown according to the procedure contained in this section and meeting any one of the following conditions may apply to the Mayor and City Council for the special use permit:

1. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is 65 years of age or older;

2. The applicant for the special use permit is to be the owner and occupant of the temporary unit; at least one member of his or her family who will reside in the unit is 65 years of age or older;

3. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is physically disabled and requires frequent attendance by others for medical or physical care;

4. The applicant for the special use permit is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically disabled and requires frequent attendance by others for medical or physical care;

5. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant's family and is 65 years of age or older;

6. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant/owner's family and is physically disabled and requires frequent attendance by others for medical or physical care;

(b) In order to determine if the need for the special use permit presented by the applicant is a certified hardship, the Mayor and City Council will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The certificate will be requested by the Mayor and City Council directly from the doctor in attendance upon the person who is asserted to be disabled. The applicant will be required to sign a release to the doctor for such information to be supplied to the Mayor and City Council prior to any action by the Mayor and City Council to obtain the certificate from the doctor and any possible subsequent issuance of the special use permit;

(c) The procedure for applying for a special use permit for a temporary manufactured home for certified hardship is as follows:

1. Application should be made to the Mayor and City Council for the special use permit for a temporary manufactured home for certified hardship;

2. The Mayor and City Council will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the special use permit;

3. The Mayor and City Council will consider such applications, and upon determining that all requirements have been met for such a permit, will issue the special use permit;

(d) Upon being granted a special use permit to allow a temporary manufactured home for certified hardship, the applicant must then apply to the Zoning Administrator for a building permit for the installation of the temporary manufactured home. The procedure is as follows:

1. Plans for a water/well and sewage/septic system suitable for the temporary manufactured home proposed to be installed on the site must be submitted to the Pike County Health Department for its review and approval;

2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed temporary manufactured home, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for installation of the proposed temporary manufactured home, including the water and sewage systems;

3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with installation of the proposed temporary manufactured home, including water and sewage systems. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;

(e) The following conditions apply to special use permits issued for temporary use of a manufactured home for hardship:

1. It is temporary and valid only for a specific period of time. Must be renewed every 12 months;

2. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

3. During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems;

4. The temporary manufactured home must be removed within 30 days of either the expiration of the special use permit for the temporary manufactured home or upon finding of the Mayor and City Council, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the special use permit was granted no longer exist, whichever is earlier;

5. The temporary manufactured home must be either a Class B or Class C manufactured home;

6. No more than one such unit is permitted per lot;

(5) (a) Manufactured home for temporary use for personal recreation (hunting, fishing, weekend retreat) meeting the following development standards:

1. Must have a minimum lot area of 25 acres;
2. No more than one unit per lot is permitted with or without a principal building;
3. Unit must meet standards established by the Pike County Health Department;
4. Unit must be either a Class B or Class C manufactured home installed in accordance with ANSI A225.1;
5. Unit must not be used as a permanent residence or rental property. Permit must be renewed every 12 months;
6. Permit is non-transferable from one owner to another;

(b) The procedure for applying for a special use permit for a temporary manufactured home for personal recreational use is as follows:

1. Application should be made to the Mayor and City Council for the special use permit for a temporary manufactured home for personal recreational use;
2. The Mayor and City Council will explain to the applicant all conditions and limitations attached to such a permit and will secure the notarized certification of the applicant that he or she understands and will abide by those conditions if issued the special use permit;
3. The Mayor and City Council will consider such applications and upon determining that all requirements have been met for such a permit will issue the special use permit.

(E) All accessory uses must meet the following standards:

(1) They must be located in either side or rear yards, except as follows: a temporary manufactured home at a construction site and satellite dish or television antennas are permitted in the front yard as well as rear and side yards;

(2) Accessory structures, other than fences, may not be located closer than ten feet from any property line. Fences may be placed no closer than four feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this ordinance;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot two acres or less in area. The size of an accessory building is not limited on lots more than two acres in area;

(5) A private garage must not exceed 22 feet by 30 feet in size. It must be used solely to house vehicles in full operating condition. A private garage connected to a principal building must not encroach into any required yard space;

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(F) All uses not permitted within A-R Districts by this section are specifically prohibited.

### **§ 156.049 DEVELOPMENT STANDARDS FOR A-R DISTRICTS.**

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within A-R Districts.

(A) Minimum floor area per dwelling unit. 1,100 square feet of finished, heated living area.

(B) Minimum lot area. 130,680 square feet (three acres); however, a lot of record lawfully existing at the time of passage of this ordinance and having insufficient area to comply with the minimum lot area standard may nevertheless be developed with a use which is permitted within an A-R District.

(C) Minimum lot width. 200 feet.

(D) Minimum front yard.

(1) Arterial roads. 100 feet. The front of all buildings must be at least 100 feet from the front property line.

(2) Collector streets. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

(3) Other roads. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

(E) Minimum side yard. 30 feet.

(F) Minimum rear yard. 30 feet.

(G) Maximum building height. 35 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of building height greater than 35 feet.

(H) Minimum off-street parking space.

(1) Single-family dwelling. Two spaces for each dwelling unit; the parking spaces may be in a driveway.

(2) Home occupation. Sufficient space so that traffic can be handled without hazard or excessive congestion in the neighborhood; a noise resistant fence or vegetative buffer must be provided where noise is generated.

(3) Other use. None.

(I) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(J) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(K) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(L) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments or yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(M) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(N) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(O) Landlocked lots. In case of a landlocked lot lawfully existing as of the effective date of this ordinance, the property owner is entitled to one building permit, as long as all of the following requirements are met:

(1) No other principal building exists or is being constructed on the property;

(2) No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid;

(3) The property was and continues to be under single ownership since the effective date of this ordinance;

(4) The property owner has acquired a 30-foot easement to a county or state maintained street, and the easement has been duly recorded and made a part of the property deed;

(P) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(R) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(S) Substandard lots. Any lot existing at the time of the adoption of this ordinance which has an area or a width which is less than required by this ordinance is subject to the following exceptions and modifications:

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district;

(2) Single lots. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but was a lot at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(T) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facilities are permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the subdivision regulations. Consult that document for specific requirements.

(V) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations set forth in §§ 156.333 et seq. Consult that document for specific requirements.

(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **R-22 SINGLE-FAMILY RESIDENTIAL - 2,200 SQ. FT.**

### **§ 156.050 PURPOSE.**

R-22 Zoning Districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences as desired by large numbers of people with a required minimum dwelling area of 2,200 square feet. These districts are free from other uses which are incompatible with single-family homes.

### **§ 156.051 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A R-22 DISTRICT.**

The factors contained in § 156.028 must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of The City of Williamson.

### **§ 156.052 BOUNDARIES OF R-22 DISTRICTS.**

The Official Map shows the boundaries of all R-22 Districts within The City of Williamson.

### **§ 156.053 PERMITTED USES.**

(A) The following principal uses are permitted in R-22 Districts:

- (1) Site-built single-family detached dwelling with a floor area of at least 2,200 square feet of finished, heated living area;
- (2) Garden, crop growing;
- (3) Subdivision recreation area owned, operated and maintained by a homeowner's association exclusively for the use of residents and their guests;
- (4) Utility substations meeting the following development standards: a buffer must be provided along all property lines;

(B) The following principal uses may be permitted as special use permits in R-22 Districts: None

(C) The following accessory uses are permitted in R-22 Districts:

- (1) Private garage or carport not to exceed the storage capacity of three automobiles per dwelling unit;
- (2) Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds;
- (3) Structure for a children's playhouse and the storage of children's play equipment;
- (4) Private swimming pool and bath house or cabana meeting the following development standards: all such swimming pools which are at least three feet deep must be completely enclosed by a fence that is at least four feet high;
- (5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;
- (6) Noncommercial garden, including a greenhouse and other customary garden structures not over eight feet in height;

- (7) Deck, patio, barbecue grill or other such facility;
- (8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;
- (9) Temporary building or storage of materials meeting the following development standards:
  - (a) Permitted only in conjunction with construction of a building;
  - (b) Allowed either on the same lot where construction is taking place or on adjacent lots;
  - (c) Such a use must be terminated upon completion of construction;
- (10) The parking of one unoccupied travel trailer, motor coach or pleasure boat;
- (11) Sign as permitted by the City of Williamson sign regulations;
- (12) Satellite dish antennas and television antennas;
- (13) Home occupation, minor;
- (14) Garden, crop growing.

(D) The following accessory uses may be permitted as special use permits in R-22 Districts:

(1) Home occupation, excluding public garage and repair garage. A Home Occupation is an occupation for gain or support conducted only by members of a family residing on the premises and entirely within the main dwelling. The following required development standards must be met by all HOME OCCUPATIONS:

- (a) Only residents of the dwelling may be engaged in the home occupation;
- (b) The home occupation must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the building;
- (c) No display of products may be visible from the street;
- (d) Use of the building for this purpose may not exceed 25% of the principal building;
- (e) No internal or external alterations inconsistent with the residential use of the building is permitted;
- (f) The home occupation must not constitute a nuisance in the neighborhood;
- (g) No accessory buildings or outside storage may be used in connection with the home occupation, except a private garage;
- (h) Only vehicles designed and used primarily as passenger vehicles (this includes light pickup trucks) may be used in connection with the conduct of the home occupation;



(2) Manufactured home for temporary use at construction site meeting the following development standards:

(a) The procedure for applying for a special use permit for a temporary manufactured home at a construction site is as follows:

1. Plans for a water/well and sewage/septic system suitable for the principal building proposed to be constructed on the site must be submitted to the Pike County Health Department for its review and approval;
2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed principal building, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for the proposed principal building, including the water and sewage systems;
3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with construction of the proposed principal building. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;
4. Upon certification of the Zoning Administrator that the water and sewage systems have been properly installed according to approved plans, the owner will be eligible to apply for the special use permit for temporary use of a manufactured home at the construction site until the principal building is complete;
5. Application should be made to the Zoning Administrator for the special use permit for temporary use at a construction site;
6. The Zoning Administrator will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the permit;
7. The Zoning Administrator will consider such applications, and upon determining that all requirements have been met for such a permit, will issue the permit;

(b) The following conditions apply to special use permit permits issued for temporary use of a manufactured home at a construction site:

1. It is allowed only in conjunction with a valid building permit which has been issued for the principal building to be placed on the lot;
2. It is temporary and valid only for a specified period of time. It is nontransferable from one owner to another;
3. The valid period of the permit will be set to expire at the same time that the building permit for the principal building on the site will expire;
4. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary

manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

5. In the event that construction of the principal building on the lot has been well underway, but the building is not yet completed and approved for occupancy when the building permit and accompanying temporary special use permit expire after 12 months, the permittee may apply to the Zoning Administrator for an extension of the two permits. The Zoning Administrator will assess the situation and, at his or her discretion, may extend both permits for a period of up to 12 months in addition to the original period for which the permits were valid. In no case will a temporary manufactured home be allowed to remain for a period in excess of 24 months;

(c) During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems for the principal building. No other water or sewage systems are permitted on the site;

(d) Upon approval of the principal building for occupancy, the temporary manufactured home must be disconnected from the water and sewage systems and occupancy of the temporary manufactured home must cease;

(e) The temporary manufactured home must be removed within 30 days of either the issuance of the certificate of occupancy for the principal building or the expiration of the special use permit for the temporary manufactured home, whichever is earlier;

(f) The temporary manufactured home must be either a Class B or Class C manufactured home;

(g) No more than one such unit is permitted per lot;

(3) Manufactured home for temporary use in case of certified hardship meeting the following development standards:

(a) A person having a certified hardship shown according to the procedure contained in this section and meeting any one of the following conditions may apply to the Mayor and City Council for the special use permit:

1. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is 65 years of age or older;

2. The applicant for the special use permit is to be the owner and occupant of the temporary unit; at least one member of his or her family who will reside in the unit is 65 years of age or older;

3. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is physically disabled and requires frequent attendance by others for medical or physical care;

4. The applicant for the special use permit is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically disabled and requires frequent attendance by others for medical or physical care;

5. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant's family and is 65 years of age or older;

6. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of residents of the unit is a member of the applicant/owner's family and is physically disabled and requires frequent attendance by others for medical or physical care;

(b) In order to determine if the need for the special use permit presented by the applicant is a certified hardship, the Mayor and City Council will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The certificate will be requested by the Mayor and City Council directly from the doctor in attendance upon the person who is asserted to be disabled. The applicant will be required to sign a release to the doctor for such information to be supplied to the Mayor and City Council prior to any action by the Mayor and City Council to obtain the certificate from the doctor and any possible subsequent issuance of the special use permit;

(c) The procedure for applying for a special use permit for a temporary manufactured home for certified hardship is as follows:

1. Application should be made to the Mayor and City Council for the special use permit permit for a temporary manufactured home for certified hardship;

2. The Mayor and City Council will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the special use permit;

3. The Mayor and City Council will consider such applications, and upon determining that all requirements have been met for such a permit, will issue the special use permit;

(d) Upon being granted a special use permit to allow a temporary manufactured home for certified hardship, the applicant must then apply to the Zoning Administrator for a building permit for the installation of the temporary manufactured home. The procedure is as follows:

1. Plans for a water/well and sewage/septic system suitable for the temporary manufactured home proposed to be installed on the site must be submitted to the Pike County Health Department for its review and approval;

2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed temporary manufactured home, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for installation of the proposed temporary manufactured home, including the water and sewage systems;

3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with installation of the proposed temporary manufactured home, including water and sewage systems. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;

(e) The following conditions apply to special use permit permits issued for temporary use of a manufactured home for hardship:

1. It is temporary and valid only for a specific period of time. It must be renewed every 12 months;

2. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

3. During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems;

4. The temporary manufactured home must be removed within 30 days of either the expiration of the special use permit for the temporary manufactured home or upon finding of the

Mayor and City Council, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the special use permit was granted no longer exists, whichever is earlier;

5. The temporary manufactured home must be either a Class B or Class C manufactured home;

(f) No more than one such unit is permitted per lot.

(E) All accessory uses must meet the following standards:

(1) They must be located in either side or rear yards, except as follows: a temporary manufactured home on a construction site and satellite dish or television antennas are permitted in the front yard as well as rear and side yards;

(2) Accessory structures, other than fences, may not be located closer than ten feet from any property line. Fences may be placed no closer than four feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this ordinance;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot two acres or less in area. The size of an accessory building is not limited on lots more than two acres in area;

(5) A private garage must not exceed 22 feet by 30 feet in size. It must be used solely to house vehicles in full operating condition. A private garage connected to a principal building must not encroach into any required yard space;

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(F) All uses not permitted within R-22 Districts by this section are specifically prohibited.

### **§ 156.054 DEVELOPMENT STANDARDS FOR R-22 DISTRICTS.**

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within R-22 Districts.

(A) Minimum floor area per dwelling unit. 2,200 square feet of finished, heated living area.

(B) Minimum lot area. 43,560 square feet (one acre); however, a lot of record lawfully existing at the time of passage of this ordinance and having insufficient area to comply with the minimum lot area standard may nevertheless be developed with a use which is permitted within an R-22 District.

(C) Minimum lot width. 125 feet.

(D) Minimum front yard.

(1) Arterial roads. 100 feet. The front of all buildings must be at least 100 feet from the front property line.

(2) Collector streets. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

(3) Other roads. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

(E) Minimum side yard. 30 feet.

(F) Minimum rear yard. 30 feet.

(G) Maximum building height. 35 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of building height greater than 35 feet.

(H) Minimum off-street parking space.

(1) Single-family dwelling. Two spaces for each dwelling unit; the parking spaces may be in a driveway.

(2) Home occupation. Sufficient space so that traffic can be handled without hazard or excessive congestion in the neighborhood; a noise resistant fence or vegetative buffer must be provided where noise is generated.

(3) Other uses. None.

(I) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(J) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(K) Only one principal building per lot. Only one principal building and its accessory structures may be erected on any lot, except for planned developments or as otherwise provided.

(L) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(M) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located, unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(N) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(O) Landlocked lots. In the case of a landlocked lot lawfully existing as of the effective date of this ordinance, the property owner is entitled to one building permit, as long as all of the following requirements are met:

(1) No other principal building exists or is being constructed on the property;

(2) No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid;

(3) The property was and continues to be under single ownership since the effective date of this ordinance;

(4) The property owner has acquired a 30-foot easement to a county or state maintained street, and the easement has been duly recorded and made a part of the property deed.

(P) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(R) Yards and other spaces. No part of a yard, other open space or off-street parking or loading space required for another building may be included as a part of the yard or off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(S) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. The two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or re-parcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(T) Encroachment on public rights-of-way. No building, structure, service area or required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the subdivision regulations. Consult that document for specific requirements.

(V) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **R-20 SINGLE-FAMILY RESIDENTIAL - 2,000 SQ. FT.**

### **§ 156.060 PURPOSE.**

R-20 Zoning Districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences as desired by large numbers of people with a required minimum dwelling area of 2,000 square feet. These districts are free from other uses which are incompatible with single-family homes.

### **§ 156.061 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A R-20 DISTRICT.**

The factors contained in § 156.028 must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of The City of Williamson.

### **§ 156.062 BOUNDARIES OF R-20 DISTRICTS.**

The Official Map shows the boundaries of all R-20 Districts within The City of Williamson.

### **§ 156.063 PERMITTED USES.**

(A) The following principal uses are permitted in R-20 Districts:

- (1) Site-built single-family detached dwelling with a floor area of at least 2,000 square feet of finished, heated living area;
- (2) Garden, crop growing;
- (3) Subdivision recreation area owned, operated and maintained by a homeowner's association exclusively for the use of residents and their guests;
- (4) Utility substations meeting the following development standards: a visual buffer must be provided along all property lines and all structures must be at least 30 feet from all property lines;

(B) The following principal uses may be permitted as special use permits in R-20 Districts:

- (1) Church, synagogue, chapel or other place of religious worship or educational instruction meeting the following development standards:
  - (a) It must be located on either an arterial or collector road;
  - (b) The lot must have a minimum road frontage of 200 feet;
  - (c) The lot must have an area of at least four acres;
  - (d) All buildings must be located at least 50 feet from any property line;
  - (e) A buffer must be provided along all side and rear property lines;
- (2) Nursery school, day care, or kindergarten meeting the following development standards:
  - (a) At least 200 square feet of outdoor play area must be provided;
  - (b) At least 35 square feet of indoor space per child must be provided;



height;

(c) Outdoor play areas must be enclosed by a fence at least four feet in

(3) School, elementary, middle or high, public or private;

(4) Golf course, public or private, meeting the following development standards:

(a) It must be for daytime use only;

(b) All buildings, greens and fairways must be set back at least 100 feet from any property line;

(5) Radio or television tower meeting the following development standards:

(a) All such structures and support facilities must be set back at least 200 feet from adjacent property lines;

(b) All Federal Aviation Administration requirements must be met.

(6) Any compatible principal use not listed above may be considered as a special use permit on a case by case basis. No use determined by the planning commission or the Mayor and Council to be detrimental to property values or incompatible with the existing nearby use shall be considered.

(7) All unapproved uses within R-20 Districts are specifically prohibited.

(C) The following accessory uses are permitted in R-20 Districts:

(1) Private garage or carport not to exceed the storage capacity of three automobiles per dwelling unit;

(2) Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds;

(3) Structure for a children's playhouse and the storage of children's play equipment;

(4) Private swimming pool and bath house or cabana meeting the following development standards: all such swimming pools which are at least three feet deep must be completely enclosed by a fence that is at least four feet high;

(5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;

(6) Noncommercial garden, including a greenhouse and other customary garden structures not over eight feet in height;

- (7) Deck, patio, barbecue grill or other such facility;
- (8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;
- (9) Temporary building or storage of materials meeting the following development standards:
  - (a) Permitted only in conjunction with construction of a building;
  - (b) Allowed either on the same lot where construction is taking place or on adjacent lots;
  - (c) Such a use must be terminated upon completion of construction;
- (10) The parking of one unoccupied travel trailer, motor coach or pleasure boat;
- (11) Sign as permitted by the City of Williamson sign regulations;
- (12) Satellite dish antennas and television antennas;
- (13) Home occupation, minor;
- (14) Garden, crop growing.
- (15) Any compatible accessory use not listed above may be considered as a special use permit on a case by case basis. No use determined by the planning commission or the Mayor and Council to be detrimental to property values or incompatible with the existing nearby use shall be considered.

(16) All unapproved uses within R-20 Districts are specifically prohibited.

(D) The following accessory uses may be permitted as special use permits in R-20 Districts:

(1) Home occupation, excluding public garage and repair garage. A Home Occupation is an occupation for gain or support conducted only by members of a family residing on the premises and entirely within the main dwelling. The following required development standards must be met by all HOME OCCUPATIONS:

- (i) Only residents of the dwelling may be engaged in the home occupation;
- (j) The home occupation must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the building;
- (k) No display of products may be visible from the street;
- (l) Use of the building for this purpose may not exceed 25% of the principal building;
- (m) No internal or external alterations inconsistent with the residential use of the building is permitted;

- (n) The home occupation must not constitute a nuisance in the neighborhood;
- (o) No accessory buildings or outside storage may be used in connection with the home occupation, except a private garage;
- (p) Only vehicles designed and used primarily as passenger vehicles (this includes light pickup trucks) may be used in connection with the conduct of the home occupation;

(2) Manufactured home for temporary use at construction site meeting the following development standards:

(a) The procedure for applying for a special use permit for a temporary manufactured home at a construction site is as follows:

1. Plans for a water/well and sewage/septic system suitable for the principal building proposed to be constructed on the site must be submitted to the Pike County Health Department for its review and approval;
2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed principal building, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for the proposed principal building, including the water and sewage systems;
3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with construction of the proposed principal building. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;
4. Upon certification of the Zoning Administrator that the water and sewage systems have been properly installed according to approved plans, the owner will be eligible to apply for the special use permit for temporary use of a manufactured home at the construction site until the principal building is complete;
5. Application should be made to the Zoning Administrator for the special use permit for temporary use at a construction site;
6. The Zoning Administrator will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the permit;
7. The Zoning Administrator will consider such applications, and upon determining that all requirements have been met for such a permit, will issue the permit;

(b) The following conditions apply to special use permits issued for temporary use of a manufactured home at a construction site:

1. It is allowed only in conjunction with a valid building permit which has been issued for the principal building to be placed on the lot;

2. It is temporary and valid only for a specified period of time. It is nontransferable from one owner to another;

3. The valid period of the permit will be set to expire at the same time that the building permit for the principal building on the site will expire;

4. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

5. In the event that construction of the principal building on the lot has been well underway, but the building is not yet completed and approved for occupancy when the building permit and accompanying temporary special use permit expire after 12 months, the permittee may apply to the Zoning Administrator for an extension of the two permits. The Zoning Administrator will assess the situation and, at his or her discretion, may extend both permits for a period of up to 12 months in addition to the original period for which the permits were valid. In no case will a temporary manufactured home be allowed to remain for a period in excess of 24 months;

(c) During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems for the principal building. No other water or sewage systems are permitted on the site;

(d) Upon approval of the principal building for occupancy, the temporary manufactured home must be disconnected from the water and sewage systems and occupancy of the temporary manufactured home must cease;

(e) The temporary manufactured home must be removed within 30 days of either the issuance of the certificate of occupancy for the principal building or the expiration of the special use permit for the temporary manufactured home, whichever is earlier;

(f) The temporary manufactured home must be either a Class B or Class C manufactured home;

(g) No more than one such unit is permitted per lot;

(3) Manufactured home for temporary use in case of certified hardship meeting the following development standards:

(a) A person having a certified hardship shown according to the procedure contained in this section and meeting any one of the following conditions may apply to the Mayor and City Council for the special use permit:

1. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is 65 years of age or older;

2. The applicant for the special use permit is to be the owner and occupant of the temporary unit; at least one member of his or her family who will reside in the unit is 65 years of age or older;

3. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is physically disabled and requires frequent attendance by others for medical or physical care;

4. The applicant for the special use permit is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically disabled and requires frequent attendance by others for medical or physical care;

5. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant's family and is 65 years of age or older;

6. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of residents of the unit is a member of the applicant/owner's family and is physically disabled and requires frequent attendance by others for medical or physical care;

(b) In order to determine if the need for the special use permit presented by the applicant is a certified hardship, the Mayor and City Council will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The certificate will be requested by the Mayor and City Council directly from the doctor in attendance upon the person who is asserted to be disabled. The applicant will be required to sign a release to the doctor for such information to be supplied to the Mayor and City Council prior to any action by the Mayor and City Council to obtain the certificate from the doctor and any possible subsequent issuance of the special use permit;

(c) The procedure for applying for a special use permit for a temporary manufactured home for certified hardship is as follows:

1. Application should be made to the Mayor and City Council for the special use permit for a temporary manufactured home for certified hardship;

2. The Mayor and City Council will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the special use permit;

3. The Mayor and City Council will consider such applications, and upon determining that all requirements have been met for such a permit, will issue the special use permit;

(d) Upon being granted a special use permit to allow a temporary manufactured home for certified hardship, the applicant must then apply to the Zoning Administrator for a building permit for the installation of the temporary manufactured home. The procedure is as follows:

1. Plans for a water/well and sewage/septic system suitable for the temporary manufactured home proposed to be installed on the site must be submitted to the Pike County Health Department for its review and approval;

2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed temporary manufactured home, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for installation of the proposed temporary manufactured home, including the water and sewage systems;

3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with installation of the proposed temporary manufactured home, including water and sewage systems. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;

(e) The following conditions apply to special use permit permits issued for temporary use of a manufactured home for hardship:

1. It is temporary and valid only for a specific period of time. It must be renewed every 12 months;

2. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

3. During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems;

4. The temporary manufactured home must be removed within 30 days of either the expiration of the special use permit for the temporary manufactured home or upon finding of the

Mayor and City Council, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the special use permit was granted no longer exists, whichever is earlier;

5. The temporary manufactured home must be either a Class B or Class C manufactured home;

(f) No more than one such unit is permitted per lot.

(4) Any compatible accessory use not listed above may be considered as a special use permit on a case-by-case basis. No use determined by the planning commission or the Mayor and Council to be detrimental to property values or incompatible with the existing nearby use shall be considered.

(5) All unapproved uses within R-20 Districts are specifically prohibited.

(E) All accessory uses must meet the following standards:

(1) They must be located in either side or rear yards, except as follows: a temporary manufactured home on a construction site and satellite dish or television antennas are permitted in the front yard as well as rear and side yards;

(2) Accessory structures, other than fences, may not be located closer than ten feet from any property line. Fences may be placed no closer than four feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this ordinance;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot two acres or less in area. The size of an accessory building is not limited on lots more than two acres in area;

(5) A private garage must not exceed 22 feet by 30 feet in size. It must be used solely to house vehicles in full operating condition. A private garage connected to a principal building must not encroach into any required yard space;

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(F) Any compatible accessory use not listed above may be considered as a special use permit on a case-by-case basis. No use determined by the planning commission or the Mayor and Council to be detrimental to property values or incompatible with the existing nearby use shall be considered.

(G) All unapproved uses within R-20 Districts are specifically prohibited.

#### **§ 156.064 DEVELOPMENT STANDARDS FOR R-20 DISTRICTS.**

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within R-20 Districts.

(A) Minimum floor area per dwelling unit. 2,000 square feet of finished, heated living area.

(B) Minimum lot area. 43,560 square feet (one acre); however, a lot of record lawfully existing at the time of passage of this ordinance and having insufficient area to comply with the minimum lot area standard may nevertheless be developed with a use which is permitted within an R-20 District.

(C) Minimum lot width. 125 feet.

(D) Minimum front yard.

(1) Arterial roads. 100 feet. The front of all buildings must be at least 100 feet from the front property line.

- (2) Collector streets. 50 feet. The front of all buildings must be at least 50 feet from the front property line.
- (3) Other roads. 50 feet. The front of all buildings must be at least 50 feet from the front property line.
- (E) Minimum side yard. 30 feet.
- (F) Minimum rear yard. 30 feet.
- (G) Maximum building height. 35 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of building height greater than 35 feet.
- (H) Minimum off-street parking space.
- (1) Single-family dwelling. Two spaces for each dwelling unit; the parking spaces may be in a driveway.
- (2) Home occupation. Sufficient space so that traffic can be handled without hazard or excessive congestion in the neighborhood; a noise resistant fence or vegetative buffer must be provided where noise is generated.
- (3) Other uses. None.
- (I) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.
- (J) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- (K) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- (L) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- (M) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located, unless that reduction or division is necessary to provide land which is needed and accepted for public use.



(N) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(O) Landlocked lots. In the case of a landlocked lot lawfully existing as of the effective date of this ordinance, the property owner is entitled to one building permit, as long as all of the following requirements are met:

(1) No other principal building exists or is being constructed on the property;

(2) No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid;

(3) The property was and continues to be under single ownership since the effective date of this ordinance;

(4) The property owner has acquired a 30-foot easement to a city, county or state maintained street, and the easement has been duly recorded and made a part of the property deed.

(P) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(R) Yards and other spaces. No part of a yard, other open space or off-street parking or loading space required for another building may be included as a part of the yard or off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(S) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. The two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or re-parcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(T) Encroachment on public rights-of-way. No building, structure, service area or required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the subdivision regulations. Consult that document for specific requirements.

(V) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **R-18 SINGLE-FAMILY RESIDENTIAL - 1,800 SQ. FT.**

### **§ 156.070 PURPOSE.**

R-18 Zoning Districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences as desired by large numbers of people with a required minimum dwelling area of 1,800 square feet. These districts are free from other uses which are incompatible with single-family homes.

### **§ 156.071 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A R-18 DISTRICT.**

The factors contained in § 156.028 must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of the City of Williamson.

### **§ 156.072 BOUNDARIES OF R-18 DISTRICTS.**

The Official Map shows the boundaries of all R-18 Districts within the City of Williamson.

### **§ 156.073 PERMITTED USES.**

(A) The following principal uses are permitted in R-18 Districts:

(1) Site-built single-family detached dwelling with a floor area of at least 1,800 square feet of finished, heated living area;

(2) Garden, crop growing;

(3) Subdivision recreation area owned, operated and maintained by a homeowner's association exclusively for the use of residents and their guests;

(4) Utility substations meeting the following development standards: a buffer must be provided along all property lines;

(B) The following principal uses may be permitted as special use permits in R-18 Districts:

(1) Church, synagogue, chapel or other place of religious worship or educational instruction meeting the following development standards:

- (a) It must be located on either an arterial or collector road;
- (b) The lot must have a minimum road frontage of 200 feet;
- (c) The lot must have an area of at least four acres;
- (d) All buildings must be located at least 50 feet from any property line;
- (e) A buffer must be provided along all side and rear property lines;

(2) Nursery school or kindergarten meeting the following development standards:

- (a) At least 200 square feet of outdoor play area must be provided;
- (b) At least 35 square feet of indoor space per child must be provided;
- (c) Outdoor play areas must be enclosed by a fence at least four feet in height;

(3) School, elementary, middle or high, public or private;

(4) Golf course, public or private, meeting the following development standards:

- (a) It must be for daytime use only;
- (b) All buildings, greens and fairways must be set back at least 100 feet from any property line;

(5) Radio or television tower meeting the following development standards:

- (a) All such structures and support facilities must be set back at least 200 feet from adjacent property lines;
- (b) All Federal Aviation Administration requirements must be met.

(C) The following accessory uses are permitted in R-18 Districts:

(1) Private garage or carport not to exceed the storage capacity of three automobiles per dwelling unit;

(2) Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds;

(3) Structure for a children's playhouse and the storage of children's play equipment;

(4) Private swimming pool and bath house or cabana meeting the following development standards: all such swimming pools which are at least three feet deep must be completely enclosed by a fence that is at least four feet high;

(5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;

(6) Noncommercial garden, including a greenhouse and other customary garden structures not over eight feet in height;

(7) Deck, patio, barbecue grill or other such facility;

(8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;

(9) Temporary building or storage of materials meeting the following development standards:

(a) Permitted only in conjunction with construction of a building;

(b) Allowed either on the same lot where construction is taking place or on adjacent lots;

(c) Such a use must be terminated upon completion of construction;

(10) The parking of one unoccupied travel trailer, motor coach or pleasure boat;

(11) Sign as permitted by the City of Williamson sign regulations;

(12) Satellite dish antennas and television antennas;

(13) Home occupation, minor;

(14) Garden, crop growing.

(15) Any compatible principal use not listed above may be considered as a special use permit on a case by case basis. No use determined by the planning commission or the Mayor and Council to be detrimental to property values or incompatible with the existing nearby use shall be considered.

(D) The following accessory uses may be permitted as special use permits in R-18 Districts:

(1) Home occupation, excluding public garage and repair garage. A Home Occupation is an occupation for gain or support conducted only by members of a family residing on the premises and entirely within the main dwelling. The following required development standards must be met by all HOME OCCUPATIONS:

- (q) Only residents of the dwelling may be engaged in the home occupation;
- (r) The home occupation must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the building;
- (s) No display of products may be visible from the street;
- (t) Use of the building for this purpose may not exceed 25% of the principal building;
- (u) No internal or external alterations inconsistent with the residential use of the building is permitted;
- (v) The home occupation must not constitute a nuisance in the neighborhood;
- (w) No accessory buildings or outside storage may be used in connection with the home occupation, except a private garage;
- (x) Only vehicles designed and used primarily as passenger vehicles (this includes light pickup trucks) may be used in connection with the conduct of the home occupation;

(2) Manufactured home for temporary use at construction site meeting the following development standards:

- (a) The procedure for applying for a special use permit for a temporary manufactured home at a construction site is as follows:
  1. Plans for a water/well and sewage/septic system suitable for the principal building proposed to be constructed on the site must be submitted to the Pike County Health Department for its review and approval;
  2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed principal building, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for the proposed principal building, including the water and sewage systems;
  3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with construction of the proposed principal building. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;
  4. Upon certification of the Zoning Administrator that the water and sewage systems have been properly installed according to approved plans, the owner will be eligible to apply for the special use permit for temporary use of a manufactured home at the construction site until the principal building is complete;
  5. Application should be made to the Zoning Administrator for the special use permit for temporary use at a construction site;
  6. The Zoning Administrator will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the permit;

7. The Zoning Administrator will consider such applications, and upon determining that all requirements have been met for such a permit, will issue the permit;

(b) The following conditions apply to special use permit permits issued for temporary use of a manufactured home at a construction site:

1. It is allowed only in conjunction with a valid building permit which has been issued for the principal building to be placed on the lot;

2. It is temporary and valid only for a specified period of time. It is nontransferable from one owner to another;

3. The valid period of the permit will be set to expire at the same time that the building permit for the principal building on the site will expire;

4. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

5. In the event that construction of the principal building on the lot has been well underway, but the building is not yet completed and approved for occupancy when the building permit and accompanying temporary special use permit expire after 12 months, the permittee may apply to the Zoning Administrator for an extension of the two permits. The Zoning Administrator will assess the situation and, at his or her discretion, may extend both permits for a period of up to 12 months in addition to the original period for which the permits were valid. In no case will a temporary manufactured home be allowed to remain for a period in excess of 24 months;

(c) During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems for the principal building. No other water or sewage systems are permitted on the site;

(d) Upon approval of the principal building for occupancy, the temporary manufactured home must be disconnected from the water and sewage systems and occupancy of the temporary manufactured home must cease;

(e) The temporary manufactured home must be removed within 30 days of either the issuance of the certificate of occupancy for the principal building or the expiration of the special use permit for the temporary manufactured home, whichever is earlier;

(f) The temporary manufactured home must be either a Class B or Class C manufactured home;

(g) No more than one such unit is permitted per lot;

(3) Manufactured home for temporary use in case of certified hardship meeting the following development standards:

(a) A person having a certified hardship shown according to the procedure contained in this section and meeting any one of the following conditions may apply to the Mayor and City Council for the special use permit:

1. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is 65 years of age or older;

2. The applicant for the special use permit is to be the owner and occupant of the temporary unit; at least one member of his or her family who will reside in the unit is 65 years of age or older;

3. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is physically disabled and requires frequent attendance by others for medical or physical care;

4. The applicant for the special use permit is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically disabled and requires frequent attendance by others for medical or physical care;

5. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant's family and is 65 years of age or older;

6. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of residents of the unit is a member of the applicant/owner's family and is physically disabled and requires frequent attendance by others for medical or physical care;

(b) In order to determine if the need for the special use permit presented by the applicant is a certified hardship, the Mayor and City Council will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The certificate will be requested by the Mayor and City Council directly from the doctor in attendance upon the person who is asserted to be disabled. The applicant will be required to sign a release to the doctor for such information to be supplied to the Mayor and City Council prior to any action by the Mayor and City Council to obtain the certificate from the doctor and any possible subsequent issuance of the special use permit;

(c) The procedure for applying for a special use permit for a temporary manufactured home for certified hardship is as follows:

1. Application should be made to the Mayor and City Council for the special use permit for a temporary manufactured home for certified hardship;

2. The Mayor and City Council will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the special use permit;

3. The Mayor and City Council will consider such applications, and upon determining that all requirements have been met for such a permit, will issue the special use permit;

(d) Upon being granted a special use permit to allow a temporary manufactured home for certified hardship, the applicant must then apply to the Zoning Administrator for a building permit for the installation of the temporary manufactured home. The procedure is as follows:

1. Plans for a water/well and sewage/septic system suitable for the temporary manufactured home proposed to be installed on the site must be submitted to the Pike County Health Department for its review and approval;

2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed temporary manufactured home, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for installation of the proposed temporary manufactured home, including the water and sewage systems;

3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with installation of the proposed temporary manufactured home, including water and sewage systems. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;

(e) The following conditions apply to special use permit permits issued for temporary use of a manufactured home for hardship:

1. It is temporary and valid only for a specific period of time. It must be renewed every 12 months;

2. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

3. During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems;

4. The temporary manufactured home must be removed within 30 days of either the expiration of the special use permit for the temporary manufactured home or upon finding of the

Mayor and City Council, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the special use permit was granted no longer exists, whichever is earlier;

5. The temporary manufactured home must be either a Class B or Class C manufactured home;

(f) No more than one such unit is permitted per lot.



(E) All accessory uses must meet the following standards:

(1) They must be located in either side or rear yards, except as follows: a temporary manufactured home on a construction site and satellite dish or television antennas are permitted in the front yard as well as rear and side yards;

(2) Accessory structures, other than fences, may not be located closer than ten feet from any property line. Fences may be placed no closer than four feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this ordinance;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot two acres or less in area. The size of an accessory building is not limited on lots more than two acres in area;

(5) A private garage must not exceed 22 feet by 30 feet in size. It must be used solely to house vehicles in full operating condition. A private garage connected to a principal building must not encroach into any required yard space;

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(F) All uses not permitted within R-18 Districts by this section are specifically prohibited.

### **§ 156.074 DEVELOPMENT STANDARDS FOR R-18 DISTRICTS.**

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within R-18 Districts.

(A) Minimum floor area per dwelling unit. 1,800 square feet of finished, heated living area.

(B) Minimum lot area. 43,560 square feet (one acre); however, a lot of record lawfully existing at the time of passage of this ordinance and having insufficient area to comply with the minimum lot area standard may nevertheless be developed with a use which is permitted within an R-18 District.

(C) Minimum lot width. 125 feet.

(D) Minimum front yard.

(1) Arterial roads. 100 feet. The front of all buildings must be at least 100 feet from the front property line.

(2) Collector streets. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

(3) Other roads. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

(E) Minimum side yard. 25 feet.

(F) Minimum rear yard. 30 feet.

(G) Maximum building height. 35 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of building height greater than 35 feet.

(H) Minimum off-street parking space.

(1) Single-family dwelling. Two spaces for each dwelling unit; the parking spaces may be in a driveway.

(2) Home occupation. Sufficient space so that traffic can be handled without hazard or excessive congestion in the neighborhood; a noise resistant fence or vegetative buffer must be provided where noise is generated.

(3) Other uses. None.

(I) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(J) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(K) Only one principal building per lot. Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(L) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(M) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located, unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(N) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(O) Landlocked lots. In the case of a landlocked lot lawfully existing as of the effective date of this ordinance, the property owner is entitled to one building permit, as long as all of the following requirements are met:

- (1) No other principal building exists or is being constructed on the property;
- (2) No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid;
- (3) The property was and continues to be under single ownership since the effective date of this ordinance;
- (4) The property owner has acquired a 30-foot easement to a county or state maintained street, and the easement has been duly recorded and made a part of the property deed.

(P) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(R) Yards and other spaces. No part of a yard, other open space or off-street parking or loading space required for another building may be included as a part of the yard or off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(S) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two (2) or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(T) Encroachment on public rights-of-way. No building, structure, service area or required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in Appendix A, City of Williamson Subdivision Regulations. Consult that document for specific requirements.

(V) Signs. Minimum design and location standards are contained in the City of Williamson Sign Ordinance. Consult that document for specific requirements.

(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **R-15 SINGLE-FAMILY RESIDENTIAL - 1,500 SQ. FT.**

### **§ 156.075 PURPOSE.**

R-15 Zoning Districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences as desired by large numbers of people, with a required minimum dwelling area of 1,500 square feet. These Districts are free from other uses which are incompatible with single-family homes.

### **§ 156.076 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN AN R-15 DISTRICT.**

The factors contained in § 156.028 must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation for land use patterns that provide healthful and safe living conditions for the residents of the City of Williamson.

### **§ 156.077 BOUNDARIES OF R-15 DISTRICTS.**

The Official Map shows the boundaries of all R-15 Districts within the City of Williamson.

### **§ 156.078 PERMITTED USES.**

(A) The following principal uses are permitted in R-15 Districts:

(1) Site-built single-family detached dwelling with a floor area of at least 1,500 square feet of finished, heated living area;

(2) Local, state or federal government building;

(3) Garden, crop growing;

(4) Publicly owned and operated park or recreation area;

(5) Subdivision recreation area owned, operated and maintained by a homeowner's association exclusively for the use of residents and their guests;

(6) Utility substations meeting the following development standards: a buffer must be provided along all property lines;

(B) The following principal uses may be permitted by special use permits in R-15 Districts:

(1) Church, synagogue, chapel or other place of religious worship or educational instruction meeting the following development standards:

- (a) It must be located on either an arterial or collector road;
  - (b) The lot must have a minimum road frontage of 200 feet;
  - (c) The lot must have an area of at least four (4) acres;
  - (d) All buildings must be located at least 50 feet from any property line;
  - (e) A buffer must be provided along all side and rear property lines;
- (2) Nursery school or kindergarten meeting the following development standards:
- (a) At least 200 square feet of outdoor play area must be provided;
  - (b) At least 35 square feet of indoor space per child must be provided;
  - (c) Outdoor play areas must be enclosed by a fence at least four feet in height;
- (3) School, elementary, middle or high, public or private;
- (4) Golf course, public or private, meeting the following development standards:
- (a) It must be for daytime use only;
  - (b) All buildings, greens and fairways must be set back at least 100 feet from any property line;
- (5) Radio or television tower meeting the following development standards:
- (a) All such structures and support facilities must be set back at least 200 feet from adjacent property lines;
  - (b) All Federal Aviation Administration requirements must be met.
- (C) The following accessory uses are permitted in R-15 Districts:
- (1) Private garage or carport not to exceed the storage capacity of three automobiles per dwelling unit;
  - (2) Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds;
  - (3) Structure for a children's playhouse and the storage of children's play equipment;
  - (4) Private swimming pool and bath house or cabana meeting the following development standards: all such swimming pools which are at least three feet deep must be completely enclosed by a fence that is at least four feet high;

(5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;

(6) Noncommercial garden, including a greenhouse and other customary garden structures not over eight feet in height;

(7) Deck, patio, barbecue grill or other such facility;

(8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;

(9) Temporary building or storage of materials meeting the following development standards:

(a) Permitted only in conjunction with construction of a building;

(b) Allowed either on the same lot where construction is taking place or on adjacent lots;

(c) Such a use must be terminated upon completion of construction;

(10) The parking of one unoccupied travel trailer, motor coach or pleasure boat;

(11) Sign as permitted by the City of Williamson sign regulations;

(12) Satellite dish antennas or television antennas;

(13) Garden, crop growing.

(D) The following accessory uses may be permitted as special use permits in R-15 Districts:

(1) Home occupation, excluding public garage and repair garage. A Home Occupation is an occupation for gain or support conducted only by members of a family residing on the premises and entirely within the main dwelling. The following required development standards must be met by all HOME OCCUPATIONS:

(a) Only residents of the dwelling may be engaged in the home occupation;

(b) The home occupation must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the building;

(c) No display of products may be visible from the street;

(d) Use of the building for this purpose may not exceed 25% of the principal building;

(e) No internal or external alterations inconsistent with the residential use of the building is permitted;

(f) The home occupation must not constitute a nuisance in the neighborhood;

(g) No accessory buildings or outside storage may be used in connection with the home occupation, except a private garage;

(h) Only vehicles designed and used primarily as passenger vehicles (this includes light pickup trucks) may be used in connection with the conduct of the home occupation.

(2) Manufactured home for temporary use at construction site meeting the following development standards:

(a) The procedure for applying for a special use permit for a temporary manufactured home at a construction site is as follows:

1. Plans for a water/well and sewage/septic system suitable for the principal building proposed to be constructed on the site must be submitted to the Pike County Health Department for its review and approval;

2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed principal building, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for the proposed principal building, including the water and sewage systems;

3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with construction of the proposed principal building. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;

4. Upon certification of the Zoning Administrator that the water and sewage systems have been properly installed according to approved plans, the owner will be eligible to apply for the special use permit for temporary use of a manufactured home at the construction site until the principal building is complete;

5. Application should be made to the Zoning Administrator for the special use permit for temporary use at a construction site;

6. The Zoning Administrator will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the permit;

7. The Zoning Administrator will consider such applications and, upon determining that all requirements have been met for such a permit, will issue the permit;

(b) The following conditions apply to special use permit issued for temporary use of a manufactured home at a construction site:

1. It is allowed only in conjunction with a valid building permit which has been issued for the principal building to be placed on the lot;

2. It is temporary and valid only for a specified period of time. It is nontransferable from one owner to another;

3. The valid period of the permit will be set to expire at the same time that the building permit for the principal building on the site will expire;

4. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

5. In the event that construction of the principal building on the lot has been well underway, but the building is not yet completed and approved for occupancy when the building permit and accompanying temporary special use permit expire after 12 months, the permittee may apply to the Zoning Administrator for an extension of the two permits. The Zoning Administrator will assess the situation and, at his or her discretion, may extend both permits for a period of up to 12 months in addition to the original period for which the permits were valid. In no case will a temporary manufactured home be allowed to remain for a period in excess of 24 months;

(c) During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems for the principal building. No other water or sewage systems are permitted on the site;

(d) Upon approval of the principal building for occupancy, the temporary manufactured home must be disconnected from the water and sewage systems and occupancy of the temporary manufactured home must cease;

(e) The temporary manufactured home must be removed within 30 days of either the issuance of the certificate of occupancy for the principal building or the expiration of the special use permit for the temporary manufactured home, whichever is earlier;

(f) The temporary manufactured home must be either a Class B or Class C manufactured home;

(g) No more than one such unit is permitted per lot;

(h) The unit must be located entirely within the rear yard of the principal dwelling, as shown on the approved development plan;

(3) Manufactured home for temporary use in case of certified hardship meeting the following development standards:

(a) A person having a certified hardship shown according to the procedure contained in this section and meeting any one of the following conditions may apply to the Mayor and City Council for the special use permit:

1. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is 65 years of age or older;

2. The applicant for the special use permit is to be the owner and occupant of the temporary unit; at least one member of his or her family who will reside in the unit is 65 years of age or older;



3. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is physically disabled and requires frequent attendance by others for medical or physical care;

4. The applicant for the special use permit is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically disabled and requires frequent attendance by others for medical or physical care;

5. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant's family and is 65 years of age or older;

6. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of residents of the unit is a member of the applicant/owner's family and is physically disabled and requires frequent attendance by others for medical or physical care;

(b) In order to determine if the need for the special use permit presented by the applicant is a certified hardship, the Mayor and City Council will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The certificate will be requested by the Mayor and City Council directly from the doctor in attendance upon the person who is asserted to be disabled. The applicant will be required to sign a release to the doctor for such information to be supplied to the Mayor and City Council prior to any action by the Mayor and City Council to obtain the certificate from the doctor and any possible subsequent issuance of the special use permit;

(c) The procedure for applying for a special use permit for a temporary manufactured home for certified hardship is as follows:

1. Application should be made to the Mayor and City Council for the special use permit for a temporary manufactured home for certified hardship;

2. The Mayor and City Council will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the special use permit;

3. The Mayor and City Council will consider such applications and, upon determining that all requirements have been met for such a permit, will issue the special use permit;

(d) Upon being granted a special use permit to allow a temporary manufactured home for certified hardship, the applicant must then apply to the Zoning Administrator for a building permit for the installation of the temporary manufactured home. The procedure is as follows:

1. Plans for a water/well and sewage/septic system suitable for the temporary manufactured home proposed to be installed on the site must be submitted to the Pike County Health Department for its review and approval;

2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed temporary manufactured home, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for installation of the proposed temporary manufactured home, including the water and sewage systems;

3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with installation of the proposed temporary manufactured home, including water and sewage systems. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;

(e) The following conditions apply to special use permit permits issued for temporary use of a manufactured home for hardship:

1. It is temporary and valid only for a specific period of time. Must be renewed every 12 months;

2. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

3. During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems;

4. The temporary manufactured home must be removed within 30 days of either the expiration of the special use permit for the temporary manufactured home or upon finding of the Mayor and City Council, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing that the conditions for which the special use permit was granted no longer exist, whichever is earlier;

5. The temporary manufactured home must be either a Class B or Class C manufactured home;

6. No more than one such unit is permitted per lot.

(E) All accessory uses must meet the following standards:

(1) They must be located in either side or rear yards, except as follows: temporary manufactured home on a construction site and satellite dish or television antennas are permitted in the front yard as well as rear and side yards;

(2) Accessory structures, other than fences, may not be located closer than ten feet from any property line. Fences may be placed no closer than four feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this ordinance;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot two acres or less in area. The size of an accessory building is not limited on lots more than two acres in area;

(5) A private garage must not exceed 22 feet by 30 feet in size. It must be used solely to house vehicles in full operating condition. A private garage connected to a principal building must not encroach into any required yard space;

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(F) All uses not permitted within R-15 Districts by this section are specifically prohibited.

### **§ 156.079 DEVELOPMENT STANDARDS FOR R-15 DISTRICTS.**

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within R-15 Districts.

(A) Minimum floor area per dwelling unit. 1,500 square feet of finished, heated living area.

(B) Minimum lot area. 43,560 square feet (one acre); however, a lot of record lawfully existing at the time of passage of this ordinance and having insufficient area to comply with the minimum lot area standard may never the less be developed with a use which is permitted within an R-15 District.

(C) Minimum lot width. 200 feet.

(D) Minimum front yard.

(1) Arterial roads. 100 feet. The front of all buildings must be at least 100 feet from the front property line.

(2) Collector streets. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

(3) Other roads. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

(E) Minimum side yard. 30 feet.

(F) Minimum rear yard. 30 feet.

(G) Maximum building height. 35 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings with such

projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of building height greater than 35 feet.

(H) Minimum off-street parking space.

(1) Single-family dwelling. Two spaces for each dwelling unit; the parking spaces may be in a driveway.

(2) Home occupation. Sufficient space so that traffic can be handled without hazard or excessive congestion in the neighborhood; a noise resistant fence or vegetative buffer must be provided where noise is generated.

(3) Other uses. None.

(I) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(J) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(K) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(L) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in the ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(M) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(N) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(O) Landlocked lots. In the case of a landlocked lot lawfully existing as of the effective date of this ordinance, the property owner is entitled to one building permit, as long as all of the following requirements are met:

(1) No other principal building exists or is being constructed on the property;

(2) No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid;

(3) The property was and continues to be under single ownership since the effective date of this ordinance;

(4) The property owner has acquired a 30-foot easement to a county or state maintained street, and the easement has been duly recorded and made a part of the property deed.

(P) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(R) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(S) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(T) Encroachment on public rights-of way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the City of Williamson subdivision regulations. Consult that document for specific requirements.

(V) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **R-11 SINGLE-FAMILY RESIDENTIAL - 1,100 SQ. FT.**

### **§ 156.090 PURPOSE.**

R-11 Zoning Districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences as desired by large numbers of people, with a required minimum dwelling area of 1,100 square feet. These districts are free from other uses which are incompatible with single-family homes.

### **§ 156.091 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A R-11 DISTRICT.**

The factors contained in § 156.028 must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of the City of Williamson.

### **§ 156.092 BOUNDARIES OF R-11 DISTRICTS.**

The Official Map shows the boundaries of all R-11 Districts within the City of Williamson.

### **§ 156.093 PERMITTED USES.**

- (A) The following principal uses are permitted in R-11 Districts:
- (1) Site-built, single-family detached dwelling with a floor area of at least 1,100 square feet of finished, heated living area;
  - (2) Industrialized home with a floor area of at least 1,100 square feet of finished, heated living area;
  - (3) Class A manufactured home with a floor area of at least 1,100 square feet of finished, heated living area;
  - (4) Local, state or federal government building;
  - (5) Garden, crop growing;
  - (6) Publicly owned and operated park or recreation area;
  - (7) Subdivision recreation area owned, operated and maintained by a homeowner's association exclusively for the use of residents and their guests;
  - (8) Utility substations meeting the following development standards: a buffer must be provided along all property lines;
  - (9) The keeping of livestock (bovines, ovines, goats, llamas, and excluding swine) and equines meeting the following development standards:
    - (a) Only allowed if the lot size is a minimum of three acres and only one such animal shall be permitted per acre;

(b) All applicable State of Georgia laws and Department of Natural Resources regulations must be met.

(B) The following principal uses may be permitted as special use permits in R-11 Districts:

(1) Church, synagogue, chapel or other place of religious worship or educational instruction meeting the following development standards:

- (a) It must be located on either an arterial or collector road;
- (b) The lot must have a minimum road frontage of 200 feet;
- (c) The lot must have an area of at least four acres;
- (d) All buildings must be located at least 50 feet from any property line;

(e) A buffer must be provided along all side and rear property lines;

(2) Nursery school or kindergarten meeting the following development standards:

- (a) At least 200 square feet of outdoor play area must be provided;
- (b) At least 35 square feet of indoor space per child must be provided;
- (c) Outdoor play areas must be enclosed by a fence at least four feet in height;

(3) School, elementary, middle, high, public or private;

(4) Golf course, public or private, meeting the following development standards:

- (a) It must be for daytime use only;
- (b) All buildings, greens and fairways must be set back at least 100 feet from any property line;

(5) Radio or television tower meeting the following development standards:

- (a) All such structures and support facilities must be set back at least 200 feet from adjacent property lines;

- (b) All Federal Aviation Administration requirements must be met.

(C) The following accessory uses are permitted in R-11 Districts:

(1) Private garage or carport not to exceed the storage capacity of three automobiles per dwelling unit;

- (2) Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds;
- (3) Structure for a children's playhouse and the storage of children's play equipment;
- (4) Private swimming pool and bath house or cabana meeting the following development standards: all such swimming pools which are at least three feet deep must be completely enclosed by a fence that is at least four feet high;
- (5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;
- (6) Noncommercial garden, including a greenhouse and other customary garden structures not over eight feet in height;
- (7) Deck, patio, barbecue grill or other such facility;
- (8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;
- (9) Temporary building or storage of materials meeting the following development standards:
  - (a) Permitted only in conjunction with construction of a building;
  - (b) Allowed either on the same lot where construction is taking place or on adjacent lots;
  - (c) Such a use must be terminated upon completion of construction;
- (10) The parking of one unoccupied travel trailer, motor coach or pleasure boat;
- (11) Sign as permitted by the City of Williamson sign regulations;
- (12) Satellite dish antennas and television antennas;
- (13) Home occupation, minor;
- (14) Garden, crop growing.

(D) The following accessory uses may be permitted as special use permits in R-11 Districts:

- (1) Home occupation, excluding public garage and repair garage. A Home Occupation is an occupation for gain or support conducted only by members of a family residing on the premises and entirely within the main dwelling. The following required development standards must be met by all HOME OCCUPATIONS:



- occupation;
- (a) Only residents of the dwelling may be engaged in the home occupation;
  - (b) The home occupation must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the building;
  - (c) No display of products may be visible from the street;
  - (d) Use of the building for this purpose may not exceed 25% of the principal building;
  - (e) No internal or external alterations inconsistent with the residential use of the building is permitted;
  - (f) The home occupation must not constitute a nuisance in the neighborhood;
  - (g) No accessory buildings or outside storage may be used in connection with the home occupation, except a private garage;
  - (h) Only vehicles designed and used primarily as passenger vehicles (this includes light pickup trucks) may be used in connection with the conduct of the home occupation;

(2) Manufactured home for temporary use at construction site meeting the following development standards:

(a) The procedure for applying for a special use permit for a temporary manufactured home at a construction site is as follows:

1. Plans for a water/well and sewage/septic system suitable for the principal building proposed to be constructed on the site must be submitted to the Pike County Health Department for its review and approval;
2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed principal building, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for the proposed principal building, including the water and sewage systems;
3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with construction of the proposed principal building. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;
4. Upon certification of the Zoning Administrator that the water and sewage systems have been properly installed according to approved plans, the owner will be eligible to apply for the special use permit for temporary use of a manufactured home at the construction site until the principal building is complete;
5. Application should be made to the Zoning Administrator for the special use permit for temporary use at a construction site;
6. The Zoning Administrator will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the permit;

7. The Zoning Administrator will consider such applications and, upon determining that all requirements have been met for such a permit, will issue the permit;

(b) The following conditions apply to special use permit issued for temporary use of a manufactured home at a construction site:

1. It is allowed only in conjunction with a valid building permit which has been issued for the principal building to be placed on the lot;

2. It is temporary and valid only for a specified period of time. It is nontransferable from one owner to another;

3. The valid period of the permit will be set to expire at the same time that the building permit for the principal building on the site will expire;

4. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

5. In the event that construction of the principal building on the lot has been well underway, but the building is not yet completed and approved for occupancy when the building permit and accompanying temporary special use permit expire after 12 months, the permittee may apply to the Zoning Administrator for an extension of the two permits. The Zoning Administrator will assess the situation and, at his or her discretion, may extend both permits for a period of up to 12 months in addition to the original period for which the permits were valid. In no case will a temporary manufactured home be allowed to remain for a period in excess of 24 months;

(c) During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems for the principal building. No other water or sewage systems are permitted on the site;

(d) Upon approval of the principal building for occupancy, the temporary manufactured home must be disconnected from the water and sewage systems and occupancy of the temporary manufactured home must cease;

(e) The temporary manufactured home must be removed within 30 days of either the issuance of the certificate of occupancy for the principal building or the expiration of the special use permit for the temporary manufactured home, whichever is earlier;

(f) The temporary manufactured home must be either a Class B or Class C manufactured home;

(g) No more than one such unit is permitted per lot;

(3) Manufactured home for temporary use in case of certified hardship meeting the following development standards:

(a) A person having a certified hardship shown according to the procedure contained in this section and meeting any one of the following conditions may apply to the Mayor and City Council for the special use permit:

1. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is 65 years of age or older;

2. The applicant for the special use permit is to be the owner and occupant of the temporary unit; at least one member of his or her family who will reside in the unit is 65 years of age or older;

3. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is physically disabled and requires frequent attendance by others for medical or physical care;

4. The applicant for the special use permit is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically disabled and requires frequent attendance by others for medical or physical care;

5. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant's family and is 65 years of age or older;

6. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of residents of the unit is a member of the applicant/owner's family and is physically disabled and requires frequent attendance by others for medical or physical care;

(b) In order to determine if the need for the special use permit presented by the applicant is a certified hardship, the Mayor and City Council will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The certificate will be requested by the Mayor and City Council directly from the doctor in attendance upon the person who is asserted to be disabled. The applicant will be required to sign a release to the doctor for such information to be supplied to the Mayor and City Council prior to any action by the Mayor and City Council to obtain the certificate from the doctor and any possible subsequent issuance of the special use permit;

(c) The procedure for applying for a special use permit for a temporary manufactured home for certified hardship is as follows:

1. Application should be made to the Mayor and City Council for the special use permit for a temporary manufactured home for certified hardship;

2. The Mayor and City Council will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the special use permit;

3. The Mayor and City Council will consider such applications and, upon determining that all requirements have been met for such a permit, will issue the special use permit;

(d) Upon being granted a special use permit to allow a temporary manufactured home for certified hardship, the applicant must then apply to the Zoning Administrator for a building permit for the installation of the temporary manufactured home. The procedure is as follows:

1. Plans for a water/well and sewage/septic system suitable for the temporary manufactured home proposed to be installed on the site must be submitted to the Pike County Health Department for its review and approval;

2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed temporary manufactured home, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for installation of the proposed temporary manufactured home, including the water and sewage systems;

3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with installation of the proposed temporary manufactured home, including water and sewage systems. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;

(e) The following conditions apply to special use permits issued for temporary use of a manufactured home for hardship:

1. It is temporary and valid only for a specific period of time. Must be renewed every 12 months;

2. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

3. During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems;

4. The temporary manufactured home must be removed within 30 days of either the expiration of the special use permit for the temporary manufactured home or upon finding of the Mayor and City Council, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing that the conditions for which the special use permit was granted no longer exist, whichever is earlier;

5. The temporary manufactured home must be either a Class B or Class C manufactured home;

6. No more than one such unit is permitted per lot.

(E) All accessory uses must meet the following standards:

(1) They must be located in either side or rear yards, except as follows: temporary manufactured home on a construction site and satellite dish or television antennas are permitted in the front yard as well as rear and side yards;

(2) Accessory structures, other than fences, may not be located closer than ten feet from any property line. Fences may be placed no closer than four feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this ordinance;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot two acres or less in area. The size of an accessory building is not limited on lots more than two acres in area;

(5) A private garage must not exceed 22 feet by 30 feet in size. It must be used solely to house vehicles in full operating condition. A private garage connected to a principal building must not encroach into any required yard space;

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(F) All uses not permitted within R-11 Districts by this section are specifically prohibited.

### **§ 156.094 DEVELOPMENT STANDARDS FOR R-11 DISTRICTS.**

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within R-11 Districts.

(A) Minimum floor area per dwelling unit. 1,100 square feet of finished, heated living area.

(B) Minimum lot area. 43,560 square feet (one acre); however, a lot of record lawfully existing at the time of passage of this ordinance and having insufficient area to comply with the minimum lot area standard may nevertheless be developed with a use which is permitted within an R-11 District.

(C) Minimum lot width. 200 feet.

(D) Minimum front yard.

(1) Arterial roads. 100 feet. The front of all buildings must be at least 100 feet from the front property line.

(2) Collector streets. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

- (3) Other roads. 50 feet. The front of all buildings must be at least 50 feet from the front property line.
- (E) Minimum side yard. 30 feet.
- (F) Minimum rear yard. 30 feet.
- (G) Maximum building height. 35 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of building height greater than 35 feet.
- (H) Minimum off-street parking space.
- (1) Single-family dwelling. Two spaces for each dwelling unit; the parking spaces may be in a driveway.
- (2) Home occupation. Sufficient space so that traffic can be handled without hazard or excessive congestion in the neighborhood; a noise resistant fence or vegetative buffer must be provided where noise is generated.
- (3) Other uses. None.
- (I) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.
- (J) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- (K) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- (L) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.
- (M) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- (N) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(O) Landlocked lots. In the case of a landlocked lot lawfully existing as of the effective date of this ordinance, the property owner is entitled to one building permit, as long as all of the following requirements are met:

(1) No other principal building exists or is being constructed on the property;

(2) No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid;

(3) The property was and continues to be under single ownership since the effective date of this ordinance;

(4) The property owner has acquired a 30-foot easement to a county or state maintained street, and the easement has been duly recorded and made a part of the property deed;

(5) In the event an individual landowner divides his or her property and an easement is needed, no more than three building permits will be issued. This easement will not be maintained by the county.

(P) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(R) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(S) Substandard lots. Any lot existing at the time of the adoption of this ordinance which has an area or a width which is less than required by this ordinance is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(T) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the City of Williamson subdivision regulations. Consult that document for specific requirements.

(V) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **R-6 SINGLE-FAMILY RESIDENTIAL - 600 SQ. FT.**

### **§ 156.105 PURPOSE.**

R-6 Zoning Districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences as desired by large numbers of people with a required minimum dwelling area of 600 square feet. These districts are free from other uses which are incompatible with single-family homes.

### **§ 156.106 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A R-6 DISTRICT.**

The factors contained in § 156.028 must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions of the residents of The City of Williamson.

### **§ 156.107 BOUNDARIES OF R-6 DISTRICTS.**

The Official Map shows the boundaries of all R-6 Districts within The City of Williamson.

### **§ 156.108 PERMITTED USES.**

(A) The following principal uses are permitted in R-6 Districts:

(1) Site-built single-family detached dwelling with a floor area of at least 600 square feet of finished, heated living area;

(2) Industrialized home with a floor area of at least 600 square feet of finished, heated living area;

(3) Class A manufactured home with a floor area of at least 600 square feet of finished, heated living area;

(4) Class B manufactured home with a floor area of at least 600 square feet of finished, heated living area;



(5) Class C manufactured home with a floor area of at least 600 square feet of finished, heated living area;

(6) Local, state or federal government building;

(7) Garden, crop growing;

(8) Publicly owned and operated park or recreation area;

(9) Subdivision recreation area owned, operated and maintained by a homeowner's association exclusively for the use of residents and their guests;

(10) Utility substations meeting the following development standards: a buffer must be provided along all property lines;

(11) The keeping of livestock (bovines, ovines, goats, llamas, and excluding swine) and equines meeting the following development standards:

(a) Only allowed if the lot size is a minimum of three acres and only one such animal shall be permitted per acre;

(b) All applicable State of Georgia laws and Department of Natural Resources regulations must be met.

(B) The following principal uses may be permitted as special use permits in R-6 Districts:

(1) Church, synagogue, chapel or other place of religious worship or educational instruction meeting the following development standards:

(a) It must be located on either an arterial or collector road;

(b) The lot must have a minimum road frontage of 200 feet;

(c) The lot must have an area of at least four acres;

(d) All buildings must be located at least 50 feet from any property line;

(e) A buffer must be provided along all side and rear property lines;

(2) Nursery school or kindergarten meeting the following development standards:

(a) At least 200 square feet of outdoor play area must be provided;

(b) At least 35 square feet of indoor space per child must be provided;

(c) Outdoor play areas must be enclosed by a fence at least four feet in height;

(3) School, elementary, middle, high, public or private;

- standards:
- (4) Golf course, public or private, meeting the following development standards:
    - (a) It must be for daytime use only;
    - (b) All buildings, greens and fairways must be set back at least 100 feet from any property line;
  - (5) Radio or television tower meeting the following development standards:
    - (a) All such structures and support facilities must be set back at least 200 feet from adjacent property lines;
    - (b) All Federal Aviation Administration requirements must be met;
  - (6) Deer cooler meeting the following development standards:
    - (a) All new structures must be at least 50 feet from all property lines;
    - (b) Animal waste cannot be buried or burned on property, unless permitted by state and/or federal regulations;
    - (c) Individuals maintaining deer coolers must obtain a permit from the Georgia Department of Natural Resources; and
    - (d) Individuals maintaining deer coolers must purchase a business license annually.
- (C) The following accessory uses are permitted in R-6 Districts:
- (1) Private garage or carport not to exceed the storage capacity of three automobiles per dwelling unit;
  - (2) Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds;
  - (3) Structure for a children's playhouse and the storage of children's play equipment;
  - (4) Private swimming pool and bath house or cabana meeting the following development standards: all such swimming pools which are at least three feet deep must be completely enclosed by a fence that is at least four feet high;
  - (5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;
  - (6) Noncommercial garden, including a greenhouse and other customary garden structures not over eight feet in height;
  - (7) Deck, patio, barbecue grill or other such facility;

(8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;

(9) Temporary building or storage of materials meeting the following development standards:

(a) Permitted only in conjunction with construction of a building;  
(b) Allowed either on the same lot where construction is taking place or on adjacent lots;

(c) Such a use must be terminated upon completion of construction;  
(10) The parking of one unoccupied travel trailer, motor coach or pleasure boat;

(11) Sign as permitted by the City of Williamson sign regulations;

(12) Satellite dish antennas and television antennas;

(13) Home occupation, minor

(14) Garden, crop growing.

(D) The following accessory uses may be permitted as special use permits in R-6 Districts:

(1) Home occupation, excluding public garage and repair garage. A Home Occupation is an occupation for gain or support conducted only by members of a family residing on the premises and entirely within the main dwelling. The following required development standards must be met by all HOME OCCUPATIONS:

(a) Only residents of the dwelling may be engaged in the home occupation;

(b) The home occupation must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the building;

(c) No display of products may be visible from the street;

(d) Use of the building for this purpose may not exceed 25% of the principal building;

(e) No internal or external alterations inconsistent with the residential use of the building is permitted;

(f) The home occupation must not constitute a nuisance in the neighborhood;

(g) No accessory buildings or outside storage may be used in connection with the home occupation, except a private garage;

(h) Only vehicles designed and used primarily as passenger vehicles (this includes light pickup trucks) may be used in connection with the conduct of the home occupation;

(2) Manufactured home for temporary use at construction site meeting the following development standards:

(a) The procedure for applying for a special use permit for a temporary manufactured home at a construction site is as follows:

1. Plans for a water/well and sewage/septic system suitable for the principal building proposed to be constructed on the site must be submitted to the Pike County Health Department for its review and approval;
2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed principal building, the owner should present evidence of such approval to the Zoning Administrator and apply for a building permit for the proposed principal building, including the water and sewage systems;
3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with construction of the proposed principal building. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;
4. Upon certification of the Zoning Administrator that the water and sewage systems have been properly installed according to approved plans, the owner will be eligible to apply for the special use permit for temporary use of a manufactured home at the construction site until the principal building is complete;
5. Application should be made to the Zoning Administrator for the special use permit for temporary use at a construction site;
6. The Zoning Administrator will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the permit;
7. The Zoning Administrator will consider such applications and, upon determining that all requirements have been met for such a permit, will issue the permit;

(b) The following conditions apply to special use permit issued for temporary use of a manufactured home at a construction site:

1. It is allowed only in conjunction with a valid building permit which has been issued for the principal building to be placed on the lot;
2. It is temporary and valid only for a specified period of time. It is nontransferable from one owner to another;
3. The valid period of the permit will be set to expire at the same time that the building permit for the principal building on the site will expire;
4. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary

manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

5. In the event that construction of the principal building on the lot has been well underway, but the building is not yet completed and approved for occupancy when the building permit and accompanying temporary special use permit expire after 12 months, the permittee may apply to the Zoning Administrator for an extension of the two permits. The Zoning Administrator will assess the situation and, at his or her discretion, may extend both permits for a period of up to 12 months in addition to the original period for which the permits were valid. In no case will a temporary manufactured home be allowed to remain for a period in excess of 24 months;

(c) During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems for the principal building. No other water or sewage systems are permitted on the site;

(d) Upon approval of the principal building for occupancy, the temporary manufactured home must be disconnected from the water and sewage systems and occupancy of the temporary manufactured home must cease;

(e) The temporary manufactured home must be removed within 30 days of either the issuance of the certificate of occupancy for the principal building or the expiration of the special use permit for the temporary manufactured home, whichever is earlier;

(f) The temporary manufactured home must be either a Class B or Class C manufactured home;

(g) No more than one such unit is permitted per lot;

(3) Manufactured home for temporary use in case of certified hardship meeting the following development standards:

(a) A person having a certified hardship shown according to the procedure contained in this section and meeting any one of the following conditions may apply to the Mayor and City Council for the special use permit:

1. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is 65 years of age or older;

2. The applicant for the special use permit is to be the owner and occupant of the temporary unit; at least one member of his or her family who will reside in the unit is 65 years of age or older;

3. The applicant for the special use permit is to be the owner and occupant of the temporary unit and is physically disabled and requires frequent attendance by others for medical or physical care;

4. The applicant for the special use permit is to be the owner and occupant of the temporary unit and at least one member of his or her family is physically disabled and requires frequent attendance by others for medical or physical care;

5. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant's family and is 65 years of age or older;

6. The applicant for the special use permit is not to be the owner and occupant of the temporary unit but at least one of the residents of the unit is a member of the applicant/owner's family and is physically disabled and requires frequent attendance by others for medical or physical care;

(b) In order to determine if the need for the special use permit presented by the applicant is a certified hardship, the Mayor and City Council will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The certificate will be requested by the Mayor and City Council directly from the doctor in attendance upon the person who is asserted to be disabled. The applicant will be required to sign a release to the doctor for such information to be supplied to the Mayor and City Council prior to any action by the Mayor and City Council to obtain the certificate from the doctor and any possible subsequent issuance of the special use permit;

(c) The procedure for applying for a special use permit for a temporary manufactured home for certified hardship is as follows:

1. Application should be made to the Mayor and City Council for the special use permit for a temporary manufactured home for certified hardship;

2. The Mayor and City Council will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he or she understands and will abide by those conditions if issued the special use permit;

3. The Mayor and City Council will consider such applications and, upon determining that all requirements have been met for such a permit, will issue the special use permit;

(d) Upon being granted a special use permit to allow a temporary manufactured home for certified hardship, the applicant must then apply to the Zoning Administrator for a building permit for the installation of the temporary manufactured home. The procedure is as follows:

1. Plans for a water/well and sewage/septic system suitable for the temporary manufactured home proposed to be installed on the site must be submitted to the Pike County Health Department for its review and approval;

2. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed temporary manufactured home, the owner should present evidence of such approval to the Zoning

Administrator and apply for a building permit for installation of the proposed temporary manufactured home, including the water and sewage systems;

3. Upon approval of the Zoning Administrator and receipt of the building permit, the owner should proceed with installation of the proposed temporary manufactured home, including water and sewage systems. The Zoning Administrator will provide required inspections of these systems during and upon completion of construction;

(e) The following conditions apply to special use permit permits issued for temporary use of a manufactured home for hardship:

1. It is temporary and valid only for a specific period of time. Must be renewed every 12 months;

2. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

3. During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems;

4. The temporary manufactured home must be removed within 30 days of either the expiration of the special use permit for the temporary manufactured home or upon finding of the Mayor and City Council, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the special use permit was granted no longer exist, whichever is earlier;

5. The temporary manufactured home must be either a Class B or Class C manufactured home;

(f) No more than one such unit is permitted per lot.

(E) All accessory uses must meet the following standards:

(1) They must be located in either side or rear yards, except as follows: temporary manufactured home on a construction site and satellite dish or television antennas are permitted in the front yard as well as rear and side yards;

(2) Accessory structures, other than fences, may not be located closer than ten feet from any property line. Fences may be placed no closer than four feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this ordinance;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot two acres or less in area. The size of an accessory building is not limited on lots more than two acres in area;

(5) A private garage must not exceed 22 feet by 30 feet in size. It must be used solely to house vehicles in full operating condition. A private garage connected to a principal building must not encroach into any required yard space;

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(F) All uses not permitted within R-6 Districts by this section are specifically prohibited.

### **§ 156.109 DEVELOPMENT STANDARDS FOR R-6 DISTRICTS.**

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within R-6 Districts.

(A) Minimum floor area per dwelling unit. 600 square feet of finished, heated living area.

(B) Minimum lot area. 87,120 square feet (2 acres); however, a lot of record lawfully existing at the time of passage of this ordinance and having insufficient area to conform with minimum lot area standard may nevertheless be developed with a use which is permitted within an R-6 District.

(C) Minimum lot width. 200 feet.

(D) Minimum front yard.

(1) Arterial roads. 100 feet. The front of all buildings must be at least 100 feet from the front property line.

(2) Collector streets. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

(3) Other roads. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

(E) Minimum side yard. 30 feet.

(F) Minimum rear yard. 30 feet.

(G) Maximum building height. 35 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of building height greater than 35 feet.

(H) Minimum off-street parking space.



(1) Single-family dwelling. Two spaces for each dwelling unit; the parking spaces may be in a driveway.

(2) Home occupation. Sufficient space so that traffic can be handled without hazard or excessive congestion in the neighborhood; a noise resistant fence or vegetative buffer must be provided where noise is generated.

(3) Other uses. None.

(I) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(J) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(K) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(L) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(M) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(N) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(O) Landlocked lots. In the case of a landlocked lot lawfully existing as of the effective date of this ordinance, the property owner is entitled to one building permit, as long as all of the following requirements are met:

(1) No other principal building exists or is being constructed on the property;

(2) No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid;

(3) The property was and continues to be under single ownership since the effective date of this ordinance;

(4) The property owner has acquired a 30-foot easement to a county or state maintained street, and the easement has been duly recorded and made a part of the property deed.

(P) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(R) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(S) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the District.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(T) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the City of Williamson subdivision regulations. Consult that document for specific requirements.

(V) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **DR-6 DUPLEX RESIDENTIAL - 600 SQ. FT.**

### **§ 156.120 PURPOSE.**

DR-6 Zoning Districts are intended to establish and preserve quiet neighborhoods of attached single-family and two-family residences as desired by large numbers of people with a required

minimum dwelling area of 600 square feet. These districts are free from other uses which are incompatible with permitted use.

### **§ 156.121 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A DR-6 DISTRICT.**

The factors contained in § 156.028 must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of The City of Williamson.

### **§ 156.122 BOUNDARIES OF DR-6 DISTRICTS.**

The Official Map shows the boundaries of all DR-6 Districts within The City of Williamson.

### **§ 156.123 PERMITTED USES.**

(A) The following principal uses are permitted in DR-6 Districts:

- (1) Attached single-family dwelling;
- (2) Two-family dwelling;
- (3) Garden, crop growing;
- (4) Publicly owned and operated park or recreation area;

(5) Utility substations meeting the following development standards: a buffer must be provided along all property lines.

(B) The following principal uses may be permitted as special use permits in DR-6 Districts:

(1) Church, synagogue, chapel or other place of religious worship or educational instruction meeting the following development standards:

- (a) It must be located on either an arterial or collector road;
- (b) The lot must have a minimum road frontage of 200 feet;
- (c) The lot must have an area of at least four acres;
- (d) All buildings must be located at least 50 feet from any property

line;

(e) A buffer must be provided along all side and rear property lines;

(2) Nursery school or kindergarten meeting the following development standards:

- (a) At least 200 square feet of outdoor play area must be provided;

- (b) At least 35 square feet of indoor space per child must be provided;
  - (c) Outdoor play areas must be enclosed by a fence at least four feet in height;
- (3) School, elementary, middle or high, public or private;
  - (4) Golf course, public or private, meeting the following development standards:
    - (a) It must be for daytime use only;
    - (b) All buildings, greens and fairways must be set back at least 100 feet from any property line;
  - (5) Radio or television tower meeting the following development standards:
    - (a) All such structures and support facilities must be set back at least 200 feet from adjacent property lines;
    - (b) All Federal Aviation Administration requirements must be met.
- (C) The following accessory uses are permitted in DR-6 Districts:
- (1) Private garage or carport not to exceed the storage capacity of three automobiles per dwelling unit;
  - (2) Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds;
  - (3) Structure for a children's playhouse and the storage of children's play equipment;
  - (4) Private swimming pool and bath house or cabana meeting the following standards: all such swimming pools which are at least three feet deep must be completely enclosed by a fence that is at least four feet high;
  - (5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;
  - (6) Noncommercial garden, including a greenhouse and other customary garden structures not over eight feet in height;
  - (7) Deck, patio, barbecue grill or other such facility;
  - (8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;
  - (9) Temporary building or storage of materials meeting the following development standards:

- (a) Permitted only in conjunction with construction of a building;
- (b) Allowed either on the same lot where construction is taking place or on adjacent lots;
- (c) Such a use must be terminated upon completion of construction;
- (10) The parking of one unoccupied travel trailer, motor coach or pleasure boat;
- (11) Sign as permitted by the City of Williamson sign regulations;
- (12) Satellite dish antennas and television antennas;
- (13) Home occupations, minor
- (14) Garden, crop growing.

(D) The following accessory uses may be permitted as special use permits in DR-6 Districts:

(1) Home occupation, excluding public garage and repair garage. A Home Occupation is an occupation for gain or support conducted only by members of a family residing on the premises and entirely within the main dwelling. The following required development standards must be met by all HOME OCCUPATIONS:

- (a) Only residents of the dwelling may be engaged in the home occupation;
- (b) The home occupation must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the building;
- (c) No display of products may be visible from the street;
- (d) Use of the building for this purpose may not exceed 25% of the principal building;
- (e) No internal or external alterations inconsistent with the residential use of the building is permitted;
- (f) The home occupation must not constitute a nuisance in the neighborhood;
- (g) No accessory buildings or outside storage may be used in connection with the home occupation, except a private garage;
- (h) Only vehicles designed and used primarily as passenger vehicles (this includes light pickup trucks) may be used in connection with the conduct of the home occupation;

(2) Manufactured home as temporary living quarters for owner of principal building at construction site meeting the following development standards:

- (a) In the case of a manufactured home for temporary use at a construction site, the following conditions apply to the special use permit issued for that same use:

1. It is allowed only in conjunction with a valid building permit which has been issued for the principal building to be placed on the lot;

2. It is temporary and valid only for a specified period of time. It is nontransferable from one owner to another;

3. It is issued for the same 12-month period for which the accompanying building permit for the principal building on the lot is issued;

4. A development plan must be submitted showing the proposed locations of the principal building and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

5. In the event that construction of the principal building on the lot has been well underway, but the building is not yet completed and approved for occupancy when the building permit and accompanying temporary special use permit expire after six months, the permittee may apply to the Zoning Administrator for an extension of the two permits. The Zoning Administrator will assess the situation and, at his or her discretion, may extend both permits for a period of up to 12 months in addition to the original period for which the permits were valid. In no case will a temporary manufactured home be allowed to remain for a period in excess of 24 months;

(b) The temporary manufactured home must be either a Class B or Class C manufactured home;

(c) No more than one such unit is permitted per lot;

(d) The unit must be located entirely within the rear yard of the principal dwelling, as shown on the approved development plan;

(e) The unit must be removed within 30 days of the expiration of the temporary special use permit for the unit.

(E) All accessory uses must meet the following standards:

(1) They must be located in either side or rear yards, except as follows: temporary manufactured home on a construction site and satellite dish or television antennas;

(2) Accessory structures, other than fences, may not be located closer than ten feet from any property line. Fences may be placed no closer than four feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this ordinance;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot two acres or less in area. The size of an accessory building is not limited on lots more than two acres in area;

(5) A private garage must not exceed 22 feet by 30 feet in size. It must be used solely to house private vehicles. Any garage connected to a principal building must not encroach into any required yard space;

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(F) All uses not permitted within DR-6 Districts by this section are specifically prohibited.

### **§156.124 DEVELOPMENT STANDARDS FOR DR-6 DISTRICTS.**

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within DR-6 Districts.

(A) Minimum floor area per dwelling unit. 600 square feet of finished, heated living area.

(B) Minimum lot area. 87,120 square feet (2 acres); however, a lot of record lawfully existing at the time of passage of this ordinance and having insufficient area to conform with minimum lot area standard may nevertheless be developed with a use which is permitted within an DR-6 District.

(C) Minimum lot width. 200 feet.

(D) Minimum front yard.

(1) Arterial roads. 100 feet. The front of all buildings must be at least 100 feet from the front property line.

(2) Collector streets. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

(3) Other roads. 50 feet. The front of all buildings must be at least 50 feet from the front property line.

(E) Minimum side yard. 30 feet.

(F) Minimum rear yard. 30 feet.

(G) Maximum building height. 35 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of building height greater than 35 feet.

(H) Minimum off-street parking space.

(1) Single-family dwelling. Two spaces for each dwelling unit; the parking spaces may be in a driveway.

(2) Home occupation. Sufficient space so that traffic can be handled without hazard or excessive congestion in the neighborhood; a noise-resistant fence or vegetative buffer must be provided where noise is generated.

(3) Other uses. None.

(I) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(J) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(K) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(L) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(M) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(N) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(O) Landlocked lots. In the case of a landlocked lot lawfully existing as of the effective date of this ordinance, the property owner is entitled to one building permit, as long as all of the following requirements are met:

(1) No other principal building exists or is being constructed on the property;

(2) No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid;

(3) The property was and continues to be under single ownership since the effective date of this ordinance;

(4) The property owner has acquired a 30-foot easement to a county or state maintained street, and the easement has been duly recorded and made a part of the property deed.



(P) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(R) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(S) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(T) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the City of Williamson subdivision regulations. Consult that document for specific requirements.

(V) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **G-B GREENBELT, CITY-OWNED**

### **§156.130 PURPOSE.**

G-B zoning districts are intended to establish and preserve generally quiet areas of public use and for public purposes for use as desired by the City of Williamson. G-B areas will consist principally of public lands or property in close proximity thereto which will be used for public purposes and recreation. Minimal development is authorized.

### **§156.131 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A G-B DISTRICT.**

The factors contained in § 156.028 must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of The City of Williamson.

### **§ 156.132 BOUNDARIES OF G-B DISTRICTS.**

The Official Map shows the boundaries of all G-B Districts within The City of Williamson.

### **§ 156.133 PERMITTED USES.**

(A) The following principal uses are permitted in G-B Districts:

- (1) Public recreational facilities;
- (2) Public buildings and accessory uses thereto.

(B) The Mayor and City Council shall adopt a user fee schedule by resolution and the schedule shall be maintained in the City Code Section.

## **P-M PLANNED DEVELOPMENT - MIXED USE**

### **§ 156.135 PURPOSE.**

(A) P-M Zoning Districts are intended to:

- (1) Encourage the development of large tracts of land as planned neighborhoods or communities;
- (2) Encourage flexible and creative concepts in site planning;
- (3) Preserve the natural amenities of the land by encouraging scenic and functional open areas within residential areas;
- (4) Create a more desirable environment than would be possible through the strict application of minimum requirements of other sections of this ordinance;
- (5) Provide for efficient use of land resulting in smaller networks of utilities and streets as well as lower development and housing costs;
- (6) Provide an environment of stable character which is compatible with surrounding residential areas.

(B) Within the planned area, a variety of land uses may be permitted in an orderly relation to one another and to existing land uses. This may be accomplished through the application of sound comprehensive planning principles.

### **§ 156.136 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A P-M DISTRICT.**

The factors contained in § 156.028, as well as data submitted with the development plan of the applicant for a planned development, must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining whether or not the provision of a P-M District is appropriate. This will assure that rational comprehensive planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of The City of Williamson.

### **§ 156.137 BOUNDARIES OF P-M DISTRICT.**

The Official Map shows the boundaries of all P-M Districts within The City of Williamson. This ordinance also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **§ 156.138 PLAN REVIEW AND APPROVAL PROCEDURE.**

(A) Pre-application conference. Prior to filing a formal application for a planned development, the applicant is encouraged to confer with the Planning Commission in order to review the general character of the plan (on the basis of tentative land use sketch if available) and to obtain information on projected programs and other matters.

(B) Submission of application for P-M approval.

(1) The applicant must file a petition with the Zoning Administrator for approval of the proposed planned development. This application must be supported by a development plan and a written summary of intent. The relationship between the proposed development and the surrounding area, both existing and proposed, must be shown. The following information must be presented with the application:

- (a) A general location map;
- (b) Existing topographic conditions, including contour intervals of no more than five feet based on field surveys or photogrammetric methods;
- (c) The existing and proposed land uses and the approximate location of all buildings and structures;
- (d) The approximate location of existing and proposed streets;
- (e) The approximate location of all existing and proposed utilities, including a preliminary utility and drainage plan;
- (f) The present zoning pattern in the area;
- (g) A legal description of the subject property;
- (h) The location and use of existing and proposed public, semi-public and community facilities such as schools, parks and open areas on the site. This includes areas proposed to be dedicated or reserved for community or public use;

(i) Perspective drawings of representative building types; however, this is not required for single-family detached dwellings;

(2) If a proposed development creates special problems or involves unusual circumstances, additional information may be required in order to properly evaluate the proposal as follows:

(a) An off-street parking and loading plan;

(b) An economic feasibility report or market analysis;

(c) A traffic study of the area and a circulation plan within the proposed development as well as to and from existing streets adjacent to the site;

(3) The written summary of intent submitted with the development plan must include the following information:

(a) A statement of the present ownership of all land within the proposed development;

(b) An explanation of the character of the proposed development; this includes a summary of acres, number and types of dwelling units and gross density by type of land use;

(c) A general statement of the proposed development schedule;

(d) Agreements, provisions and covenants which govern the use, maintenance and protection of the development and any common or open areas.

(C) Review and approval of P-M application.

(1) An application for approval of a planned development is treated administratively as an application for an amendment to this ordinance (rezoning). This is because P-M Districts are created only upon request of a developer, whose application materials demonstrate a firm commitment to construction of a well-designed P-M. Upon approval of the P-M, existing zoning must be changed to a P-M zone, which is an amendment to this ordinance. The amendment procedures contained in this ordinance must be followed in granting the amendment to permit the P-M.

(2) The Zoning Administrator will turn over the application materials to the Planning Commission for its recommendations. The Planning Commission will thoroughly study the materials and make written recommendations to the Mayor and City Council, stating the reasons for its recommendations.

(3) The power to approve an amendment creating a P-M District rests with the Mayor and City Council. After conducting the public hearing and considering recommendations from the Planning Commission, the Mayor and City Council will then make an official decision on the proposed planned development. The Mayor and City Council may approve, disapprove or conditionally approve the development plan.

(4) If the development plan is approved as submitted, the Official Map will be changed to indicate a P-M District. If the plan is approved with modifications, the applicant must file with the Zoning Administrator the following:

- (a) Written notice of consent to the modifications;
- (b) A properly revised site plan.

(5) The Official Map will then be changed. The site plan and supporting information of any approved plan will be properly identified and permanently filed with the Zoning Administrator.

(6) No building permits will be issued by the Zoning Administrator until the development plan has been approved by the Mayor and City Council.

(D) Issuance of building permits. The Zoning Administrator will issue building permits for building and structure in the area covered by the approved development plan if the proposed buildings and structures are in conformity with the approved development plan, the development schedule and all other applicable regulations.

(E) Revision of development plan after approval of plans.

(1) Minor extensions, alterations or modifications of existing buildings or structure may be permitted after review and approval by the Planning Commission; such changes must be consistent with the purposes and intent of the development plan.

(2) Any major or substantial change in the approved development plan which affects the intent and character of the development, the density of land use pattern, the location or dimensions of streets or similar substantial changes must be reviewed and approved by the Mayor and City Council after receipt of recommendations from the Planning Commission. A request for a revision of the development plan must be supported by a written statement indicating the nature of the revision and the reasons it is considered necessary or desirable to revise the development.

(F) Approval of P-M revoked if construction not begun. Construction of the planned development must begin within one year of the approval of the P-M. If no construction has begun by then, or if the applicant fails to maintain the approved development schedule, approval of the development plan will lapse. At its discretion and for good cause, the Mayor and City Council may extend the period for beginning construction of any phase of the project for one additional year. If approval of the development plan lapses under this provision, the subject P-M District will be removed from the Official Map and the zoning districts and regulations which were in effect prior to the approval of the development plan will be reinstated. It is not necessary to follow § 156.028 for this action, since its purpose is to correct an illegal situation caused by the failure of the applicant to fulfill the conditions upon which the approval of the P-M was granted.

### **§ 156.139 DEVELOPMENT STANDARDS FOR P-M DISTRICTS.**

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within P-M Districts.

(A) Development plan. Approved development plans must be carried out.

(B) Density controls. The maximum number of dwelling units per acre in residential areas of a planned development must not exceed five and one-half dwelling units per net acre of residential development within the P-M where central sewage and water is provided. Where central sewage and water is not provided, densities must meet the requirements of the Pike County Health Department, but may not be greater than five and one-half dwelling units per net acre. (Net residential acreage refers only to land devoted primarily to residential purposes, exclusive of other uses, such as common open space, streets and lakes. Gross acreage of residential development refers to land devoted primarily to residential purposes as well as open spaces, including private lakes within the P-M held under individual, common or collective ownership for the use of residents of the residential development. Gross acreage for residential development does not include areas reserved or dedicated for street rights-of-way.)

(C) Variance to required densities.

(1) The Mayor and City Council may allow higher net or gross residential densities, as well as a higher density of a particular residential use, as long as the applicant can show that such a higher density will not be detrimental to the surrounding neighborhood.

(2) The Mayor and City Council will consider a variance to the required density only upon a favorable recommendation from the Planning Commission.

(D) Dimensional and bulk regulations. The location of all proposed buildings and structures must be shown on the approved development plan; minimum lot sizes, setback lines, lot coverages and floor areas shown on the development plan must be adhered to. The proposed location and arrangement of structures must not be detrimental to existing or proposed adjacent dwellings or to the development of the neighborhood.

(E) Perimeter requirements. The Mayor and City Council, upon recommendation of the Planning Commission, may impose one or both of the following requirements to protect the privacy of existing adjoining uses:

(1) Structures or buildings located at the perimeter of the P-M must be set back a distance of 100 feet from the boundary of the P-M;

(2) Structures or buildings located at the perimeter of the P-M must be permanently screened in a manner which sufficiently protects the privacy of existing adjoining uses.

(F) Control of area after completion. After completion of a planned development, the use of land and the construction, modification or alteration of any buildings or structures within the P-M must conform to the approved development plan. If community needs are found to be changing in the future and a revision of the approved development plan is thought to be needed, procedures contained in § 156.138(A) must be followed.

(G) Permitted uses. Those uses shown on the approved development plan.

(H) Minimum off-street parking space. That shown on the approved development plan.

(I) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(J) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(K) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(L) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(M) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(N) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(O) Landlocked lots. In the case of a landlocked lot lawfully existing as of the effective date of this ordinance, the property owner is entitled to one building permit, as long as all of the following requirements are met:

(1) No other principal building exists or is being constructed on the property;

(2) No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid;

(3) The property was and continues to be under single ownership since the effective date of this ordinance;

(4) The property owner has acquired a 30-foot easement to a county or state maintained street, and the easement has been duly recorded and made a part of the property deed;

(5) In the event an individual landowner divides his or her property and an easement is needed, no more than three building permits will be issued. This easement will not be maintained by the city.

(P) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(R) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(S) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(T) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the City of Williamson subdivision regulations. Consult that document for specific requirements.

(V) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **P-R PLANNED DEVELOPMENT - RESIDENTIAL**

### **§ 156.150 PURPOSE.**

P-R Zoning Districts are intended to:

(A) Encourage the development of land as planned neighborhoods, incorporating design elements intended to promote safety and aesthetic goals of the community;



(B) Preserve the natural amenities of the land by encouraging scenic and functional open areas within residential areas;

(C) Provide for efficient use of land resulting in smaller networks of utilities and streets as well as lower development and housing costs;

(D) Provide an environment of stable character which is compatible with surrounding residential areas.

### **§ 156.151 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A P-R DISTRICT.**

The factors contained in § 156.028 as well as data submitted with the development plan of the applicant for a planned development must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining whether or not the provision of a P-R District is appropriate. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of the City of Williamson.

### **§ 156.152 BOUNDARIES OF P-R DISTRICTS.**

The Official Map shows the boundaries of all P-R Districts within The City of Williamson. This ordinance also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

### **§ 156.153 PERMITTED USES.**

(A) The following are permitted as principal uses in P-R Districts:

- (1) Planned apartment home community;
- (2) Planned manufactured home community;
- (3) Recreation area owned, operated and maintained by the owner(s) of the permitted use, exclusively for the use of residents and their guests;
- (4) Utility substation meeting the following development standards:
  - (a) Structures must be placed at least 30 feet from all property lines;
  - (b) Structures must be enclosed by a woven-wire fence at least eight feet high with bottom of fence either flush with the ground or with a masonry footing;
  - (c) No vehicles or equipment may be stored on the lot;
  - (d) A buffer must be maintained along the side and rear property lines.

(B) The following are permitted as accessory uses in P-R Districts:

- (1) Private garage or carport not to exceed the storage capacity of three automobiles per dwelling unit;

- (2) Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds;
  - (3) Structure for a children's playhouse and the storage of children's play equipment;
  - (4) Private swimming pool and bath house or cabana meeting the following standards: all such swimming pools which are at least three feet deep must be completely enclosed by a fence that is at least four feet high;
  - (5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;
  - (6) Noncommercial garden, including a greenhouse and other customary garden structures not over eight feet in height;
  - (7) Deck, patio, barbecue grill or other such facility;
  - (8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;
  - (9) Antenna, satellite, television and the like;
  - (10) Temporary building or storage of materials meeting the following development standards:
    - (a) Permitted only in conjunction with construction of a building;
    - (b) Allowed either on the same lot where construction is taking place or on adjacent lot;
    - (c) Such a use must be terminated upon completion of construction;
  - (11) The parking of one unoccupied travel trailer, motor coach or pleasure boat per dwelling unit.
- (C) All accessory uses must meet the following standards:
- (1) They may not be located closer than five feet to any property line;
  - (2) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.
- (D) All uses not permitted within P-R Districts by this section are specifically prohibited.

### **§ 156.154 PLAN REVIEW AND APPROVAL PROCEDURES.**

- (A) Pre-application conference. Prior to filing a formal application for a P-R, the applicant is encouraged to confer with the Planning Commission in order to review the general

character of the plan (on the basis of tentative land use sketch if available) and to obtain information on projected programs and other matters.

(B) Submission of application for P-R approval.

(1) The applicant must file a petition with the Zoning Administrator for approval of the proposed Planned Unit Development. This application must be supported by a development plan and a written summary of intent. The relationship between the proposed development and the surrounding area, both existing and proposed, must be shown. The following information must be presented with the application:

- (a) A general location map;
- (b) Existing topographic conditions, including contour intervals of no more than five feet based on field surveys or photogrammetric methods;
- (c) The existing and proposed land uses and the approximate location of all buildings and structures;
- (d) The approximate location of existing and proposed streets;
- (e) The approximate location of all existing and proposed utilities, including a preliminary utility and drainage plan;
- (f) The present zoning pattern in the area;
- (g) A legal description of the subject property;
- (h) The location and use of existing and proposed public, semi-public and community facilities such as schools, parks and open areas on the site. This includes areas proposed to be dedicated or reserved for community or public use;
- (i) Perspective drawings of representative building types; however, this is not required for single-family detached dwellings;

(2) If a proposed development creates special problems or involves unusual circumstances, additional information may be required in order to properly evaluate the proposal as follows:

- (a) An off-street parking and loading plan;
- (b) An economic feasibility report or market analysis;
- (c) A traffic study of the area and a circulation plan within the proposed development as well as to and from existing streets adjacent to the site;

(3) The written summary of intent submitted with the development plan must include the following information:

- (a) A statement of the present ownership of all land within the proposed development;

(b) An explanation of the character of the proposed development; this includes a summary of acres, number and types of dwelling units and gross density by type of land use;

(c) A general statement of the proposed development schedule;

(d) Agreements, provisions and covenants which govern the use, maintenance and protection of the development and any common or open areas.

(C) Review and approval of P-R application.

(1) An application for approval of a P-R is treated administratively as an application for an amendment to this ordinance (rezoning). This is because P-R Districts are created only upon request of a developer, whose application materials demonstrate a firm commitment to construction of a well-designed P-R. Upon approval of the P-R, existing zoning must be changed to a P-R zone, which is an amendment to this ordinance. The amendment procedures contained in this ordinance must be followed in granting the amendment to permit the P-R.

(2) The Zoning Administrator will turn over the application materials to the Planning Commission for its recommendations. The Planning Commission will thoroughly study the materials and make written recommendations to the Mayor and City Council, stating the reasons for its recommendations (according to procedures contained in this ordinance).

(3) The power to approve an amendment creating a P-R District rests with the Mayor and City Council. After conducting the public hearing and considering recommendations from the Planning Commission (§ 156.028), the Mayor and City Council will then make an official decision on the proposed P-R. The Mayor and City Council may approve, disapprove or conditionally approve the development plan.

(4) If the development plan is approved as submitted, the Official Map will be changed to indicate the P-R District (§ 156.276). If the plan is approved with modifications, the applicant must file with the Zoning Administrator the following:

(a) Written notice of consent to the modifications;

(b) A properly revised site plan. The Official Map will then be changed (§ 156.276). The site plan and supporting information of any approved plan will be properly identified and permanently filed with the Zoning Administrator;

(5) No building permits will be issued by the Zoning Administrator until the development plan has been approved by the Mayor and City Council.

(D) Issuance of building permits. The Zoning Administrator will issue building permits for buildings and structures in the area covered by the approved development plan if the proposed buildings and structures are in conformity with the approved development plan, the development schedule and all other applicable regulations. (See § 156.028.)

(E) Revision of development plan after approval of plan.

(1) Minor extensions, alterations or modifications of existing buildings or structures may be permitted after review and approval by the Planning Commission; such changes must be consistent with the purposes and intent of the development plan.

(2) Any major or substantial change in the approved development plan which affects the intent and character of the development, the density of land use pattern, the location or dimensions of streets or similar substantial changes must be reviewed and approved by the Mayor and City Council after receipt of recommendations from the Planning Commission. A request for a revision of the development plan must be supported by a written statement indicating the nature of the revision and the reasons it is considered necessary or desirable to revise the development.

(F) Approval of P-R revoked if construction not begun. Construction of the planned development must begin within one year of the approval of the P-R. If no construction has begun by then, or if the applicant fails to maintain the approved development schedule, approval of the development plan will lapse. At its discretion and for good cause, the Mayor and City Council may extend the period for beginning construction of any phase of the project for one additional year. If approval of the development plan lapses under this provision, the subject P-R District will be removed from the Official Map (See § 156.276) and the zoning districts and regulations which were in effect prior to the approval of the development plan will be reinstated. It is not necessary to follow § 156.028 amendatory procedures for this action, since its purpose is to correct an illegal situation caused by the failure of the applicant to fulfill the conditions upon which the approval of the P-R was granted.

### **§ 156.155 DEVELOPMENT STANDARDS FOR P-R DISTRICTS.**

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within P-R Districts.

- (A) Minimum front yard.
  - (1) On arterial streets. 75 feet.
  - (2) On other streets. 50 feet.
  - (3) Building fronts. The front of all buildings must be at least 35 feet from the front property line.
- (B) Minimum side yard. 20 feet.
- (C) Minimum rear yard. 30 feet.
- (D) Minimum floor area per dwelling unit. 1,100 square feet.
- (E) Minimum lot width. 150 feet for entire depth of lot.
- (F) Maximum building height. 35 feet; however, this height limit does not apply to projections not intended for human habitation.

(G) Sight distance. In order to assure maintenance of adequate sight distances at intersections, no fence, wall, shrubbery or other obstructions to vision between the heights of 3

feet and 15 feet above the ground is permitted within 20 feet of the intersection of the rights-of-way of streets or of streets and railroads.

(H) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(I) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(J) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(K) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(L) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(M) Landlocked lots. Landlocked lots are not eligible for placement within a P-R Zoning District.

(N) Street frontage. No principal building may be erected on any lot which has less than 60 feet of immediate frontage on at least one public street.

(O) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(P) Substandard lots. Substandard lots are not eligible for placement within a P-R Zoning District.

(Q) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(R) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the City of Williamson subdivision regulations. Consult that document for specific requirements.

(S) Development standards shown in approved development plan. Other development standards shown in an approved development plan apply only to the development shown on the specific development plan. Such development standards must be maintained. (See § 156.154 for related details.)

(T) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

(U) Design standards for all P-R developments.

(1) General. Condition of soil, ground water level, drainage and ground slope must not create hazards to the property or to the health or safety of residents. The site must not be exposed to objectionable smoke, noise, odors or other adverse conditions; and no part subject to flooding or erosion can be used for any purpose that would expose people or property to danger.

(2) Soil and ground cover. Exposed ground surfaces throughout the development must be protected with a vegetative growth that prevents soil erosion, standing puddles and dust. If this is not possible, such areas may be covered with a solid material such as stone or may be paved.

(3) Site drainage. The ground surfaces throughout the development must be equipped to drain all surface water in a safe, efficient manner, either through grading or installation of drains.

(4) Street width.

(a) Internal streets. All internal streets must be paved. Minimum required pavement width is as follows:

- |    |                       |          |
|----|-----------------------|----------|
| 1. | No on-street parking: | 20 feet. |
| 2. | Parking one side:     | 28 feet. |
| 3. | Parking both sides:   | 36 feet. |

(b) Dead end streets. All dead end streets must have a turn-around at the closed end, with an outside paved diameter of at least 80 feet.

(5) Street lighting. Outdoor lighting is required which will provide the following average maintained levels of illumination for the safe movement of pedestrian and vehicles at night:

(a) All parts of the street system of the development: ten foot-candles.

(b) Potentially hazardous locations, such as major street intersections, steps and stepped ramps: individually lighted, with a minimum of 20 foot-candles.

(6) Street construction and design.

(a) Pavement. All streets must be paved with a material and thickness which meets the standards specified in the City of Williamson subdivision regulations.

(b) Grades. Minimum permitted grade for streets is 10%. Short runs with a maximum grade of 15% may be permitted upon specific approval of the Mayor and City Council, if traffic safety is assured by adequate leveling areas and avoidance of lateral curves.

(c) Offset intersection streets (street jogs) and reverse curves. Offset intersecting streets must be offset at the centerlines at least 150 feet. Reverse curves must be connected by a straight section that is at least 150 feet long.

(7) Paved parking areas.

(a) Paved off-street parking areas must be provided for the use of residents. At least two spaces for each dwelling unit must be furnished. In a planned manufactured home community, resident parking must be furnished at the manufactured home space which it serves.

(b) Paved parking areas for guests may be either on-street, in a separate off-street lot or a combination of both. At least 0.2 paved guest parking spaces per dwelling unit must be furnished.

(c) See §§ 156.355 et seq. for required parking space design standards.

(8) Walks.

(a) General requirements. All developments must have safe, convenient, all-season pedestrian access of adequate width for intended use. Walks must be durable and convenient to maintain. Sudden changes in alignment and gradient should be avoided.

(b) Common walk system. Common walks, where provided, should be at least 3½ feet wide.

(c) Individual walks. All apartment dwellings and manufactured home spaces must be connected either to common walks, paved streets, paved driveways or parking spaces adjacent to paved streets. Such individual walks must have a minimum width of two feet.

(9) Service buildings and other such facilities. Service buildings, recreation buildings and other such facilities of the development must meet the requirements of applicable codes and development regulations adopted by The City of Williamson.

(10) Minimum common open space. Three hundred square feet for each dwelling unit may be either one large area or several separate areas.

(11) Required buffer. A buffer (see definition in § 156.007) is required along all lot lines of the development. This is in addition to required common open space.

(O) Development standards for planned apartment home communities. The following required development standards apply only to planned apartment home communities.



(1) Maximum density. 10 units per acre, where central sewage and water is provided. Where central sewage and water is not provided densities must meet the requirements the Pike County Health Department, but may not be greater than ten dwelling units per net acre.

(2) Minimum lot area. 43,560 square feet (one acre).

(3) Maximum lot coverage by building. 30%.

(P) Development standards for planned manufactured home communities. The following required development standards apply only to planned manufactured home communities.

(1) ANSI A225.1. All requirements of ANSI A225.1 must be met by the planned manufactured home community. All manufactured homes must be installed in accordance with ANSI A225.1.

(2) Maximum density. Seven units per net acre, where central sewage and water is provided. Where central sewage and water is not provided, densities must meet the requirements of the Pike County Health Department, but may not be greater than seven dwelling units per net acre.

(3) Minimum development size. 3 acres.

(4) Minimum separation of dwelling units. 25 feet.

(5) Minimum manufactured home space size. 1,100 square feet.

(6) Maximum manufactured home space coverage. 50%.

(7) Minimum manufactured home space front yard. 20 feet.

## **LIMITED LODGING AND VACATION HOMES**

### **§ 156.160 LIMITED LODGING AND VACATION HOMES APPROVED AS SPECIAL USE PERMITS IN RESIDENTIAL DISTRICTS**

(A) General. Limited Lodging and Vacation Rentals, as defined in this Chapter may be approved as special exceptions in residential and other zoning districts.

(B) The following conditions, regulations, and rules shall apply to all approved special exceptions for Limited Lodging and Vacation Rentals:

Vacation rentals, whether there is a primary owner in residence or not, shall not be permitted in accessory structures, non-habitable structures, nor temporary structures, such as recreational vehicles, tents, canopies, yurts, or similar structures.

(1) Limited Lodging Vacation Rental facilities shall meet applicable International Building Code and International Fire Code regulations. For properties that are served by septic,

Limited Lodging and Vacation Rental facilities shall meet applicable environmental health regulations.

- (2) Limited Lodging Vacation Rentals may have a maximum of four (4) guestrooms or sleeping rooms that meet the International Building Code regulations.
- (3) Maximum overnight occupancy for Limited Lodging and Vacation Rentals shall be up to a maximum of two (2) persons per sleeping room or guestroom, plus two (2) additional persons per property, up to a maximum of ten (10) persons, excluding children under two (2) years of age. The property owner shall ensure that all contracts and online listings and advertisements clearly set forth the maximum number of overnight guests permitted at the property.
- (4) The maximum number of total guests and visitors allowed at any time in a single Limited Lodging or Vacation Rental shall not exceed the maximum overnight occupancy plus four (4) additional persons per property during the daytime, or fourteen (14) persons, whichever is less, excluding children under two (2) years of age.
- (5) Only approved facilities, meeting current standards shall be used as a Limited Lodging or Vacation Rental. Only one (1) tenant shall be allowed on-site at any given time: Only one transient rental is allowed per parcel. Accessory dwellings shall not be used as a Limited Lodging or Vacation Rental or occupied by the owner while the facilities approved for the special use permit is being used as a Limited Lodging or Vacation Rental unless specifically authorized by the Mayor and Council when approving the special use permit.
- (6) Parking shall be provided as follows:
  - a. Vehicles must be parked within the driveway, garage, or any other approved surface. No vehicles shall be parked on the State/ County right-of-way or along any roadway at any time.
  - b. A minimum of two (2) on-site parking spaces shall be available for Limited Lodging and Vacation Rentals. However, the owner of the property/facilities is responsible for providing sufficient parking to accommodate the guests. rooms;
  - c. Limited Lodging and Vacation Rentals larger than as provided in this Section are prohibited.
  - d. This maximum number of vehicles permitted for guests shall be clearly set forth in all rental agreements and in all online advertisements and listings.
- (7) All activities associated with Limited Lodging and Vacation Rentals shall meet the general noise standards contained below. Quiet hours shall be from 10:00 p.m. to 8:00 a.m. The property owner shall ensure that the quiet hours and limits on outdoor activities are included in rental agreements and in all online advertisements and listings.
- (8) Outdoor amplified sound, other than household speakers, shall not be allowed at any time associated with a Limited Lodging or Vacation Rental.

- (9) Pets, if allowed by owner, shall be secured on the property at all times. Continual nuisance barking by unattended pets is prohibited.
- (10) Recycling and refuse storage bins shall not be stored within public view unless in compliance with neighborhood standards. Recycling and trash receptacles shall be returned to screened storage areas within 24 hours of trash pick-up.
- (11) Outdoor fire areas, when not prohibited by state or local fire bans, may be allowed but shall be limited to 3 feet in diameter, shall be located on a non-combustible surface, shall be covered by a fire screen, and shall be extinguished as soon as it is no longer in use or by 10:00 p.m., whichever is earlier. No fire or fire area shall be located within 25 feet of a structure or combustible material.
- (12) All Limited Lodging or Vacation Rentals operating within the City of Williamson must have a local certified property manager, which can be the owner or other designated agent, who is available 24 hours per days, 7 days per week during all times that the property is rented or used on a transient basis. Certified property managers may be professional property managers, realtors, property owners, or other designated person who is a minimum of twenty-one (21) years of age.
- (13) The owner of any Limited Lodging or Vacation Rental located behind a locked gate or within a gated community shall provide gate code or a lockbox with keys ("Knox Box" or similar) for exclusive use by local law enforcement and emergency services.
- (14) Once a Limited Lodging or Vacation Rental is approved by a special use permit, a copy of these regulations shall be posted within the facilities. The owner shall post these standards in a prominent place within six (6) feet of the front door of the facilities and include them as part of all rental agreements.
- (15) All online advertisements and/or listings for Limited Lodging or Vacation Rentals shall include the following:
  - a. Maximum occupancy, not including children under two (2);
  - b. Maximum number of vehicles;
  - c. Notification that quiet hours must be observed between 10:00 p.m. and 8:00 a.m.;
  - d. Notification that no outdoor amplified sound other than household speakers is allowed; and,
  - e. The name, address, and number of the local certified property manager.
- (16) The owners shall pay all required City property taxes and fees.
- (17) The owner shall register the local certified property manager and update any contact changes with the Williamson City Clerk, which will make said contact information available to local law enforcement and emergency services.

- (18) The owner shall pay occupational tax for said Limited Lodging and Vacation Rental and comply with all applicable provisions of this Code regarding occupational taxes.
- (19) The owners shall pay a hotel/ motel occupancy tax for said Limited Lodging and Vacation Rental and comply with all applicable provisions of this Code.
- (20) The owner may be required to pay personal property taxes for said Limited Lodging and Vacation Rental.
- (21) Initial complaints on vacation rentals shall be directed to the local certified property manager identified on the occupational tax receipt or with the City clerk, as applicable. The certified property manager shall be available 24 hours during all times when the property is rented and shall be available by phone during these hours. Should a problem or arise and be reported to the certified property manager or the City, the property manager shall be responsible for contacting the tenant to correct the problem within 60 minutes, including visiting the site if necessary, to ensure that the issue has been corrected. Failure to respond to complaints or report them to emergency officials shall be considered a violation of this section and shall be cause for revocation of the business license and special land use permit. If the issue reoccurs, the complaint will be addressed by the Mayor and Council or Code Enforcement, who may investigate to determine whether there was a violation of a zoning, licensing, or special use permit condition. The special use permit may be scheduled for a revocation hearing with the Mayor and Council, in compliance with all notice requirements. If the special use permit is revoked, a special exception for a Limited Lodging or Vacation Rental may not be reapplied for or issued for a period of at least one (1) year. Additionally, a license for a Limited Lodging or Vacation Rental shall not be issued for a period of at least one (1) year upon the property as a result of the revocation of the special use permit.

## **P-I PROFESSIONAL - INSTITUTIONAL DISTRICTS**

### **§ 156.170 PURPOSE.**

P-I Zoning Districts are intended to establish and reserve districts for lower density office-professional-institutional activities. P-I development standards require adequate yard space and parking facilities. Permitted uses are restricted and protected from encroachment by uses capable of adversely affecting the limited character of the district. P-I Districts may serve a purpose as a buffer in separating two quite different types of land uses and minimizing adverse effects of one or the other.

### **§ 156.171 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A P-I DISTRICT.**

The factors contained in § 156.028 must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of The City of Williamson.

## **§ 156.172 BOUNDARIES OF P-I DISTRICTS.**

The Official Map shows the boundaries of all P-I Districts within The City of Williamson.

## **§ 156.173 PERMITTED USES.**

(A) The following principal uses are permitted in P-I Districts:

- (1) Church, synagogue, chapel or other places of religious worship or educational institution;
- (2) Club or lodge;
- (3) College or university;
- (4) Business or commercial school;
- (5) Hospital or clinic, but not veterinary facility;
- (6) Medical clinic or office;
- (7) Dental clinic or office;
- (8) Nursing home;
- (9) Personal care home;
- (10) Intermediate care home;
- (11) Professional or business office meeting the following development standards: no wholesale or retail merchandise may be offered for sale;
- (12) Local, state or federal government building;
- (13) Retail uses in conjunction with and normally appurtenant to office/institutional uses, including florist shop, cafeteria, snack shop, pharmacy or gift shop when located within an office or medical building.

(B) The following principal uses may be permitted as special use permits in P-I Districts: parking lot or parking structure.

(C) The following accessory uses are permitted in P-I Districts:

- (1) Those determined by the Zoning Administrator to be customarily appurtenant to those uses permitted in this district;
- (2) Satellite dish antennas and television antennas.

(D) The following accessory uses may be permitted as special use permits in P-I Districts: none.

(E) All accessory uses must meet the following standards:

(1) They must be located in either side or rear yards, except as follows: temporary manufactured home on a construction site and satellite dish or television antennas are permitted in the front yard as well as rear and side yards;

(2) Accessory structures, other than fences, may not be located closer than ten feet from any property line. Fences may be placed no closer than four feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this ordinance;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot two acres or less in area. The size of an accessory building is not limited on lots more than two acres in area;

(5) A private garage must not exceed 22 feet by 30 feet in size. It must be used solely to house vehicles in full operating condition. A private garage connected to a principal building must not encroach into any required yard space;

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(F) All uses not permitted within P-I Districts by this section are specifically prohibited.

### **§ 156.174 DEVELOPMENT STANDARDS FOR P-I DISTRICTS.**

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within P-I Districts.

(A) Minimum lot area. 20,000 square feet where central water and sewage are provided. Where central water and sewage are not provided, as specified by The Pike County Health Department, but in no case less than 20,000 square feet.

(B) Minimum lot width. 100 feet.

(C) Minimum front yard. 50 feet from right-of-way line.

(D) Minimum side yard. 15 feet.

(E) Minimum rear yard. 20 feet.

(F) Maximum building height. 6 stories.

(G) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(H) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(I) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(J) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(K) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(L) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(M) Landlocked lots. Landlocked lots are not eligible for placement within a P-I Zoning District.

(N) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(O) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(P) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(Q) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective

date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(R) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(S) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the City of Williamson subdivision regulations. Consult that document for specific requirements.

(T) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(U) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **C-1 NEIGHBORHOOD COMMERCIAL**

### **§156.185 PURPOSE.**

C-1 Zoning Districts are intended to establish and preserve small business areas of a limited nature that serve primarily the residential neighborhood in which they are located. Development standards for C-1 Districts are designed to promote compatibility with the surrounding residential neighborhood.

### **§156.186 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A C-1 DISTRICT.**

The factors contained in §156.028 of this ordinance must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of the City of Williamson.

### **§156.187 BOUNDARIES OF C-1 DISTRICTS.**

The Official Map shows the boundaries of all C-1 Districts within the City of Williamson.

### **§156.188 PERMITTED USES.**

- (A) The following principal uses are permitted in C-1 Districts:
- (1) Apparel store;
  - (2) Automobile service station meeting the following development standards:
    - (a) Petroleum derivatives must be stored in accordance with safety requirements of existing State, County and local ordinances and resolutions;



(b) All pumps and structures must be placed at least fifteen (15) feet from the nearest right-of-way line of any street or road;

(c) Where any lot line of a service station property abuts other property of any residential zoning district, a minimum yard of 40 feet is required;

(d) It must have frontage on an arterial or collector road as defined in the City of Williamson Land Use Plan;

(e) Its frontage on an arterial or collector must be at least 100 feet in length;

(f) It must have a minimum lot depth of 100 feet;

(3) Antique or art shop meeting the following development standards: outdoor display areas are prohibited;

(4) Banks. Drive-in facilities must meet the following development standards:

(a) Both teller cages and vehicles awaiting service must be located completely off the public right-of-way;

(b) Provision must be made to accommodate a minimum of five (5) waiting vehicles per service window;

(5) Bakery meeting the following development standards: all products produced by the bakery must be sold at retail on the premises;

(6) Barber shop, beauty shop or similar personal service establishment;

(7) Bicycle sales and repair shop;

(8) Book, stationery or card shop;

(9) Business or professional office;

(10) Clothes cleaning agency, pressing establishment, laundry pickup station;

(11) Catering establishment;

(12) Confectionery (candy) store;

(13) Custom dress making or millinery shop;

(14) Dog and cat grooming and supplies, but excluding pet sales and facilities for the overnight keeping of animals;

(15) Drug store;

(16) Dry goods, notions;

(17) Electrical appliance repair shop;

- (18) Florist or gift shop;
- (19) Grocery, fruit, vegetable or meat market, including supermarket, meeting the following development standards: No killing, eviscerating, skinning, plucking or smoking of food products is permitted;
- (20) Indoor recreation, including bowling alleys, theaters, pool rooms and electronic entertainment machines;
- (21) Hardware or appliance store selling predominately at retail;
- (22) Jewelry store;
- (23) Laundromat;
- (24) Loan office;
- (25) Music store;
- (26) Neighborhood shopping center;
- (27) News or tobacco shop;
- (28) Paint and decorating store;
- (29) Photographers store, including the sale of supplies and equipment;
- (30) Quick copy print shop meeting the following development standards:  
Employ no more than five employees;
- (31) Radio/television repair, including the sale of supplies and equipment;
- (32) Restaurant which is a part of a neighborhood shopping center;
- (33) Stand-alone restaurant with a seating capacity of no more than 30 persons;
- (34) Shoe store or shoe repair shop;
- (35) Tailor or clothing shop;
- (36) Taxi office;
- (37) Local, state or federal government building;
- (38) Church or Synagogue;
- (38) Utility substation meeting the following development standards: A buffer must be provided along all property lines.
- (39) Automobile Wash and Detailing by Hand; Automobile washing and detailing services may be offered, providing washing, waxing and detailing services are done by hand, without automated machinery. Devices such as drive-through or “brushless” automated carwash apparatus are prohibited. Portable pressure-washers and vacuums may be used provided

noise levels do not cause disturbance to activities or persons on neighboring parcels. Management of the run-off of water, soap and cleaning agents are the responsibility of the property owner engaging in the automobile wash and detailing service and shall not cause damage in the form of erosion, silting, standing or running water upon or across parcels belonging to others. All applicable environmental regulations, including those enforceable by the Georgia Environmental Protection Department must be adhered to. City officials maintain the right to evaluate and make decisions pertaining to nuisances such as noise disturbance levels, standing water and water runoff.

(40) Outpatient veterinary clinic, with no overnight parking, and no facility for the outside keeping of animals;

(41) Office space, multi-use office space for uses which comply with the intent of the zoning classification as described in sections §156.185 and §156.186.

*(Amendment passed 2 Dec 2021)*

(B) The following principal uses may be permitted as special use permits in C-1 Districts (See section 408): None.

(C) The following accessory uses are permitted in C-1 Districts: Those determined by the Zoning Administrator and approved by vote of the Mayor and City Council to be customarily appurtenant to those uses permitted in this District.

(D) The following accessory uses may be permitted as special use permits in C-1 Districts (See §156.027): One Residential Single-Family Dwelling may be allowed on a C-1 parcel with an active principal use meeting the requirements of this ordinance including §156.188, paragraph (A) above. If the principal use building contains residential living space it may be considered to qualify for Residential Single-Family Dwelling use.

(E) All accessory uses must meet the following standards:

(1) Accessory uses must be located in either side or rear yards, except as follows: temporary manufactured home on a construction site and satellite dish or television antennas are permitted in the front yard as well as rear and side yards, and parcels with dual road frontage may locate principal and accessory uses oriented with respect to either road frontage and a Single-Family Residential accessory use may also be located in an apartment above or behind the active principal use;

(2) Accessory structures, other than fences, may not be located closer than ten feet from any property line. Fences may be placed no closer than four feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this ordinance;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot two acres or less in area. The size of an accessory building is not limited on lots more than two acres in area or when the accessory use is a Single-Family Residential Dwelling meeting the requirements of this ordinance;

(5) A private garage must not exceed 22 feet by 30 feet in size. It must be used solely to house vehicles in full operating condition. A private garage connected to a principal building must not encroach into any required yard space;

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

### **§156.189 PROHIBITED USES IN C-1 DISTRICTS:**

All uses not permitted within C-1 Districts by this section are specifically prohibited. Specific prohibitions for C-1 districts are intended to maintain the health, safety and welfare of the residential neighborhood in close proximity to a C-1 District and to reduce any potential negative impact on the character of a residential area. The following uses shall not be permitted in and are also specifically prohibited from the C-1 zoning district:

- (1) Adult entertainment.
- (2) Adult novelty stores, book stores, entertainment centers, theatres, and amusement facilities, peep shows and/or massage parlors.
- (3) Automobile sales.
- (4) Bail bond services.
- (5) Bingo parlor.
- (6) Blood bank and/or plasma center.
- (7) Check cashing facilities.
- (8) Cemetery.
- (9) Crematory.
- (10) Facilities for dumping, disposal, incineration or reduction of garbage or refuse.
- (11) Group homes.
- (12) Kennels.
- (13) Open yard for the sale, rental and/or storage of materials or equipment, including junk or salvage materials.
- (14) Pawn shops, second hand stores, closeout or liquidation stores, flea markets and/or bankruptcy or fire sales.

- (15) Scrap and salvage services.
- (16) Second-hand clothing and/or thrift stores.
- (17) Tattoo parlors.

*(Amendment passed 1 July 2010)*

### **§156.190 DEVELOPMENT STANDARDS FOR C-1 DISTRICTS.**

In addition to the development standards contained in Article IV of this ordinance, the following standards are required within C-1 Districts.

- (A) Minimum lot area: 10,000 square feet where central water and sewage are provided. Where central water and sewage are not provided, the minimum lot area is as specified by Pike County Health Department, but in no case less than 10,000 square feet.
- (B) Minimum lot width: 60 feet.
- (C) Minimum front yards: 50 feet from right-of-way line.
- (D) Minimum side yard: None, but 30 feet if a corner lot.
- (E) Minimum rear yard: 20 feet.
- (F) Maximum building height: 35 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings with such projections, the minimum required yards must be increased one (1) foot for every two (2) feet (or part of two feet) of building height greater than thirty five (35) feet.
- (G) Applicability to land, buildings and open space: No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.
- (H) Every use must be on a lot: No building or structure may be erected or use established unless upon a lot as defined by this ordinance.
- (I) Only one principal building per lot: Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- (J) Open space not to be encroached upon: No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(K) Reduction of yards or lot area: Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(L) Lots with multiple frontages: In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(M) Landlocked lots: Landlocked lots are not eligible for placement within a C-1 Zoning District. In the case of a landlocked lot lawfully existing as of the effective date of this ordinance, the property owner is entitled to one building permit, as long as all of the following requirements are met:

(1) No other principal building exists or is being constructed on the property;

(2) No other valid building permit has been issued prior to the effective date of this ordinance and is currently valid;

(3) The property was and continues to be under single ownership since the effective date of this ordinance;

(4) The property owner has acquired a thirty (30)-foot easement to a city, county or state maintained street, and the easement has been duly recorded and made a part of the property deed.

(N) Street frontage: No principal building may be erected on any lot which has less than thirty (30) feet of immediate frontage on at least one (1) public street.

(O) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(P) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(Q) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective

date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(R) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(S) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in Appendix A and Appendix K, City of Williamson subdivision regulations including any current amendments thereto. Consult that document for specific requirements.

(T) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(U) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **C-2 GENERAL COMMERCIAL**

### **§ 156.200 PURPOSE.**

C-2 Zoning Districts are intended to provide for a wide range of retail, service and wholesale establishments requiring a location accessible to a large number of the residents of The City of Williamson.

### **§ 156.201 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A C-2 DISTRICT.**

The factors contained in § 156.028 of this ordinance must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the bases upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of The City of Williamson.

### **§ 156.202 BOUNDARIES OF C-2 DISTRICTS.**

The Official Map shows the boundaries of all C-2 Districts within The City of Williamson.

## **C-2 GENERAL COMMERCIAL**

### **§ 156.200 PURPOSE.**

C-2 Zoning Districts are intended to provide for a wide range of retail, service and wholesale establishments requiring a location accessible to a large number of the residents of The City of Williamson.

### **§ 156.201 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A C-2 DISTRICT.**

The factors contained in § 156.028 of this ordinance must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the bases upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of The City of Williamson.

### **§ 156.202 BOUNDARIES OF C-2 DISTRICTS.**

The Official Map shows the boundaries of all C-2 Districts within The City of Williamson.

### **§ 156.203 PERMITTED USES.**

- (A) The following principal uses are permitted in C-2 Districts:
- (1) Any Use Permitted in C-1 Zoning Districts;
  - (2) Automobile service station meeting the following development standards:
    - (a) Major repair, body and fender work and painting are permitted;
    - (b) All structures and buildings, including storage tanks, but not including signs, must be set back at least 25 feet from all side and rear property lines which do not abut a public road right-of-way;
    - (c) All pumps, buildings and structures, including storage tanks, but not including signs, must be placed so as to maintain the minimum required front yard along the right-of-way line of any abutting road;
    - (d) Driveway curb cuts must be located at least 20 feet from the intersection of right-of-way lines of any road intersection;
    - (e) Driveway curb cuts must be designed and located so as to minimize interference with the flow of vehicular or pedestrian traffic;
  - (3) Auction gallery;
  - (4) Automobile wash;
  - (5) Business or commercial school;
  - (6) Cabinet shop;
  - (7) Community or regional shopping center;
  - (8) Dancing school, including group instruction;
  - (9) Department store;
  - (10) Drive-in configurations of any business otherwise permitted in this zoning district meeting the following development standards:



(a) Adequate off-street space must be provided for the maneuvering and storage of patrons' vehicles;

(b) No loud speaker system is allowed which can be heard at neighboring residential or motel properties;

(c) All lighting must be directed and shielded so as to light only the drive-in establishment;

(11) Furniture store;

(12) Professional assembly and repair of such items as eyeglasses, custom jewelry, prosthetic devices and other similar services and assembly;

(13) Office;

(14) Parking lot;

(15) Pawn shop;

(16) Pet shop;

(17) Radio and television station meeting the following development standards: transmission towers must be no more than 35 feet high;

(18) Restaurant;

(19) Stationery and office machine sales and service;

(20) Upholstery shop;

(21) Wholesale store, not including establishments operated primarily as a warehouse. A wholesale store is distinguished from a warehouse as follows:

(a) It has at least one square foot of office, sales and display space for each square foot of warehousing space;

(b) The building is so arranged as to encourage walk-in trade;

(22) Landscaping Supply Center for sales of mulch, rock, straw, and firewood.

(B) The following principal uses are permitted as special exceptions in C-2 Districts:

(1) Animal hospital or clinic meeting the following development standards: no outside runs or pens are permitted;

(2) Building and lumber supply establishment;

(3) Club or lodge;

(4) Funeral home;

(5) Greenhouse or nursery, including landscape service;

- (6) Mortuary or crematorium;
  - (7) Outdoor amusement enterprise, including pony riding, miniature golf, carnival or bazaar;
  - (8) Radio or television transmission tower over 35 feet high;
  - (9) Airport, public or commercial, paved or unpaved with the following development standards:
    - (a) All Federal Aviation Administration requirements must be satisfied;
    - (b) A plat must be submitted detailing the proposed location of the runway and any existing or proposed buildings; and
    - (c) A restaurant may be constructed on airport property, provided the restaurant complies with the following development standards:
      - 1. Must be located inside an existing or proposed building;
      - 2. Must meet all health department regulations; and
      - 3. Must have at least a minimum of 500 square feet.
- (C) The following accessory uses are permitted in C-2 Districts: those determined by the Zoning Administrator to be customarily appurtenant to those uses permitted in this District.
- (D) The following accessory uses are permitted as special exceptions in C-2 Districts: none.
- (E) All accessory uses must meet the following standards:
- (1) They must be located in either side or rear yards, except as follows: temporary manufactured home on a construction site and satellite dish or television antennas are permitted in the front yard as well as rear and side yards;
  - (2) Accessory structures, other than fences, may not be located closer than ten feet from any property line. Fences may be placed no closer than four feet from any property line;
  - (3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this ordinance;
  - (4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot two acres or less in area. The size of an accessory building is not limited on lots more than two acres in area;

(5) A private garage must not exceed 22 feet by 30 feet in size. It must be used solely to house vehicles in full operating condition. A private garage connected to a principal building must not encroach into any required yard space;

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(F) All uses not permitted within C-2 Districts by this section are specifically prohibited unless approved by Special Use Permit or granted variance by the City of Williamson.

### **§ 156.204 DEVELOPMENT STANDARDS FOR C-2 DISTRICTS.**

In addition to the development standards contained in §§ 156.020 et seq., the following standards are required within C-2 Districts.

(A) Minimum lot area. 10,000 square feet, where central water and sewage are provided. Where central water and sewage are not provided, as specified by The Pike County Health Department, but in no case less than 10,000 square feet.

(B) Minimum lot width. 100 feet.

(C) Minimum front yard. 50 feet from right-of-way line.

(D) Minimum side yard. None, but 30 feet if a corner lot.

(E) Minimum rear yard. 20 feet.

(F) Maximum building height. 35 feet; however, this height limit does not apply to projections not intended for human habitation. For buildings with such projections, the minimum required yards must be increased one foot for every two feet (or part of two feet) of building height greater than 35 feet.

(G) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(H) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(I) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(J) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(K) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(L) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(M) Landlocked lots. Landlocked lots are not eligible for placement within a C-2 Zoning District.

(N) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(O) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(P) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(Q) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(R) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(S) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the City of Williamson subdivision regulations. Consult that document for specific requirements.

(T) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(U) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **C-3 HEAVY COMMERCIAL**

### **§ 156.215 PURPOSE.**

C-3 Zoning Districts are intended to provide for heavier commercial uses and to facilitate the effective use of land situated in relationship to major thoroughfares, highway intersections and interchange areas. Such uses must be located on a thoroughfare having a minimum classification of arterial.

### **§ 156.216 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A C-3 DISTRICT.**

The factors contained in § 156.028 must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of The City of Williamson.

### **§ 156.217 BOUNDARIES FOR C-3 DISTRICTS.**

The Official Map shows the boundaries of all C-3 Districts within The City of Williamson.

## **C-3 HEAVY COMMERCIAL**

### **§ 156.215 PURPOSE.**

C-3 Zoning Districts are intended to provide for heavier commercial uses and to facilitate the effective use of land situated in relationship to major thoroughfares, highway intersections and interchange areas. Such uses must be located on a thoroughfare having a minimum classification of arterial.

### **§ 156.216 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A C-3 DISTRICT.**

The factors contained in § 156.028 must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of The City of Williamson.

### **§ 156.217 BOUNDARIES FOR C-3 DISTRICTS.**

The Official Map shows the boundaries of all C-3 Districts within The City of Williamson.

### **§ 156.218 PERMITTED USES.**

(A) The following principal uses are permitted in C-3 Districts:

- (1) Any Use Permitted in C-1 or C-2 Zoning Districts;
- (2) Automobile and truck sales;
- (2) Boat sales;
- (3) Commercial kennel for boarding of pets;
- (4) Dry cleaning plant employing no more than 20 persons;
- (5) Farmers market;
- (6) Feed and seed store;
- (7) Heavy equipment sales and service;
- (9) Mini-warehouse and warehouse without outdoor storage;
- (10) Manufactured home sales lot;
- (11) Motel, hotel;
- (12) Outdoor theater;
- (13) Recreational vehicle sales and service;
- (14) Tire retreading;
- (15) Trade shop, including electrical, plumbing, gutter, machine and HVAC contractor;
- (16) Used car and truck sales.
- (17) Sales of storage and garden sheds no larger than 16' x 20' and no greater than 12' in height.

(B) The following principal uses may be considered for Special Use Permits in C-3 Districts:

- (1) Travel trailer/recreational vehicle park having a minimum lot area of five acres;
- (2) Communications, transmission, or wireless tower over 35 feet in height.

(C) The following accessory uses are permitted in C-3 Districts: those determined by the Zoning Administrator to be customarily appurtenant to those uses permitted in this district.

(D) The following accessory uses may be considered for Special Use Permits in C-3 Districts: none.

(E) All accessory uses must meet the following standards:

(1) They must be located in either side or rear yards, except as follows: temporary manufactured home on a construction site and satellite dish or television antennas are permitted in the front yard as well as rear and side yards;

(2) They must be located at least ten feet from any property line;

(3) No accessory building may be erected on a lot prior to the time of construction of the principal building to which it is an accessory, except a manufactured home for temporary use at a construction site meeting the requirements of this ordinance;

(4) An accessory building must not exceed 16 feet by 20 feet in size when located on a lot two acres or less in area. The size of an accessory building is not limited on lots more than two acres in area;

(5) A private garage must not exceed 22 feet by 30 feet in size. It must be used solely to house vehicles in full operating condition. A private garage connected to a principal building must not encroach into any required yard space;

(6) Accessory buildings not attached to the principal building must be located at least 12 feet from the principal building on the lot.

(F) All uses not permitted within C-3 Districts by this section are specifically prohibited.

### **§ 156.219 DEVELOPMENT STANDARDS FOR C-3 DISTRICTS.**

In addition to the development standards contained in §§156.020 et seq., the following standards are required within C-3 Districts.

(A) Minimum lot area. 10,000 square feet, where central water and sewage are provided; where central water and sewage are not provided, as specified by The Pike County Health Department, but in no case less than 10,000 square feet.

(B) Minimum lot width. 100 feet.

(C) Minimum front yard. 70 feet from right-of-way line.

(D) Minimum side yard. None, but 30 feet if a corner lot.

(E) Minimum rear yard. 20 feet.

(F) Maximum building height. 6 stories.

(G) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(H) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(I) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(J) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner, except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(K) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(L) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(M) Landlocked lots. Landlocked lots are not eligible for placement within a C-3 Zoning District.

(N) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(O) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(P) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(Q) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.



(R) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(S) Physical design standards. Minimum design standards for driveways, loading areas and other such physical site improvements are contained in the City of Williamson subdivision regulations. Consult that document for specific requirements.

(T) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(U) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the Zoning Administrator.

## **M-1 MANUFACTURING-INDUSTRIAL - LIGHT**

### **§156.245 PURPOSE.**

M-1 Zoning Districts are intended to provide for light manufacturing and industrial uses, all of which are intended to be a minimal nuisance to adjacent properties, to have a minimal impact on the environment, to not produce hazardous waste and to place a minimal burden on existing infrastructure. The M-1 zone encourages orderly and compatible development of manufacturing uses on arterial or collector roads or within industrial parks with access to such roads and to avoid strip development. These sites are suited for manufacturing and industrial use due to the availability of services, proximity to transmission line corridors or proximity to markets or resources. The M-1 zone may be appropriate in areas designated in the City of Williamson Comprehensive Plan as industrial or in locations which meet the intent of the zone.

### **§ 156.246 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A M-1 DISTRICT.**

Upon the request to have an area rezoned to a M-1 District, the Mayor and City Council, will request the Planning Commission to convene an Environmental Review Committee for a public hearing within 20 days of the request and review the proposed project. The factors contained in § 156.028 and the recommendation of the Environmental Review Committee must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which district an area of land is to be zoned. This will assure that rational comprehensive planning principles are the basis upon which the decision is made and that the Zoning Amendment is done in accordance with the City of Williamson Comprehensive Plan.

### **§ 156.247 BOUNDARIES OF M-1 DISTRICTS.**

The Official Map shows the boundaries of all M-1 Districts within The City of Williamson.

### **§ 156.248 PERMITTED USES.**

(A) The following principal uses are permitted in M-1 Districts:

(1) Any use permitted under §§156.203, et seq. or §§156.0218 et seq.;

(2) Any commercial or industrial use which involves manufacturing, processing, or assembly operations or the storage or sale of heavy materials, products, or equipment; however, this does not include uses which may cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard, or other objectionable conditions to nearby areas.

(3) Armories.

(4) Bakery or other establishment manufacturing prepared foods and miscellaneous food products;

(5) Bottling plants.

(6) Cold storage, ice plant or freezer locker;

(7) Dairy plant, ice cream manufacturing;

(8) Distribution of products and merchandise;

(9) Dry cleaning or laundering establishment;

(10) Computer assembly and computer-related industry;

(11) Education or training facility;

(12) Electrical or electronics manufacturing and assembly;

(13) Fabricating shop:

(a) Woodworking or cabinetry;

(b) Upholstery;

(c) Sheet metal shop;

(d) Metal stamping;

(e) Screw machine, bolts, nuts, screws, rivets and washers;

(f) Sign fabricating and painting;

(14) Office and administrative facility;

(15) Contracting and service facilities:

(a) Building contractors (general), highway and street contractors, heavy construction contractors;

(b) Special trade contractors, such as:

1. Concrete work;

2. Electrical;

3. Excavating;
  4. Foundation work;
  5. Septic tank and sewage disposal;
  6. Wrecking and demolition;
- (c) Roofing;
- (16) Textile manufacturing and/or assembly;
  - (17) Wholesaling or warehousing;
  - (18) The following agriculturally related facilities:
    - (a) Interpretive center;
    - (b) Commercial office;
    - (c) Meeting/training facilities. As used herein, agriculturally related facilities are those that primarily, but not exclusively provide services or goods to farmers and farming related organizations or are related to the production or preparation of food;
  - (19) Local, state or federal government building;
  - (20) Public power generation and/or utility substation;
  - (21) Other use facilities:
    - (a) Auction house or market;
    - (b) Motor freight depot;
    - (c) Veterinary office or hospital;
  - (22) Paint shop with adequate environmental control provisions
  - (23) Wireless communication facilities attached subject to the following development standards:
    - (a) Notwithstanding other height limitations in this ordinance, omnidirectional (whip) antennae not exceeding 35 feet in height and directional/parabolic antennae not exceeding eight feet in diameter or width and 15 feet in height may be attached to or located on existing structures;
    - (b) Antenna and associated equipment shall be surfaced in a non-reflective color to match the structure on which it is located. An equipment enclosure may be set back from the edge of a roof by a distance at least equal to its height in lieu of screening;

(c) Equipment enclosures shall be located within the building on which it is located wherever possible; otherwise, equipment enclosures shall be fenced by a six-foot high fence;

(d) Antennae shall not be illuminated except as required by state or federal law;

(24) Wireless communication facilities.

(B) The following principal uses may be permitted as special use permits in M-1 Districts:

(1) Airport, heliport;

(2) Communications, transmission, or wireless tower over 35 feet in height;

(3) Fertilizers and insecticides manufacturing facilities;

(4) Food, grain, feed and derivative products processing facilities;

(5) Meat products processing and manufacturing facilities (slaughtering, canning, curing, smoking preserving);

(6) Petroleum products and gasoline storage only, provided all storage is underground;

(7) Transportation equipment manufacturing and repair facilities;

(8) Wood and lumber products (except furniture) processing, manufacturing and storage facilities;

(9) Pits and quarries facilities:

(a) Earth, topsoil, clay;

(b) Sand and gravel pits, quarries, including extraction from rivers and streams;

(c) Rock crushing and preparing sand and gravel for construction uses or other special uses.

(C) Accessory uses appurtenant to primary uses may be permitted as special use permits.

(D) All uses not permitted within M-1 Districts by this section are specifically prohibited.

### **§ 156.249 DEVELOPMENT STANDARDS FOR M-1 DISTRICTS.**

The following standards are required within M-1 Districts.

(A) Minimum lot area. As specified by the Pike County Health Department.

(B) Minimum lot width. As specified by the Zoning Administrator with concurrence of the Mayor and City Council and with consideration to recommendations from the Planning Commission to meet the needs of the use.

(C) Minimum front yard. There shall be no front yard required in a M-1 zone.

(D) Minimum side yard. No side yard shall be required in a M-1 zone, but if one is provided, it shall be at least three-feet wide; provided, however, where the lot in a M-1 zone abuts upon or is adjacent to the side of a lot in any residential zone, then there shall be a side yard the same as required in such abutting residential zone, and said yards shall be contained by a wall or fence not less than six feet in height or compact evergreen hedge not less than three feet and capable of obtaining a height of six feet.

(E) Minimum rear yard. No rear yard is required except as herein provided, but if one is provided it shall be not less than three feet in depth exclusive of any alley. A rear yard shall be provided in a M-1 zone when:

(1) The lot abuts or is adjacent to a premises used or is zoned for residential purposes. The yard shall be not less than three feet in depth;

(2) The buildings or structures or portions thereof on a lot are used for residential purpose, in which circumstances side and rear yard restrictions in residential zones shall apply. In the case of subdivision (1) of this section, the rear yard shall be contained by a wall or fence or ornamental compact evergreen hedge not less than three feet high and capable of attaining a height of six feet;

(3) A landscaped yard three feet in depth shall be provided in rear yards adjacent to a street.

(F) Maximum building height. In a M-1 zone there shall be no height limit except as provided in the Building Code adopted by the City of Williamson Mayor and City Council and provided buildings or structures shall set back from every street and lot line one foot for each foot of height of the building in excess of 35 feet in addition to all other yard and setback requirements herein specified. Buildings and structures in conjunction with special use permits shall observe the height limits and regulations outlined above unless the additional setback is modified as part of the special use permit.

(G) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(H) Landscaping. All yards shall be landscaped exclusive of through direct driveways adjacent to every street, on every lot upon which a new nonresidential structure is erected or a graveled or unimproved lot is paved or a lot is newly developed for the outdoor sale or display of merchandise, goods or services.

(I) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(J) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(K) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(L) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located, unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(M) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(N) Landlocked lots. Landlocked lots are not eligible for placement within a M-1 Zoning District.

(O) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(P) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of-way.

(Q) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(R) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of this district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but lawfully existed at the effective date of this ordinance, such a lot may be used or any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(S) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of way.

(T) Physical design standards. Minimum design standards for driveways, loading areas and other physical site improvements are contained in the City of Williamson subdivision regulations. Consult that document for specific requirements.

(U) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(V) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the City of Williamson Zoning Administrator.

## **M-2 MANUFACTURING - HEAVY**

### **§ 156.260 PURPOSE.**

M-2 Zoning Districts are intended to provide for the broadest range of manufacturing uses. The M-2 zones are for the location of those industries which have not reached a technical stage which renders them free of all nuisance factors. These lands are suited for industrial use due to marginal agricultural soils, the availability of urban services, proximity to transmission line corridors or proximity to markets or resources. The M-2 zone may be appropriate at the intersections of arterial and major collector road thoroughfares.

### **§ 156.261 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A M-2 DISTRICT.**

Upon the request to have an area rezoned to a M-2 District, the Mayor and City Council, will request the Planning Commission to convene an Environmental Review Committee for a public hearing within 20 days of the request and review the proposed project. The factors contained in § 156.028 and the recommendation of the Environmental Review Committee must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which district an area of land is to be zoned. This will assure that rational comprehensive planning principles are the basis upon which the decision is made and that the zoning amendment is done in accordance with the City of Williamson Comprehensive Plan.

### **§ 156.262 BOUNDARIES OF M-2 DISTRICTS.**

The Official Map shows the boundaries of all M-2 Districts within The City of Williamson.

### **§ 156.263 PERMITTED USES.**

(A) The following principal uses are permitted in M-2 Districts:

- (1) Any use permitted under § 156.248;
- (2) Bottling plants;
- (3) Cabinet shops;

- (4) Printing, publishing and reproducing establishment;
- (5) Electronic manufacturing and assembly;
- (6) Machinery and machinery equipment manufacturing facilities;
- (7) Motor vehicles and motor vehicle equipment facilities;
- (8) Cement, clay, glass and stone products manufacturing facilities:
  - (a) Abrasives, asbestos and other nonmetallic mineral;
  - (b) Concrete, gypsum and plaster, excluding sand and gravel processing;
  - (c) Cut stone;
  - (d) Flat glass;
  - (e) Glass and glassware, pressed or blown;
  - (f) Glass products made of purchased glass;
  - (g) Pottery and related products;
  - (h) Structural clay;
- (9) Metals, primary, manufacturing facilities:
  - (a) Iron end steel;
  - (b) Non-ferrous metals;
  - (c) Primary smelting and refining of non-ferrous metals and alloys;
  - (d) Secondary smelting and refining of non-ferrous metals and alloys;
  - (e) Rolling, drawing and extruding of non-ferrous metals;
- (10) Textile manufacturing plant;
- (11) Truck terminal;
- (12) Recycling center;
- (13) Wireless communication facilities attached subject to the following development standards:
  - (a) Notwithstanding other height limitations in this ordinance, omnidirectional (whip) antennae not exceeding 20 feet in height and directional/parabolic antennae not exceeding eight feet in diameter or width and 15 feet in height may be attached to or located on existing structures;



(b) Antenna and associated equipment shall be surfaced in a non-reflective color to match the structure on which it is located. An equipment enclosure may be set back from the edge of a roof by a distance at least equal to its height in lieu of screening;

(c) Equipment enclosures shall be located within the building on which it is located wherever possible; otherwise, equipment enclosures shall be fenced by a six-foot high fence;

(d) Antennae shall not be illuminated except as required by state or federal law;

(14) Wireless communication facilities.

(B) The following principal uses may be permitted as special use permits in M-2 District:

(1) Any use permitted as a special use permit under §§ 156.245 et seq.;

(2) Airport;

(3) Metal working shops;

(4) Paper and allied products fabricating facilities;

(5) Petroleum products, by-products manufacturing facilities:

(a) Paving and roofing materials;

(b) Propane gas;

(c) Asphalt;

(d) Asphalt paving mix;

(e) Creosote and creosote products;

(f) Oil reconditioning;

(g) Turpentine;

(6) Manufacture and storage of acidic products;

(7) Salvage and junk yard;

(8) Sanitary landfill incineration which complies with regulations of the Georgia Environmental Protection Division.

(C) Accessory uses appurtenant to primary uses may be permitted as special use permits.

(D) All uses not permitted within M-2 Districts by this section are specifically prohibited.

## § 156.264 DEVELOPMENT STANDARDS FOR M-2 DISTRICTS.

The following standards are required within M-2 Districts.

- (A) Minimum lot area. As specified by the Pike County Health Department.
- (B) Minimum lot width. As specified by the Zoning Administrator with concurrence of the Mayor and City Council to meet the needs of the use.
- (C) Minimum front yard. There shall be no front yard required in a M-2 zone.
- (D) Minimum side yard. No side yard shall be required in a M-2 zone, but if one is provided, it shall be at least three feet wide; provided, however, where the lot in a M-2 zone abuts upon or is adjacent to the side of a lot in any residential zone, then there shall be a side yard the same as required in such abutting residential zone, and said yards shall be contained by a wall or fence not less than six feet in height or compact evergreen hedge not less than three feet and capable of obtaining a height of six feet.
- (E) Minimum rear yard. No rear yard is required except as herein provided, but if one is provided it shall be not less than three feet in depth exclusive of any alley. A rear yard shall be provided in a M-2 zone when:
  - (1) The lot abuts or is adjacent to a premises used or is zoned for residential purposes. The yard shall be not less than three feet in depth;
  - (2) The buildings or structures or portions thereof on a lot are used for residential purposes, in which circumstances side and rear yard restrictions in residential zones shall apply. In the case of subdivision (1) of this section, the rear yard shall be contained by a wall or fence or ornamental compact evergreen hedge not less than three feet high and capable of attaining a height of six feet;
  - (3) A landscaped yard three feet in depth shall be provided in rear yards adjacent to a street.
- (F) Maximum building height. In a M-2 zone there shall be no height limit except as provided in the Building Code adopted by the City of Williamson Mayor and City Council and provided buildings or structures shall set back from every street and lot line one foot for each foot of height of the building in excess of 35 feet in addition to all other yard and setback requirements herein specified. Buildings and structures in conjunction with special use permits shall observe the height limits and regulations outlined above unless the additional setback is modified as part of the special use permit.
- (G) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.
- (H) Landscaping. All yards shall be landscaped exclusive of through direct driveways, adjacent to every street, on every lot upon which a new non-residential structure is erected or a

graveled or unimproved lot is paved or a lot is newly developed for the outdoor sale or display of merchandise, goods or services.

(I) Heat, glare and light. All operations and facilities producing heat, glare or light, including exterior lighting, shall be so directed or shielded by walls, fences and evergreen plantings, that such heat, glare or light is not reflected or directed onto adjacent properties or streets.

(J) Sewage. Adequate provisions shall be provided for the disposal of sewage and waste materials and such provisions shall meet the requirements of the Health Department.

(K) Vibration. No vibration other than that caused by highway vehicles and trains shall be permitted which is discernible at or beyond the property line for the use concerned.

(L) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(M) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(N) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standard contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(O) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located, unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(P) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(Q) Landlocked lots. Landlocked lots are not eligible for placement within a M-2 District.

(R) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(S) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of way.

(T) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(U) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or reparcelled so as to create one or more lots which conform to the minimum frontage and area requirements of this district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but existed at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(V) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(W) Physical design standards. Minimum design standards for driveways, loading areas and other physical site improvements are contained in the City of Williamson subdivision regulations. Consult that document for specific requirements.

(X) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(Y) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the City of Williamson Zoning Administrator.

## **M-IP MANUFACTURING - INDUSTRIAL PARK**

### **§ 156.275 PURPOSE.**

M-IP Zoning Districts are intended to provide land for development by most types of manufacturing firms in a planned, centralized location of at least 50 acres. Manufacturing and ancillary operations are permitted only in a clean and quiet manner and only if in compliance with the district's manufacturing performance standards. The M-IP District shall be a "floating district" so the most suitable location(s) can be determined at the time of the rezoning request.

### **§ 156.276 DETERMINING IF AN AREA IS SUITABLE FOR INCLUSION WITHIN A M-IP DISTRICT.**

(A) Upon the request to have an area rezoned to a M-IP District, the Mayor and City Council, will request the Planning Commission to convene an Environmental Review Committee for a public hearing within 20 days of the request and review the proposed project. The factors contained in §§ 156.028, 156.261 and 156.262 and the recommendations of the Environmental Review Committee must be thoroughly considered by the Planning Commission as well as the Mayor and City Council when determining in which district an area of land is to be zoned. This

will assure that rational comprehensive planning principles are the basis upon which the decision is made and that the zoning amendment is done in accordance with the City of Williamson Comprehensive Plan.

(B) An applicant to rezone to the M-IP District shall adhere to the following administrative procedures.

(1) Showing of probable compliance.

(a) Uses, buildings or structures required to comply with this provision, prior to establishment or alteration, shall make a showing of probable compliance with these performance standards. The showing shall be in the form of a letter submitted with the zoning application (or building application if proper industrial zoning already exists) prepared by a professional engineer licensed by the State of Georgia, certifying that said use, building or structure complies with all industrial performance standard requirements. The letter shall be based on the engineer's personal scrutiny of the site and proposed use or alteration and shall have analytical foundation in accepted engineering principles. In addition, the Mayor and City Council may require the applicant to submit:

1. A plot plan showing the location of all present and proposed structures, drives, parking lots, waste disposal areas, bulk storage areas, streets, streams or other significant features on or within 200 feet of the proposed site;

2. A description of the activity to be conducted regarding waste products, external effects or other conditions which are regulated herein; provided however, that the applicant shall not be required to reveal any trade secrets or sufficient detail with regard to a process which would cause any secret process or manufacturing procedure for a closely guarded proprietary compound or product to become public knowledge and be available to competitors;

3. The type and location of abatement devices to control or recording instruments to measure conformance with required standards, not including devices and instruments which are inherent in the manufacturing process;

4. Such other data and certification as may reasonably be required by the Planning Commission and the Mayor and City Council to reach a determination.

(b) All information and evidence submitted in applications to indicate conformity to performance standards shall constitute a certification and an agreement on the part of the applicant that the proposed use can and will conform to such standards at all times.

(2) Need for independent engineering analysis. If the Planning Commission or the Mayor and City Council determine that there is reason to doubt compliance with any applicable performance standard provision, a state licensed professional engineer of the city's choosing, but acceptable to the petitioner, may be asked to analyze the prospects of compliance. Costs of such analysis shall be borne by the petitioner.

(3) Use of independent engineering analysis. Upon submission of an independent engineering analysis authorized by the county, the Mayor and City Council shall

authorize establishment of the use, building or structure if said independent analysis confirms probable compliance with this provision and if all other applicable provisions of this and other county laws and ordinances are satisfied. If, however, the independent engineering analysis indicates that the proposed use, building or structure is not likely to comply with this provision, then said application shall be denied until such time that the proposal is able to fully comply.

(4) Appeal of administrative determination. The procedures for appealing an action of the Mayor and City Council shall be executed in compliance with § 156.029.

### **§ 156.277 BOUNDARIES OF M-IP DISTRICTS.**

To allow flexibility in placement of the district and to allow for a comprehensive assessment of the suitability of sites for a M-IP District, the M-IP District shall be a floating district.

### **§ 156.278 PERMITTED USES.**

(A) Businesses complying with the following performance standards are allowed as principal uses. Performance standards are intended to permit industrial land uses to be measured factually and objectively, ensure that all industries provide methods which protect the community from hazards that are preventable by legitimate processes of control and nuisance elimination and protect industries from arbitrary exclusion or persecution based solely on subjective determinations of industrial performances made in the past.

(1) Noise.

(a) General. For the purpose of measuring the intensity and frequency of sound, the sound level meter, the octave band analyzer and the impact noise analyzer shall be employed. The flat network and the fast meter response of the sound level meter shall be used. Sounds of short duration which cannot be measured accurately with the sound level meter shall be measured with the impact noise analyzer. An octave band analyzer calibrated in the preferred frequencies (American Standards Association S1 6-1960, Preferred Frequencies for Acoustical Measurements) shall be used with the following tables.

(b) Exceptions.

1. The following uses and activities shall be exempt from the noise level regulations in the M-IP District:

a. Noises not directly under control of the property user;

b. Noises emanating from construction and maintenance activities between 7:00 a.m. and 10:00 p.m. Such activities are those which are non-routine operations accessory to the primary activities and which are temporary in nature or conducted infrequently;

c. The noises of safety signals, warning devices and emergency pressure relief valves;

d. Transient noises of moving sources such as automobiles, trucks, airplanes and railroads.

2. At no point along the boundary of a residential district or along an adjacent lot shall the sound pressure level of any operation or plant exceed the decibel limits in the octave bands designated.

Maximum Permitted Sound Level

Octave Bank Frequency (Cycles per Second)	Decibels
0 through 74	67
75 through 149	59
150 through 299	52
300 through 599	46
600 through 1,199	40
1,200 through 2,399	34
2,400 through 4,799	32
4,800 and over	32

(2) Vibration.

(a) Any industrial operation or activity which shall cause at any time and at any point along the nearest adjacent lot line, earth borne vibrations in excess of the limits set forth in Column I of the following tables is prohibited.

(b) In addition, any industrial operation or activity which shall cause at any time and at any point along a residence district boundary line, earth borne vibrations in excess of the limits set forth in Column II of the following tables is prohibited.

(c) The following uses and activities shall be exempt from the vibration level regulations:

1. Vibrations not directly under the control of the property user;

2. Vibrations emanating from construction and maintenance activities between 7:00 a.m. and 9:00 p.m. Such activities are those which are non-routine operations accessory to the primary activities and which are temporary in nature or conducted infrequently;

3. Transient vibrations of moving sources such as automobiles, trucks, airplanes and railroads.

(d) Vibrations shall be expressed as displacement in inches and shall be measured with a three-component measuring system approved by the Mayor and City Council.

Maximum Permitted Steady-State Vibration Displacement Level

	I.	II.
Frequency	Displacement	Displacement
(Cycles per Second)	(Inches)	(Inches)
0 through 9	.0008	.0004
10 through 19	.0005	.0002
20 through 29	.0003	.0001
30 through 39	.0002	.0001
40 and over	.0001	.0001

(e) Steady-state vibrations, for the purposes of this ordinance, are vibrations which are continuous or vibrations in discrete impulses more frequent than 100 per minute shall be considered impact vibrations and shall not cause in excess of twice the displacement stipulated.

Maximum Permitted Impact Vibration Displacement Level

	I.	II.
Frequency	Displacement	Displacement
(Cycles per Second)	(Inches)	(Inches)
0 through 9	.0016	.0006
10 through 19	.0010	.0003
20 through 29	.0006	.0002
30 through 39	.0004	.0001
40 and over	.0002	.0001

(f) Impact vibrations, for the purposes of this ordinance, are vibrations which occur in discrete impulses separated by an interval of at least one minute and numbering not more than eight in any 24-hour period.

(3) Smoke and particulate matter. The emission, from all sources within any lot, or particulate matter containing more than 5% by weight of particles having a particle diameter larger than 44 microns is prohibited. Dust and other types of air pollution borne by the wind from such sources as storage areas, yards and roads within the boundaries of any lot shall be kept to a minimum by appropriate landscaping, paving, oiling or other acceptable means. Emission of particulate matter from such sources in excess of the weight limitations specified herein is prohibited. The emission of smoke or particulate matter of a density or equivalent



opacity equal to or greater than No. 2 on the Ringelmann Chart is prohibited at all times, except as otherwise provided herein. (The Ringelmann Chart is the chart published by the United States Bureau of Mines).

(a) Smoke emission. In the M-IP zone, the emission of more than 12 smoke units per stack in any one-hour period is prohibited. However, once during any six-hour period each stack shall be permitted up to 12 additional units in a 15-minute period for soot blowing and fire cleaning. Only during such 15-minute periods shall smoke of a density or equivalent opacity equal to, but not exceeding, Ringelmann No. 3 be permitted, and then only for fire cleaning and for not more than four minutes per period.

(b) Particulate matter. The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed the rate established in the table below.

Maximum Permitted Particulate Matter Emission Rate

Height of Emission (Feet)	Pounds per Hour Per Acre
0 through 49	1.00
50 through 99	1.01
100 through 149	1.06
150 through 199	1.10
Height of Emission (Feet)	Pounds per Hour Per Acre
200 through 299	1.16
300 through 399	1.30
400 and over	1.50

(c) Method of measurement.

1. Smoke. For the purpose of grading the density or equivalent opacity of emission of smoke, the Ringelmann Chart shall be employed. For the purpose of determining smoke units the Ringelmann reading shall be made at least every minute during the period of observation. Each reading (Ringelmann number) shall be multiplied by the time in minutes for which it is observed and the products added together to determine the total number of smoke units observed during the total period of observation.

2. Particulate matter. The total net rate of emission of particulate matter within the boundaries of any lot shall be determined as follows: determine the maximum emission in pounds per hour from each source of emission and divide this figure by

the number of acres of lot area, thereby obtaining the hourly rate of emission in pounds per acre. Add together the individual rate of emission as derived above to obtain the total rate of emission from all sources of emission within the boundaries of the lot. It is this total that shall not exceed the rate established in the preceding table.

(4) Odors. No continuous, frequent or repetitive emission of odors or odor-causing substances which would be offensive beyond any property line of any manufacturing use will be permitted. An odor emitted no more than 15 minutes in any one day shall not be deemed as continuous, frequent or repetitive within the meaning of these regulations. The existence of an odor shall be presumed when analysis by a competent technician demonstrates that a discernible odor is being emitted. Any process which may involve the creation or emission of any odors shall be provided with a primary and a secondary safeguard system so that control will be maintained if the primary safeguard system fails. All applicants, firms and the like requesting property to be rezoned to M-IP shall comply with the rules and regulations of the State of Georgia Department of Natural Resources.

(5) Radiation hazards. The handling of radioactive materials, the discharge of such materials into air and water and the disposal of radioactive wastes shall be in conformance with all applicable State of Georgia and federal regulations.

(6) Fire and explosive hazard.

(a) All applicable provisions of the Official Code of Georgia shall be complied with, and no explosives shall be stored, used or manufactured without first submitting to the Zoning Administrator a letter of compliance from the State of Georgia Office of Insurance and Safety Fire Commissioner and the Pike County Fire Department Chief.

(b) No gasoline or other inflammables or explosives shall be stored unless the location, plans and construction conform to the laws and regulations of the State of Georgia and have the approval of both the State of Georgia Office of Insurance and Safety Fire Commissioner and the Pike County Fire Department Chief.

(7) Glare and heat. Every use and activity shall be so operated that it does not emit heat or heated air beyond the boundary of the lot on which it is located. No direct or sky-reflected glare shall emanate from any use or activity so as to be visible at any point on or beyond the boundary of the lot on which such use or activity is located. This restriction shall not apply to signs otherwise permitted by the provisions of the Zoning Ordinance or other applicable ordinances, nor to activities of a temporary or of an emergency nature, nor to night lighting necessary for safety and the protection of property.

(8) Electromagnetic interference. There shall be no electromagnetic interference that adversely affects the operation of any equipment other than that belonging to the creator of such interference or that does not conform to the regulations of the Federal Communications Commission.

(9) Water quality.

(a) Absolute. All internal drainage systems shall be so designed as not to increase turbidity, sediment yield or the discharge of any other harmful substances that will degrade the quality of water. Any problems shall be mitigated by the applicant.

(b) Relative.

1. The surface and ground waters of the region shall remain in their natural physical, chemical and biological condition for the benefit of present and future generations of residents of The City of Williamson.

2. The surface and ground waters of the region shall be used according to established legal water rights with the understanding that all users shall render the quality of the water at least equal to the quality in which it was received.

3. The surface and ground waters of the region shall not be encroached upon by land uses or other human activities that could cause deterioration of natural water quality.

4. The surface and ground waters of the county shall be protected by investments in roads, water supplies, sewage treatment systems and other facilities and services that would encourage land use and development activities to locations where water quality impacts will be minimized. Conversely, such investments shall be made to discourage land use and development activities in locations where severe water quality impacts may be caused.

5. The surface and ground waters of the county shall be protected by maintaining permanent vegetative cover and by controlling disturbances to vegetation.

6. The surface and ground waters of the county shall be protected from all land use and development activities involving soil disturbance and earth movement.

7. The surface and ground waters of the county shall be protected from land use activities creating impervious surface cover conditions that would cause a long-term reduction of the quality of natural groundwater recharge from precipitation.

8. The surface and ground waters of the county shall be protected from land use activities that would alter the drainage patterns, velocities, volumes and physical, chemical and biological characteristics of stormwater runoff as it occurs naturally in the county.

9. The surface and ground waters of the county shall not be used for dilution and disposal of wastes unless it cannot be demonstrated that such wastes will not cause a deterioration in natural water quality condition.

10. The surface and ground waters of the county shall be protected from uses of pesticides, fertilizers, algaecides, road salts and other chemicals that would temporarily or permanently alter water conditions.

(B) Accessory uses appurtenant to primary uses may be permitted as special use permits and must comply with the performance standards of this ordinance.

(C) All uses not able to comply with the performance standards for the M-IP Districts as set forth in this section are specifically prohibited.

### **§ 156.279 DEVELOPMENT STANDARDS FOR M-IP DISTRICTS.**

The following standards are required within M-IP Districts.

(A) Minimum lot area. As specified by the Pike County Health Department.

(B) Minimum lot width. As specified by the Zoning Administrator to meet the needs of the use.

(C) Minimum front yard. There shall be no front yard required in a M-IP zone.

(D) Minimum side yard. No side yard shall be required in a M-IP zone, but if one is provided, it shall be at least three feet wide; provided, however, where the lot in a M-IP zone abuts upon or is adjacent to the side of a lot in any residential zone, then there shall be a side yard the same as required in such abutting residential zone, and said yards shall be contained by a wall or fence not less than six feet in height or compact evergreen hedge not less than three feet and capable of obtaining a height of six feet.

(E) Minimum rear yard. No rear yard is required except as herein provided, but if one is provided it shall be not less than three feet in depth exclusive of any alley. A rear yard shall be provided in a M-IP zone when:

(1) The lot abuts or is adjacent to a premises used or is zoned for residential purposes. The yard shall be not less than three feet in depth;

(2) The buildings or structures or portions thereof on a lot are used for residential purpose, in which circumstances side and rear yard restrictions in residential zones shall apply. In the case of subdivision (1) of this section, the rear yard shall be contained by a wall or fence or ornamental compact evergreen hedge not less than three feet high and capable of attaining a height of six feet.

(3) A landscaped yard three feet in depth shall be provided in rear yards adjacent to a street.

(F) Maximum building height. In a M-IP zone there shall be no height limit except as provided in the Zoning Ordinance adopted by the City of Williamson Mayor and City Council and provided buildings or structures shall set back from every street and lot line one foot for each foot of height of the building in excess of 35 feet in addition to all other yard and setback requirements herein specified. Buildings and structures in conjunction with special use permits shall observe the height limits and regulations outlined above, unless the additional setback is modified as part of the special use permit.

(G) Applicability to land, buildings and open space. No building, structure, land or open space may be used or occupied, and no building or structure or part of a building or

structure may be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all of the regulations specified for the district in which it is located.

(H) Landscaping. All yards shall be landscaped exclusive of through direct driveways, adjacent to every street, on every lot upon which a new non-residential structure is erected or a graveled or unimproved lot is paved or a lot is newly developed for the outdoor sale or display of merchandise, goods or services.

(I) Sewage. All uses requiring sanitary facilities shall be served by a private community sewer system or, when available, a county sewer system.

(J) Every use must be on a lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance.

(K) Only one principal building per lot. Only one principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.

(L) Open space not to be encroached upon. No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces and other such required development standards contained in this ordinance. Shrubbery, driveways, retaining walls, fences, curbs and buffers are not considered to be encroachments of yards. Open space areas as required by this ordinance must be permanently maintained as open space in accordance with the requirements of this ordinance.

(M) Reduction of yards or lot area. Except as otherwise provided in this ordinance, no lot existing at the time of passage of this ordinance may be reduced, divided or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.

(N) Lots with multiple frontage. In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.

(O) Landlocked lots. Landlocked lots are not eligible for placement in a M-IP Zoning District.

(P) Street frontage. No principal building may be erected on any lot which has less than 30 feet of immediate frontage on at least one public street.

(Q) Yards abutting railroads. Side yards and rear yards are not required adjacent to railroad rights-of way.

(R) Yards and other spaces. No part of a yard, other open space, off-street parking or loading space required for another building may be included as a part of the yard, off-street parking or loading space required for another building, except as specifically provided for in this ordinance.

(S) Substandard lots. Any lot existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, is subject to the following exceptions and modifications.

(1) Adjoining lots in same ownership. When two or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or re-parcelled so as to create one or more lots which conform to the minimum frontage and area requirements of this district.

(2) Single lot. When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but existed at the effective date of this ordinance, such a lot may be used for any use allowed in the zoning district in which it is located as long as all other requirements of this ordinance are met.

(T) Encroachment on public rights-of-way. No building, structure, service area, required off-street parking or loading/unloading facility is permitted to encroach on public rights-of-way.

(U) Physical design standards. Minimum design standards for driveways, loading areas and other physical site improvements are contained in the City of Williamson Zoning Ordinance and Municipal Code. Consult those documents for specific requirements.

(V) Signs. Minimum design and location standards are contained in the City of Williamson sign regulations. Consult that document for specific requirements.

(W) Other applicable development regulations. Information concerning any other applicable development regulations may be obtained by consulting the City of Williamson Zoning Administrator.

## **S-1 SENSITIVE LAND - FLOOD HAZARD**

### **§ 156.290 PURPOSE.**

(A) S-1 is an overlay district which applies additional standards of specific areas which may lie within any of the districts referred to preceding this section. In each zoning district located within the boundaries of the S-1 District, both the regulations of that district and the regulations of the S-1 District apply. If required development standards are specified for the same item in both District regulations, the more stringent governs.

(B) Within the land area covered by this section, there exists land which is subject to periodic flooding and inundation. Within these areas, development standards are intended to reduce the proliferation of unsuitable development and minimize destruction of life and property due to flood.

### **§ 156.291 FEATURES WHICH MAKE LAND SUITABLE FOR INCLUSION WITHIN THE S-1 DISTRICT.**

Areas subject to periodic flooding are included within the S-1 District. Such areas are indicated on the Federal Emergency Management Agency Flood Insurance Program Flood Hazard Boundary Maps for The City of Williamson and/or Pike County.

### **§ 156.292 BOUNDARIES OF S-1 DISTRICTS.**

The Flood Hazard Boundary Maps (FHBM) and the Flood Insurance Rate Maps (FIRM) for The City of Williamson and/or Pike County are made a part of this ordinance by reference and are used to determine the location and extent of flood prone areas and the boundaries of the S-1 District.

### **§ 156.293 DEVELOPMENT STANDARDS FOR S-1 DISTRICTS.**

(A) As already stated, S-1 is an overlay district which may lie within any zoning district. If required development standards are specified for the same item in both district provisions, the more stringent governs.

(B) The development standards and other requirements for the S-1 District are contained in the City of Williamson Flood Damage Prevention Ordinance. That ordinance must be consulted for complete details of development standards associated with the S-1 Overlay District.

## **S-2 SENSITIVE LAND - WATERSHED PROTECTION**

### **§ 156.305 PURPOSE.**

(A) S-2 is an overlay district which applies additional standards of specific areas which may lie within any of the districts referred to in the sections preceding this section. In each zoning district located within the boundaries of the S-2 District, both the regulations of that district and the regulations of the S-2 District apply. If required development standards are specified for the same item in both district provisions, the more stringent governs.

(B) The purpose of this District is to protect certain watersheds which are vital to area public water supplies and have a unique environmental importance to The City of Williamson. This district is intended to maintain a high water quality of the surface water (rivers, creeks, streams and springs) and underground water and to help assure that a high quality of water is maintained in the future. The zoning for the district is intended to provide for certain permitted uses and to protect the area from the polluting effects of more intense development and from encroachments of those uses that are not compatible with a protected watershed.

### **§ 156.306 FEATURES WHICH MAKE LAND SUITABLE FOR INCLUSION WITHIN A S-2 DISTRICT.**

Areas that lie within watersheds which are vital to area public water supplies and have a unique environmental importance to The City of Williamson are included within the S-2 District.

### **§ 156.307 BOUNDARIES OF S-2 DISTRICTS.**

The S-2 District delineated on the S-2 Sensitive Land-Watershed Map which is made a part of this ordinance by reference and is used to show the boundaries of the S-2 District.

### **§ 156.308 PERMITTED USES.**

(A) As already stated, S-2 is an overlay district which applies additional standards to specific areas which may lie within any zoning district. If required development standards are specified for the same item in both district provisions, the more stringent governs.

- (B) The following principal uses are permitted in S-2 Districts:
- (1) Single-family dwelling;
  - (2) Manufactured home, Class A, B or C;
  - (3) Multi-family dwelling served by public sewage;
  - (4) Row crops and pasture;
  - (5) Commercial agriculture complying with Ga. Code §§ 2-7-50 et seq., the Georgia Pesticide Control Act of 1976; Ga. Code §§ 2-7-90 et seq., the Georgia Pesticide Use and Application Act of 1976; and Ga. Code § 2-1-4;
  - (6) Utility substation meeting the following development standards: a buffer must be provided along all property lines;
  - (7) Publicly owned and operated park or recreation area;
  - (8) Subdivision recreation area owned, operated and maintained by a homeowner's association exclusively for the use of residents and their guests;
  - (9) Riding academy or stable on tract of not less than three acres;
  - (10) Church, synagogue, chapel or other place of religious worship or educational instruction meeting the following development standards:
    - (a) It must be located on either an arterial or collector road;
    - (b) The lot must have a minimum road frontage of 200 feet;
    - (c) The lot must have an area of at least four acres;
    - (d) All buildings must be located at least 50 feet from any property line;
    - (e) A buffer must be provided along all side and rear property lines;
  - (11) Nursery school or kindergarten meeting the following development standards:
    - (a) At least 200 square feet of outdoor play area must be provided;
    - (b) At least 35 square feet of indoor space per child must be provided;
    - (c) Outdoor play areas must be enclosed by a fence at least four feet in height;
  - (12) School, elementary, middle or high, public or private;
  - (13) Golf course, public or private, meeting the following development standards:



- (a) It must be for daytime use only;
  - (b) All buildings, greens and fairways must be set back at least 100 feet from any property line;
- (14) Planned manufactured home park that is served by public sewage;
  - (15) Fishing club or fishing lake, swimming pool, hunting and hunting club, gun club, golf driving range or similar recreational use;
  - (16) Lake or impoundment built to soil conservation service specifications;
  - (17) Commercial activities that are not specifically prohibited by this section;
  - (18) Industrial activities that are not specifically prohibited by this section.
- (C) The following principal uses may be permitted as special use permits in S-2 Districts: none.
- (D) The following accessory uses are permitted in S-2 Districts:
- (1) Private garage or carport not to exceed the storage capacity of three automobiles per dwelling unit;
  - (2) Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds;
  - (3) Structure for a children's playhouse and the storage of children's play equipment;
  - (4) Private swimming pool and bath house or cabana meeting the following standards: all such swimming pools which are at least three feet deep must be completely enclosed by a fence that is at least four feet high;
  - (5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten feet in height;
  - (6) Noncommercial garden, including a greenhouse and other customary garden structures not over eight feet in height;
  - (7) Deck, patio, barbecue grill or other such facility;
  - (8) Fence, wall, exterior lighting fixture or other general landscaping and site development facility;
  - (9) Temporary building or storage of materials meeting the following development standards:
    - (a) Permitted only in conjunction with construction of a building;

(b) Allowed either on the same lot where construction is taking place or on adjacent lots;

(c) Such a use must be terminated upon completion of construction;

(10) The parking of one unoccupied travel trailer, motor coach or pleasure boat;

(11) Sign as permitted by the City of Williamson sign regulations;

(12) Sale of products and commodities raised on the premises only.

(E) The following accessory uses may be permitted as special use permits in S-2 Districts:

(1) Home occupation, excluding public garage and repair garage;

(2) Manufactured home for temporary use at construction site meeting the following development standards:

(a) In the case of a manufactured home for temporary use at a construction site, the following conditions apply to the special use permit issued for that same use:

1. It is allowed only in conjunction with a valid building permit which has been issued for the principal building to be placed on the lot;

2. It is temporary and valid only for a specified period of time;

3. It is issued for the same 12-month period for which the accompanying building permit for the principal building on the lot is issued;

4. A development plan must be submitted showing the proposed locations of the principal building and the temporary manufactured home. That development plan must be approved by the Mayor and City Council before issuing the temporary special use permit;

5. In the event that construction of the principal building on the lot has been well underway, but the building is not yet completed and approved for occupancy when the building permit and accompanying temporary special use permit expire after 12 months, the permittee may apply to the Zoning Administrator for an extension of the two permits. The Zoning Administrator will assess the situation and, at his or her discretion, may extend both permits for a period of up to 12 months in addition to the original period for which the permits were valid. In no case will a temporary manufactured home be allowed to remain for a period in excess of 24 months;

(b) The temporary manufactured home must be either a Class B or Class C manufactured home;

- (c) No more than one such unit is permitted per lot;
  - (d) The unit must be located entirely within the rear yard of the principal dwelling, as shown on the approved development plan;
  - (e) The unit must be removed within 30 days of the expiration permit for the unit;
  - (f) They may not be located in any front yard.
- (F) The following uses are specifically prohibited within the S-2 District:
- (1) Sewage treatment facility, unless prior approval is granted by the Mayor and City Council and E.P.D.;
  - (2) Commercial business which uses, sells, stores or maintains any toxic chemicals, toxic wastes or toxic products;
  - (3) Agricultural activity that does not strictly comply with Ga. Code §§ 2-7-5 et seq., Georgia Pesticide Control Act of 1976, Ga. Code §§ 2-7-90 et seq., Georgia Pesticide Use and Application Act of 1976 and Ga. Code, § 2-1-4;
  - (4) Industry, business or facility which uses, makes or creates as a product or by product any toxic wastes, heavy materials, grease, animal fat or organic loading;
  - (5) Dumping, discharging, releasing, spraying or distributing of any toxic or other harmful products on to the land, into the atmosphere or in a stream or body of water.

**§ 156.309 DEVELOPMENT STANDARDS FOR S-2 DISTRICTS.**

(A) As already stated, S-2 is an overlay district which applies additional standards to specific areas which may lie within any zoning district. If required development standards are specified for the same item in both District provisions, the more stringent governs.

(B) Any setback measurements stated in this section are measured from the outer edge of any river, creek, stream, spring or body of water that is located within the S-2 District or the outer property line of any property owned, operated, managed or maintained by any government agency in the City of Williamson as an existing reservoir or designated by a government agency in the City of Williamson as a future reservoir.

(C) For any property located within 1,000 feet of any property owned, managed, maintained or operated by any government in the City of Williamson as an existing reservoir or designated by a government agency in the City of Williamson as a future reservoir, the following development standards are required:

- (1) Agricultural uses.
  - (a) Minimum lot area. 3 acres.
  - (b) Minimum front yard. 250 feet.

- (c) Minimum side yard. 250 feet.
- (d) Minimum rear yard. 250 feet.
- (e) Minimum setback for cultivation. 250 feet.
- (2) Residential uses.
  - (a) Minimum lot area. 3 acres.
  - (b) Minimum front yard. 250 feet.
  - (c) Minimum side yard. 250 feet.
  - (d) Minimum rear yard. 250 feet.
  - (e) Minimum setback for cultivation. 250 feet.
- (3) Commercial uses. None permitted.
- (4) Industrial uses. None permitted.

(D) For other properties located within the S-2 District, but not located within 1,000 feet of any property owned, managed, maintained or operated by any government in the City of Williamson as an existing reservoir or designated by a government agency in the City of Williamson as a future reservoir, the following development standards are required.

- (1) Agricultural uses.
  - (a) Minimum lot area. 3 acres.
  - (b) Minimum front yard. 100 feet.
  - (c) Minimum side yard. 100 feet.
  - (d) Minimum rear yard. 100 feet.
  - (e) Minimum setback for nitrification field lines. 100 feet.
- (2) Residential uses.
  - (a) Minimum lot area. 1.25 acres for single-family dwellings, unless served by public sewage; 30,000 square feet per two-family dwelling (must be served by public sewage); 4,356 square feet per dwelling unit for multi-family dwellings (must be served by public sewage).
  - (b) Minimum front yard. 100 feet.
  - (c) Minimum side yard. 100 feet.
  - (d) Minimum rear yard. 100 feet.
  - (e) Minimum setback for nitrification field lines. 100 feet.

- (3) Commercial uses.
  - (a) Minimum lot area. 1.25 acres.
  - (b) Minimum front yard. 200 feet.
  - (c) Minimum side yard. 200 feet.
  - (d) Minimum rear yard. 200 feet.
  - (e) Minimum setback for nitrification field lines. 200 feet.
- (4) Industrial uses.
  - (a) Minimum lot area. 5 acres.
  - (b) Minimum front yard. 200 feet.
  - (c) Minimum side yard. 200 feet.
  - (d) Minimum rear yard. 200 feet.
  - (e) Minimum setback for nitrification field lines. 200 feet.

(E) No principal or accessory buildings may be constructed any lower than the maximum flood elevation for a distance of one mile downstream from any existing or designated planned reservoir dam.

(F) Should the owner of a lot, parcel or tract of land included in the S-2 District propose to subdivide any portion of such property, the owner or his or her authorized agent must submit to the Zoning Administrator a plat or drawing to scale showing the exact location of any surface water that is located on or within 250 feet of the subject property prior to a request for rezoning or for any permit.

(G) Variances may be considered by the Mayor and City Council as to lot sizes and yards, provided that sewage generated by the facility located on the property is serviced by an approved public sewage facility. However, variances may not be made as to any residential, commercial, agricultural or industrial facilities which use, make or create as a product or a by-product any toxic substance or waste.

(H) All other yard requirements of the primary zoning district in which a specific parcel of property lies must be complied with where they are either more stringent than or are not addressed by S-2 development standards.

## **CDS OVERLAY DISTRICT – COMMERCIAL DESIGN STANDARDS**

### **§ 156.310 PURPOSE, COMMERCIAL DESIGN STANDARDS OVERLAY DISTRICT**

It is deemed by the Mayor and City Council of the City of Williamson, Georgia that the adoption of an ordinance regulating and requiring standards for retail, commercial and industrial building

design and the design of associated lighting on new development or construction on retail, commercial and industrial sites is of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

## § 156.311 APPLICABILITY

The intent of these standards is to enhance the visual appearance of the community as a whole, as well as the commercial appeal of individual establishments. The mission or intent of this requirement is to adopt design standards which, over time, will establish a streetscape and image that will make the city unique to surrounding jurisdictions, establishes a unifying theme, presents the traveling public with a sense of arrival, is harmonious with its surrounds, is aesthetically pleasing and enhances the character of the community.

As such, the following goals, at a minimum, are established:

- (A) To encourage the rehabilitation/ redevelopment of commercial areas.
- (B) To reinforce and promote the established "village center" planning concept and associated retail and commercial development.
- (C) To facilitate and encourage safe, attractive, and convenient pedestrian circulation and alternate forms of transportation within a development, along a corridor and throughout the community.
- (D) To promote and encourage new development to be compatible in both scale and character with adjoining developments.
- (E) To use landscaping techniques to soften the effect and blend each development with the surrounding areas.
- (F) To further energy conservation and stormwater management through better design.
- (G) To ensure that quality development throughout the city is obtained.

Development or redevelopment of all retail, commercial, office and/ or industrial tracts lying within 500 feet of the centerline of SR 362 or Williamson-Zebulon Road, or within 500 feet of the centerline of any arterial or collector road as defined by this ordinance, shall comply with the requirements of this article.

Each new development and/or changes to existing development located within these areas shall be reviewed by the planning commission for conformance with these guidelines. There shall be no alteration of the existing condition of land, uses, structures, landscaping or lighting within these areas without approval of the planning commission. However, if a proposed development will not be visible from the road once the project is completed, the planning commission may waive review of the development.

The compatible relationship of each development within these areas is of critical public concern for any building or site enhancements. The intent of the design review is not to stifle innovative site planning, engineering, or architectural design but to assure respect for, and reduce incompatible and adverse impacts on, the visual experience. The planning commission shall base their review on the guidelines established herein as the sole basis for their review.

For more information on signs, sign design, sign placement and sign illumination refer to the Williamson Municipal Code, chapter 6-4 SIGN ORDINANCE.

## **§ 156.312 ARCHITECTURAL DESIGN**

The design of all structures, walls, fences, signs, light fixtures and accessory buildings shall be unobtrusive and of a design, material and color that blend harmoniously with the natural surroundings, and the scale of neighboring architecture, complying with the intent of this section. Innovative, high quality design and development is strongly encouraged to enhance property values and long-term economic assets along designated corridors.

Diversity of architectural design is highly encouraged. However, multiple buildings on the same site or within the same development should be designed to create a cohesive visual relationship between the buildings.

Franchise architecture for single or multiple buildings within a development should be avoided in order to create buildings that complement one another. Franchise architecture is defined as building design that is trademarked or identified with a particular franchise, chain or corporation and is generic or standard in nature. Franchises or national chains should follow the standards of this article to create a building that is compatible with the development in which it is located, utilizing similar architectural design, building materials or color selections to blend in with the surrounding development.

Architectural design should be compatible with the developing character of the neighboring area. Design compatibility includes complementary building style, form, size, color, materials, and detailing. The architect should consider each of the following contexts as part of the design process:

- (A) Size (the relationship of the project to its site);
- (B) Scale (the relationship of the building to those around it);
- (C) Massing (the relationship of the building's various parts to each other);
- (D) Fenestration (the placement of windows and doors);
- (E) Rhythm (the relationship of fenestration, recesses and projections);
- (F) Setback (in relation to setback of immediate surroundings);
- (G) Materials (their compatibility with the surrounding developments); and,
- (H) Context (the overall relationship of the project to its surroundings).

Buildings should incorporate alcoves, arcades, awnings, covered walkways, porticoes or roofs that protect pedestrians from the rain and sun. In addition, when appropriate, buildings should incorporate changes in mass, surface, lighting or finish to emphasize entranceways.

Blank walls that can be seen from any street (public or private) are prohibited. Walls shall have offsets, jogs, or other distinctive changes in the building facade. Long or continuous wall planes shall be avoided, particularly in pedestrian activity areas, where buildings should exhibit more detail and elements appropriate for close range pedestrian view.

The height of proposed buildings should be coordinated with the height of adjoining structures, especially where buildings will be located very close to each other. It is often possible to adjust the height of a wall, cornice, or parapet line to match that of an adjacent building. Similar design linkages, such as window lines, should be placed in a pattern that reflects the same elements on neighboring buildings.

### **§ 156.313 BUILDING HEIGHT AND MASSING**

The height of proposed buildings should be coordinated with the height of adjoining structures, especially where buildings will be located very close to each other. It is often possible to adjust the height of a wall, cornice, or parapet line to match that of an adjacent building. Similar design linkages, such as window lines, should be placed in a pattern that reflects the same elements on neighboring buildings.

The massing of a building can be defined as the overall geometry (length, width and height) of its perceived form. Massing is a significant factor that contributes to establishing the character of a specific building. Of particular importance in defining the massing of a building is the overall height of the form, both actual and perceived, as well as the geometry of the roof. In order to reduce the apparent bulk of multi-story buildings and maintain pedestrian scale by providing a sense of "base," "middle," and "top", the following guidelines must be met:

(A) Top: The "top" of the building shall emphasize a distinct profile or outline with elements such as projecting parapets, cornices, upper level setbacks, or pitched rooflines.

(B) Middle: The middle of the building must be made distinct by change in building materials and/ or color, windows, balconies, recessed panels, step backs, or other decorative features. The middle of a building typically consists of a pattern of upper-story windows.

(C) Base: Buildings shall have a distinct "base" at the ground level by using articulation and materials such as stone, masonry, or decorative concrete. Distinction of the base may also be defined by windows, alcoves, water tables, a change in materials, texture or color, building overhangs, canopies, awnings, or other architectural elements. For multi-story buildings, a base may be one story tall, defined by a storefront, a cornice, or a change in materials.

The facades of all buildings shall be proportionally divided using architectural elements including windows and entries in conjunction with porches, arcades, and awnings. Any wall surface over 30 feet in length should include at least one change in plane. Larger buildings shall be divided into bays of 25 to 40 foot widths. Bays can be articulated by pilasters, piers, differentiation in material, texture, or color, or by variation in the wall plane.

### **§ 156.314 EXTERIOR BUILDING MATERIALS AND ARCHITECTURAL ELEMENTS**

All sides of a building may have an impact on adjoining developments and should be considered for treatment with an architectural finish of primary materials (i.e., brick, wood and stone), unless other materials demonstrating equal or greater quality are used. As a general rule, front



facades should be at least 80 percent brick and/or stone. Side facades should be at least 50 percent brick and/or stone. Rear facades do not have a minimum requirement for primary materials and can consist entirely of secondary materials (e.g., stucco or composite (Hardi-Plank)). Tertiary materials (i.e., wood and metal) should be used for decorative elements and trim only.

The following types of building materials shall not be used on any part of the exterior of a building exposed to public view:

- (A) Metal building without a masonry base course and other architectural features;
- (B) Prefabricated steel panels;
- (C) Highly reflective, shiny, or mirror-like materials;
- (D) Mill-finish (non-colored) aluminum metal windows or doorframes;
- (E) Aluminum, steel, vinyl or fiberglass siding or roofing materials, except in the case of metal roofing such as color-coordinated standing-seam roofing, when approved by the Mayor and City Council;
- (F) Unfaced or painted concrete block;
- (G) Pre-cast concrete panels or exposed, unfinished foundation walls;
- (H) Exposed plywood or particle board;

### **§ 156.315 EXTERIOR COLOR SELECTION**

Material or color changes generally should occur at a change of plane. Piecemeal embellishment and frequent changes in material and/or color selections will be avoided.

Facade colors should be low reflectance, and subtle, neutral, or earth-tone colors. High-intensity colors, metallic colors, black, or fluorescent colors should not be used.

Building colors should be carefully chosen so that each building color complements that of its neighbors. Colors can be classified as the "base" color (used on the majority of the building surface), "trim" color (used on the window trim, fascia, balustrades, and posts), and "accent" color (used on signs, awnings, and doors). The base color should consist of more subdued earth tones or brick shades. Trim colors should have contrasting lighter or darker shade than the base color. If natural brick is used, it should not be painted.

### **§ 156.316 PRIMARY AND ACCENT COLOR(S)**

(A) A maximum of three predominant colors should be designated as a primary unifying element. Accent colors should not be considered predominant colors. Flexibility may be used to allow additional colors and/or a range of predominant colors provided that these colors are in the same family of colors or are similar to each other. Any color specified as a primary unifying element shall be dominant in the building facade.

(B) Accent colors may be used as a secondary unifying element provided they are used throughout the development.

### **§ 156.317 AWNINGS**

(A) The use of awnings on buildings is encouraged to provide protection from sun, wind, and rain, and to improve aesthetics of the building exterior. It is recommended that awnings be constructed with a durable frame, covered by a canvas material. Aluminum and other metal canopies may be acceptable in some instances, particularly when integrated into shopping center designs.

(B) Solid colors are preferred over striped awnings, but striping is permitted if colors complement the character of the structure or group of buildings.

(C) Awnings are encouraged for first floor retail uses to provide architectural interest and to encourage pedestrian activity. Where awnings are used, they should be designed to coordinate with the design of the building and any other awnings along the same block face. Awnings on second floor windows can be used to soften the appearance of a particular elevation or to assist in reducing the scale of the overall building.

### **§ 156.318 CANOPIES**

(A) While the use of canopies may be required on certain drive-up style structures such as petroleum pumps, flat canopies are not allowed. All canopies must have a roof pitch of at least 4-in-12 or 30 degree angle, coming to either a ridgeline or common point in the case of an octagonal, circular or other multi-sided structure. Such ridgeline or common point shall be visible from any adjacent roadway when viewed from a height of five feet off the roadway surface.

(B) In addition to providing protection from sun, wind, and rain, canopies shall be designed and constructed to improve aesthetics of the building exterior. It is recommended that canopies be covered by architectural shingles or raised rib metal roofing of a complementing color. Aluminum or other metal canopies with flat roofs are not acceptable in the district.

(C) Canopy design should provide architectural interest and to encourage pedestrian activity. Where canopies are used, they should be designed to coordinate with the design of the building and any other regulated canopies within the district.

(D) Colors are required to complement the character of the structure or group of buildings.

(E) All canopy illumination sources, other than parking lot security lighting, which are visible from the property of others or visible from public roads and rights of way shall be extinguished no later than 30 minutes after business closing each day and may not be turned on earlier than the time of opening each day

(F) Lighting associated with canopies must meet all standards as prescribed in Section 156.319 and shall not be visible from any adjacent street or property and in no case shall any lighting impair the vision of motorists on the corridor.

### **§ 156.319 STANDARDS FOR RETAIL, COMMERCIAL AND INDUSTRIAL BUILDING LIGHTING DESIGN**

(A) BUILDING AND SITE LIGHTING.

1. All exterior lighting should be architecturally compatible with the building style, material, and color selections. Architectural and shoebox style cutoff fixtures shall be used in all parking areas as opposed to cobra type light fixtures and directional floodlights. Exterior lighting of the building and site should be designed so that light is not directed off the site, and the light source is shielded from direct offsite viewing. All outdoor light fixtures should be fully shielded or be designed or provided with light angle cut-offs, so as to eliminate uplighting, spill light, and glare.
2. Exterior architectural, display and decorative lighting visible from the designated corridors shall be generated from a concealed light source with low-level fixtures. Any lighting fixture used to illuminate parking areas, access drives or loading areas shall be of such design, so as to minimize the amount of ambient lighting perceptible from adjacent properties. In no case shall any lighting impair the vision of motorists on the corridor.
3. Entrances into developments from the designated corridors may be lighted for traffic safety reasons, provided such lighting does not exceed the applicable foot-candle requirements specified below. Excessive illumination of signage, buildings, or site features should be avoided. Roof lighting and down-lighting washing the building walls are strongly discouraged.
4. MOUNTING HEIGHT
  - a. Fixture mounting height should be appropriate for the project and the setting.
  - b. The overall height of all lighting within parking lots should not exceed 30 feet in height from finish grade to the top of the light fixture.
  - c. Lower mounting heights are encouraged where sites are located adjacent to residential areas or other sensitive land uses.
  - d. Use of low, bollard-type fixtures that are three to four feet in height, is encouraged as pedestrian area lighting.
5. LIGHT FIXTURES
  - a. All light fixtures should be a cutoff luminaire whose source is completely concealed with opaque housing and should not be visible from any street. This provision includes lights on mounted poles, as well as architectural display and decorative lighting visible from the corridor.
  - b. Fixtures should be mounted in such a manner that the cone of light is not directed at any property line of the site.
  - c. Only incandescent, fluorescent, metal halide, mercury vapor, LED or color corrected high-pressure sodium light may be used.
  - d. The same type of lighting must be utilized for all fixtures and light sources on the site.
6. ILLUMINATION LEVELS.

- a. All site lighting should be designed so that the level of illumination measured in foot-candles (fc) at any one point meets the standards below.
- b. The planning commission shall have the discretion to allow limited flexibility as to variations in the minimum and average levels, if the proposed levels are below the following standards.
- c. The planning commission shall not allow flexibility for proposed levels which exceed the maximum levels, unless such levels strictly conform to the recommended levels within the IESNA Lighting Handbook.

TABLE INSET:

<i>At property lines including right-of-way</i>	<i>Minimum level</i>	<i>Average level</i>	<i>Maximum level</i>
At property line abutting a residential use	None	-	0.5 fc
At property line abutting a retail use	None	-	1.0 fc
At property line abutting an office use	None	-	1.5 fc
<i>Off-street parking lots</i>	<i>Minimum level</i>	<i>Average level</i>	<i>Maximum level</i>
Parking lots	0.5 fc	3.0 fc	6.0 fc
Walkways and streets	0.2 fc	1.0 fc	2.0 fc
Landscape and decorative	0.2 fc	.50 fc	3.0 fc
Pedestrian	0.2 fc	2.0 fc	5.0 fc

- d. Lighting underneath canopies for service stations or similar uses shall be restricted to no more than two 320-watt recessed lighting fixtures (including lenses) mounted flush with the bottom of the canopy on each side of a gasoline pump or other design that meets the standards of this chapter.
- e. Lighting for canopies for service stations and other similar uses shall not exceed an average of 12 fc as measured at the ground level at the inside of the outside edge of the canopy.
- f. Petroleum station monument signs may use downward directed white or clear flood lighting or red internal LED source lights for illuminating or displaying fuel price per gallon.
- g. All canopy illumination sources, other than parking lot security lighting, which are visible from the property of others or visible from public roads and rights of way, and all sign illumination sources which cause a sign to be visible from the property of others or visible from public roads and rights of way shall be extinguished no later than 30 minutes after business closing each day and may not be turned on earlier than the time of opening each day.

- h. Lighting for ATM machines shall be recessed and mounted flush with the actual canopy above the ATM machine and shall comply with the latest requirements identified within the IESNA Lighting Handbook or established by federal regulations.
- i. Decorative wall packs may be used only at service entrances to buildings and shall not be used to draw attention to the building or provide general building or site lighting.
- j. Wall packs on the exterior of a building shall be shielded (full cut-off type bulb or light source not visible from off-site) to direct light downward and be of low wattage (100 watts or lower).
- k. Illumination of all monument signage shall be by an externally located steady white or clear flood light source, which is shielded and directed solely at the sign. The intensity of the light shall not exceed 20 fc at any one point on the sign face. Colored lamps are not permitted.

## **OFFICIAL ZONING MAP**

### **§ 156.320 OFFICIAL ZONING MAP, THE CITY OF WILLIAMSON, GEORGIA.**

The Official Zoning Map, The City of Williamson, Georgia, is designated to be part of this ordinance. Any reference to the Official Map in this ordinance refers to the Official Zoning Map, The City of Williamson, Georgia.

### **§ 156.321 IDENTIFICATION, ALTERATION AND REPLACEMENT OF THE OFFICIAL MAP.**

(A) The Official Map is signed by the Mayor and bears the seal of the City or that of a notary public under the following words: “This certifies that this is the Official Zoning Map, The City of Williamson, Georgia, referred to in §§ 156.320 et seq. of the Zoning Ordinance of The City of Williamson, Georgia,” together with the date of adoption of the ordinance.

(B) (1) The Official Map may be altered only if the proposed alterations are in conformance with the City of Williamson Land Use Plan (where one exists), (this does not necessarily mean a one-to-one correspondence) and sound comprehensive planning principles. (See The City of Williamson Land Use Plan (where one exists) and § 156.028 of this ordinance for discussion of sound comprehensive planning principles.) Any alteration to the Official Map is an amendment to the ordinance. The procedure by which amendments are proposed and approved is contained in § 156.028. Any amendment involving changes in zoning district boundaries must be entered on the Official Map as soon as the amendment has been approved by the Mayor and City Council. The entry must be as follows: “On (date) by official action of the Mayor and City Council of The City of Williamson, the following change (or changes) were made in the Official Zoning Map, The City of Williamson, Georgia: (Brief description of change).” It must be signed by the Mayor of the City of Williamson. No amendment to portions of this ordinance that are illustrated on the Official Map becomes effective until after the change has been entered as described above on the Official Map.

(2) Alterations to the Official Map may be made only by the procedures contained in this ordinance. Any unauthorized alteration of the Official Map by any person is a violation of this ordinance.

(3) The Official Map shall be on display in the Williamson City Hall, and is the final authority as to the current status of zoning district boundaries.

(C) If the Official Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Mayor and City Council may adopt a new Official Map which will replace the previous Official Map. The new Official Map is identified as such in the same manner as described above in this section. When the new Official Map is adopted, a notation must be made on the previous Official Map that it is no longer valid, indicating the date that the new Official Map was adopted. The previous Official Map should be preserved, if it has not been lost or destroyed, for possible future reference.

### **§ 156.322 ZONING DISTRICT BOUNDARIES.**

Where uncertainty exists with respect to the exact location of the boundary of a zoning district shown on the Official Map, the following guidelines will be used in establishing the exact location of the boundary:

(A) Where a zoning district boundary line as appearing on the Official Map divides a single lot that was a single lot at the time of the enactment of this ordinance, the requirements for the zoning district in which the greater portion of the lot lies must be extended to the balance of the lot;

(B) Where a zoning district boundary is indicated as approximately following the corporate limit line of the county, the corporate limit line is the boundary;

(C) Where a zoning district boundary is indicated approximately following a property line or such extended, the line or line extended is the boundary;

(D) Where a zoning district boundary is indicated as approximately following the center line of a stream bed, such a center line is the boundary;

(E) Where a zoning district boundary is indicated as approximately parallel to the center line of a street, road, railroad or the right-of-way of such a facility, the zoning district boundary is parallel to the line and at a distance from it as indicated by scale on the Official Map.

### **§ 156.323 RELATIONSHIP BETWEEN OFFICIAL MAP AND THE CITY OF WILLIAMSON LAND USE PLAN.**

(A) The City of Williamson Land Use Plan (where one exists) was prepared by the Planning Commission and adopted by the Mayor and City Council of The City of Williamson. It should provide the best possible indication of desirable land use patterns that will meet projected future demand for land uses of various types. The City of Williamson Land Use Plan (where one exists) supplies a body of information on which decisions on future development may be made that are guided by sound planning principles. The Plan does not legally regulate land uses. It contains a Land Use Map, which shows suitable areas for various types of land uses. Actual land uses may not necessarily conform to the Land Use Map.

(B) The zoning districts contained on the Official Map carry standards which must be met by all new development and construction in the county. The arrangement of zoning districts is based on land use information contained in the City of Williamson Land Use Plan (where one exists). Establishment and amendment of zoning district boundaries must be in conformance with the City of Williamson Land Use Plan (where one exists). (This does not necessarily mean a one-to-one correspondence). This assures that such amendments to the Official Map are based on defensible findings of fact as well as sound comprehensive planning principles.

## **OFF-STREET PARKING AND SERVICE FACILITIES**

### **§ 156.355 SCOPE.**

This section covers specifications for off-street parking and service facilities in the City of Williamson. Requirements for such facilities are specified by zoning district in The City of Williamson Zoning Ordinance. That ordinance refers the reader to this standard for specifications of required facilities.

### **§ 156.356 GENERAL STANDARDS FOR PARKING SPACE DESIGN.**

(A) Parking spaces must not be reduced. Off-street parking spaces must not be reduced below the minimum required number for the use of the facility to which they are assigned.

(B) Drainage, construction and maintenance. All off-street parking, loading and service areas must be drained so as to prevent damage to abutting properties and/or public streets and must be constructed of materials which will assure a surface resistant to erosion. All such areas must be at all times maintained at the expense of the owners in a clean, orderly and dust-free condition to the extent that it does not create a nuisance.

(C) Separation from walkways, sidewalks and streets. All off-street parking, loading and service areas must be separated from walkways, sidewalks and streets by curbing or other suitable protective device.

(D) Parking area design. Parking stalls must have a minimum width of 9½ half feet and length of 18 feet. There must be provided adequate interior driveways to connect each parking space with a public right-of-way. Interior driveways must be at least 24 feet wide where used with 90 degree angle parking, at least 18 feet wide where used with 60 degree angle parking, at least 12 feet wide where used with 45 degree angle parking and at least 12 feet wide where used with parallel parking. Where there is no parking, interior driveways must be at least 12 feet wide for one-way traffic movement and at least 24 feet wide for two-way traffic movement.

(E) Joint parking facilities. Two or more neighboring uses of the same or different types may provide joint parking facilities as long as the number of off-street parking spaces is not less than the sum of the individual requirement.

(F) Pavement markings and signs. Each off-street parking space must be clearly marked and directional arrows and signs must be properly maintained so as to ensure their maximum efficiency.

**§ 156.357 NUMBER OF PARKING SPACES REQUIRED.**

(A) Off-street parking space must be provided and maintained as specified in the schedule set forth in division (B) of this section. For uses not specifically listed here, the parking requirements for the listed use most similar to the unlisted use in question, as determined by the City of Williamson, will apply.

(B) Parking requirements by use are as follows:

(1) Apartment or other multi-family dwelling:

Two spaces for each dwelling unit.

(2) Auditorium, stadium, assembly hall, gymnasium, theater, community recreation center or church:

Whichever of the following three standards is the greatest:

One space per four fixed seats in largest assembly room or area; or one space for each 40 square feet of floor area available for the accommodation of moveable seats, or combination of fixed and moveable seats, in the largest assembly room; or one space per each 150 square feet of gross floor area.

(3) Automobile fueling station:

Two spaces (in addition to service area) for each pump and grease rack, but not less than four spaces.

(4) Automobile sales and repair, service station, carwash:

Two spaces (in addition to service area) for each pump and grease rack, but not less than four spaces, plus one space for each 500 square feet of gross floor area of the shop or carwash.

(5) Bowling alley:

Four spaces per alley, plus requirements for any other use associated with the establishment such as a restaurant and the like.

(6) Club or lodge:

One space for each two employees plus one space for each 200 square feet of gross floor area within the main assembly area, plus additional spaces for other uses permitted within the premises.

(7) Combined uses:



Parking spaces must be the total of the spaces required for each separate use established by this schedule.

- (8) Commercial recreation area (indoor or outdoor such as YMCA or similar):

Whichever of the following two standards is the greater: one space for each 150 square feet of gross floor, building or ground area; or one space per each four seats or facilities available for patron use.

- (9) Dance school:

One space for each employee, plus one space per 150 square feet of gross floor area, plus adequate area for safe and convenient loading and unloading of students.

- (10) Dwelling, single-family or two-family:

Two spaces for each dwelling unit. Residential driveways will satisfy this need.

- (11) Fraternity, sorority, college dormitory:

One space for each two residents, plus one space for each two employees.

- (12) Golf course:

Two spaces for each hole and one space for each two employees, plus requirements for any other use associated with the golf course.

- (13) Hospital, personal care home, intermediate care home, nursing home:

One space for each three beds, plus one space for each two employees (nurses, attendants and the like), plus one space for each staff or visiting doctor.

- (14) Hotel:

One space for each three guest rooms, suites or units, plus one space for each two employees. One space for each 150 square feet of gross floor, building, ground area or combination devoted to such use; or one space for each four seats or facilities available for patron use.

- (15) Kindergarten, nursery school:

One space for each employee, plus adequate area for safe and convenient loading and unloading of students.

- (16) Manufacturing activity, industry, warehouse:

Two spaces for each three employees on shift of greatest employment, plus one space for each vehicle used directly in the conduct of the business.

(17) Motel:

One space for each unit, plus one space for each two employees, plus requirements for any other use associated with the establishment such as a restaurant and the like.

(18) Office, professional building or similar use:

One space for each 300 square feet of gross floor area, plus one space for each two employees.

(19) Personal service establishment:

One space for each 200 square feet of gross floor area, but not less than two spaces for each employee.

(20) Restaurant or place dispensing food, drink or refreshment:

One space for each three seats, plus one space for each two employees on the shift of greatest employment.

(21) Retail store of any type not otherwise specified in this schedule:

One space per 200 square feet of gross floor area.

(22) School, elementary:

One space for each teacher, plus one space for each two employees and administrative personnel, plus one space for each classroom, plus adequate area for safe and convenient loading and unloading of students.

(23) School, high, trade:

One space for each two teachers, employees, administrative personnel and student, plus adequate area for safe and convenient loading and unloading of students.

(24) Shopping center:

One space for every 200 square feet of gross floor area.

(25) Swimming pool, public:

One space for every 200 square feet of water surface, plus requirements for any other use associated with the establishment such as a restaurant and the like.

(26) Wholesale establishment:

One space for each employee, plus sufficient spaces to accommodate vehicles used in the conduct of the business.

### **§ 156.358 NUMBER OF LOADING SPACES REQUIRED.**

Manufacturing, industrial, wholesale and retail operations must provide loading space as follows.

(A) Spaces appropriate to functions. Off-street loading spaces must be provided as appropriate to the functions and scope of operation of individual or groups of buildings and uses.

(B) Design of loading spaces. Off-street loading spaces must be designed and constructed so that all maneuvering to park and maneuver vehicles for loading can take place entirely within the property lines of the premises. Loading spaces must be provided so as not to interfere with the free, normal movement of vehicles and pedestrians on public rights-of-way.

(C) Ingress and egress. Ingress and egress to off-street loading spaces must conform to curb cut requirements specified in this standard.

### **§ 156.359 CURB CUT REQUIREMENTS.**

In any case in which provision for ingress and egress involves the lowering or cutting away of curbs, such a curb cut is subject to the following provisions.

(A) Only one combined entrance and exit is allowed for any parcel of property with a frontage on any one street of less than 50 feet. No more than two combined entrances and exits are allowed for any parcel of property with a frontage on any one street of between 50 feet and 200 feet. For parcels of property having frontage on any one street of more than 200 feet, additional entrances or exits are permitted only after the developer demonstrates to the satisfaction of the Mayor and City Council that more curb cuts are needed for safety reasons and such additional curb cuts are approved by the Mayor and City Council.

(B) At street intersections, curb cuts must be located at least 25 feet from the intersections of the two curb lines (or such lines extended) or at least 15 feet from the intersection of the two intersecting property lines (or such lines extended), whichever is less.

(C) The distance between any two curb cuts on the same side of the street and located on one property must be at least ten feet. That distance is measured between the points at which the two curb cuts begin to deviate from the established curb line of the abutting street (in other words, between the intersections of the curb return radii and the established curb line of the abutting street).

(D) The minimum setback from all property lines for any driveway is two feet.

(E) The maximum permitted width of any driveway at the right-of-way line of the abutting street is 35 feet.

(F) The maximum permitted width of any curb cut, including the points at which the curb cut begins to deviate from the established curb line of the abutting street at either end of the curb cut (in other words, including the curb returns) is 50 feet. However, the Mayor and City Council may approve a specified larger width for a truck stop, if he or she determines that a larger curb cut is needed for safety reasons.

- (G) The sum of the two curb return radii for any one curb cut must not exceed 15 feet.

## **ARTICLE V. POWERS AND DUTIES OF CITY OFFICIALS**

### **§ 156.370 PURPOSE.**

This section formalizes the powers and duties of the Zoning Administrator, the Planning Commission, and the Mayor and City Council where this ordinance is concerned. It should also provide a convenient list of services provided by each official to aid in complying with the requirements of this ordinance.

### **§ 156.371 POWERS AND DUTIES OF THE DESIGNATED WILLIAMSON ZONING ADMINISTRATOR, THE WILLIAMSON CITY CLERK, AND THE PIKE COUNTY DEPARTMENT OF PLANNING AND ZONING, RELATED TO ZONING IN THE CITY OF WILLIAMSON.**

(A) The Zoning Administrator and the Williamson City Clerk or designated City official each have the power and duty to provide the following services related to this ordinance:

1. Provide initial information about this ordinance upon request;
2. Advise how to contact members of the Planning Commission or the Mayor and City Council for services provided by those bodies;
3. Determine in which zoning district a parcel of land lies;
4. Offer practical suggestions on how to comply with the requirements of this ordinance;

(B) The designated Williamson Zoning Administrator or City official has the additional power and duty to provide the following services when requested:

1. Process Applications for building permits under procedures outlined in § 156.023;
2. Issue certificates of zoning compliance for all permitted uses and for conditional uses and variances which are granted by the Mayor and City Council;
3. Post a “stop work” order on any building code violation or any zoning district violation;
4. Supervise all professional and clerical assistants employed in connection with the performance of the functions of the Zoning Administrator’s office;
5. Collect data and keep informed as to the best zoning practices, in order that he or she may be qualified to make recommendations to the City of Williamson Mayor and City Council concerning amendments to the Zoning Map of The City of Williamson;
6. Research and make reference to the Zoning Ordinance in connection with each and every application received for variance or special use permit and to make written recommendations to the Mayor and City Council on each such application as to whether:

- a. The granting of such variance or special use permit would result in an encroachment on existing land uses or Zoning Districts already established on adjoining or nearby neighborhood properties protected by the Zoning Ordinance from such encroachment;
  - b. Sufficient authority exists in the Zoning Ordinance to allow the Mayor and City Council to grant the variance or special use permit;
  - c. The written recommendations of the Zoning Administrator will be made a permanent part of the application file and a copy provided to the Mayor and City Council for their file;
7. Research and make reference to the City of Williamson Zoning Ordinance on each and every application received for amendment to the City of Williamson Zoning Map and to make written recommendations to the Planning Commission on each such application as to whether:
- a. The approval of such an application would result in an encroachment on an existing land use or Zoning Districts already established on adjoining or nearby neighborhood properties protected by the Zoning Ordinance from such encroachment;
  - b. Sufficient authority exists in the Zoning Ordinance to authorize the Planning Commission to make a favorable recommendation on the application;
  - c. The approval of the application would be in conflict with the basic purpose and/or provisions of the Zoning Ordinance and, if so, in what manner;
  - d. Such written recommendations will be made a permanent part of the application file and be available to the Mayor and City Council when that Council hears the application.

(C) The Williamson City Clerk has the additional power and duty to provide the following services:

- 1. Process Applications for building permits under procedures outlined in § 156.023;
- 2. Maintain complete records concerning this ordinance and related matters and make such records available to the public upon request;
- 3. Maintain copies of the Official Boundary and Zoning Maps and the Official Zoning Ordinance and assist with the maintenance and display of the Official Boundary and Zoning Maps and availability of the Official Zoning Ordinance at City Hall as required;
- 4. Serve as administrative secretary to the Planning Commission when needed;

(D) The Pike County Department of Planning and Zoning, through intergovernmental agreement, has the power and duty to provide the following services when requested as a designated agent for the City of Williamson:

- 1. Issue building permits on behalf of the City of Williamson under the provisions set forth in § 156.023;
- 2. Issue certificates of occupancy under procedures outlined in § 156.024;

3. Post a “Stop Work” order on any building code violation or any zoning district violation;
4. Issue certificates of zoning compliance for all permitted uses and for conditional uses and variances which are granted by the Mayor and City Council;
5. Collect data and keep informed as to the best zoning practices, in order that he or she may be qualified to make recommendations to the City of Williamson Mayor and City Council concerning amendments to the Zoning Map of The City of Williamson;

### **§ 156.372 PLANNING COMMISSION.**

This section, previously known as Appendix B and Ordinance 94-7, details the establishment of the City of Williamson Planning Commission. The Planning Commission has the power and duty to provide the following services related to this ordinance:

- (A) Advise the Mayor and City Council on applications for amendment to this ordinance by examining amendment applications and providing written recommendations with reasons for the recommendations to the Mayor and City Council as specified in § 156.028;
- (B) Dispense general information about this ordinance to the public upon request;
- (C) Propose amendments to this ordinance;
- (D) Maintain and update the City of Williamson Land Use Plan (where one exists) so that it may provide a current data base with which decisions on proposed amendments to this ordinance may be made that utilize sound planning principles;
- (E) Carry out an ongoing comprehensive planning program which, like the Land Use Plan (where one exists), will provide current data on which decisions regarding this ordinance may be based that utilize sound planning principles;
- (F) Set off-street parking requirements for certain land uses, where called for in the development standards for a zoning district;
- (G) Advise the Mayor and City Council on matters of zoning and annexation.
- (H) Authorize variances in accordance with procedures specified in §156.026.

### **§ 156.373 BOARD OF APPEALS.**

The Williamson Mayor and Council abolished the Williamson Board of Appeals on 5 December, 2019; and therefore,

- (A) The Mayor and City Council have assumed the power and duty to provide the following services:
  1. Authorize special use permits under procedures contained in §§ 156.027 (G) and (H); and,

2. Accept applications for appeal of an action of the Zoning Administrator or actions of the Planning Commission and render official decisions on them according to procedures specified in § 156.025 and § 156.026.
- (B) The Planning Commission has assumed the power and duty to Authorize variances according to procedures specified in § 156.026;

### **§ 156.374 MAYOR AND CITY COUNCIL.**

The Mayor and City Council have the power and duty to provide the following services related to this ordinance:

- (A) Accept applications for amendment of this ordinance and render official decisions on them after referring them to the Planning Commission, and/or the Zoning Administrator as appropriate, for review and recommendations as specified in § 156.028;
- (B) Propose amendments to this ordinance;
- (C) Authorize special use permits under procedures contained in §§ 156.027 (G) and (H);
- (D) Hear appeals of the actions of the Planning Commission or Zoning Administrator as appropriate and provided for in this ordinance.

## **ARTICLE VI. VIOLATIONS AND PENALTIES**

### **§ 156.900 VIOLATIONS.**

(A) If any building or land is used or maintained in violation of this ordinance, anyone, including the City, who would be harmed by such a violation, may initiate legal proceedings to obtain an injunction or other appropriate remedy to stop the violation or to prevent any act which would constitute such a violation. Other legal remedies are also available as provided by Georgia law.

(B) Georgia State Law provides that Cities may proscribe certain conduct that is not already prohibited by state law and provide for appropriate punishment. State law establishes a maximum punishment for ordinance offenses including incarceration time limits and monetary fine amounts per offense.

(C) The City of Williamson has adopted nuisance abatement ordinances which allow complaints to be brought against property owners for maintaining nuisances or allowing code violations to persist.

(D) The City has enacted a Municipal Court to hear and adjudicate such disputes. In these instances, the City may be represented by either a code enforcement officer or the City attorney or the City's code enforcement officer may be the City's main witness. In such cases, in addition to traditional fines, the Municipal Court has the power to order abatement of a nuisance.

**§ 156.990 PENALTY.**

(A) It is unlawful to violate the provisions of this ordinance or to fail to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances, conditional uses or conditional exceptions). Any person who violates this ordinance or fails to comply with any of its requirements will, upon conviction, be fined not more than \$500 or spend not more than 60 days in jail, or both. In addition, he or she must pay all costs and expenses involved in the case. Each day such a violation continues shall be considered a separate offense.

(B) The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in or maintains such a violation may each be found guilty of a separate offense and suffer the penalties provided here.