

## ARTICLE VII - REQUIREMENTS BY DISTRICTS

### SECTION 700 - RM-75 RESIDENTIAL MANUFACTURED HOUSING DISTRICT

700.1 - INTENT OF DISTRICT - The RM-75 Residential Manufactured Housing District is established to provide suitable locations for dwellings which satisfy the minimum standards of 314.1 of the Waycross Zoning Ordinance and for any other dwelling suitable for R-S, R-90, R-75 and R-50 Residential Districts. The RM-75 Residential Manufactured Housing District is further designed to accomplish the following purposes:

- (a) To provide sufficient space in appropriate locations for residential development to meet the housing needs of the present and anticipated population;
- (b) To protect residential areas from hazardous and offensive influences harmful to the health, morals or safety of the City or its residents;
- (c) To protect residential areas from heavy traffic or through traffic, by regulating the size of buildings in relation to the land around them, and by providing for open space for off-street parking;
- (d) To provide space for both public and private community facilities which serve the needs of nearby residents and which generally perform their functions more effectively in a residential environment;
- (e) To promote the most desirable use of land in accordance with a comprehensive plan;
- (f) To promote stable residential development;
- (g) To conserve the value of land and buildings;
- (h) To promote freedom of architectural design, in order to encourage the development of more attractive and economic building forms;
- (i) To encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this article;
- (j) To encourage the development of vacant land for attractive diversified residential projects;
- (k) To provide a zoning district for manufactured housing dwellings which meet the minimum standards set forth in Section 314.1 of this Ordinance and Subsection 700.6 of this Ordinance and which exceed the minimum standards established by Section 314.2 of this Ordinance for Mobile Homes.

### 700.2 - PERMITTED USES

- (a) Single-family, duplex and multi-family (including apartments and townhouses) dwellings. Existing single-family and duplex dwellings shall not be converted, or otherwise changed to multi-family (3 or more) dwellings. New multi-family dwellings developed shall meet current zoning, building and other development code requirements.
- (b) Public elementary, junior high and senior high level schools.
- (c) Private schools offering curricular substantially the same as that offered by public schools.
- (d) Public libraries, public recreation centers and other public facilities.

- (e) Non-commercial parks, playgrounds and other outdoor recreation activities and their related facilities.
- (f) Non-commercial horticulture or agriculture, but not including the keeping of farm animals or poultry.
- (g) Uses or structures, accessory to the other uses set forth in this subsection 700.2.
- (h) Home Occupations.
- (i) Churches, synagogues, temples and other places of worship provided that such uses are located on a lot fronting a major collector street as designated on the Zoning Map and provided further that no structure housing church activities are located less than fifty (50) feet from a residential property line.
- (j) Public utility substations or sub-installations, provided that;
  - (1) such uses are enclosed by a solid or chain-link fence or wall at least six (6) feet in height above finish grade if needed to give protection against hazardous equipment;
  - (2) there is no office nor is there storage of vehicles, equipment or construction materials on the premises; and
  - (3) landscaped buffer strip not less than five (5) feet in width is planted and suitably maintained at the periphery of the containing facilities.
- (k) Nurseries (pre-school nurseries, day nurseries, day care centers and similar uses) provided that such facilities conform with the requirements of the Georgia State Board of Health and the Ware County Health Department and provided that such play area is fenced to a minimum height of four (4) feet and that no building is less than thirty (30) feet from a residential property line.
- (l) Cemeteries, provided that such uses: (1) front a major street or a collector street; (2) have a ten (10) foot planted buffer strip around its entire perimeter which is kept free of any other use, except access; (3) include no crematorium.
- (m) Planned Unit Development meeting the requirements of Section 714.
- (n) Group Development meeting the requirements of Section 701.4(b).
- (o) Signs: For permitted signage, please see Article VIII.
- (p) Manufactured Housing Dwelling satisfying the definition of 314.1 and also satisfying the requirements and standards set forth in Section 700.6 of this Ordinance.
- (q) Home providers I meeting the requirements of Section 309.2.

**700.3 - LOT AND YARD REQUIREMENTS FOR MANUFACTURED HOUSING SINGLE-FAMILY AND DUPLEX RESIDENTIAL USES**

- (a) Minimum Lot Area per Dwelling Unit (Square Feet):
  - Single-Family - 9,000
  - Duplex - 5,500
- (b) Minimum Lot Width for Dwellings:
  - Single-Family - 75 ft.
  - Duplex - 90 ft.

(c) Minimum Front Yard. The front wall of the main structure shall be set back from the right-of-way line of the street as follows:

Major Street - 40 ft.

Collector Street - 40 ft.

Minor Street - 35 ft.

\* See Section 618 Special Building Setbacks for other requirements.

(d) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way lane of the street as follows:

Major Street - 20 ft.

Collector Street - 20 ft.

Minor Street - 20 ft.

\* See Section 618 Special Building Setbacks for other requirements.

(e) Side Yard Not on Street. The side wall of the main structure shall be set back from the adjacent property line as follows:

Single Family

Least Dimension - 8 ft.

Both Sides - 20 ft.

Duplex

Least Dimension - 10 ft.

Both Sides - 25 ft.

(f) Rear Yards. The rear wall of the main structure shall be set back from the rear property line as follows: 25 ft.

(g) Maximum Height. The maximum height for all uses shall be 35 feet, unless approved by the Waycross Fire Department.

(h) Floor Area Ratio. In all residential districts, maximum floor area ratio shall not exceed thirty-five (35) percent, except as provided for in townhouses.

(i) Minimum Heated Square footage per Dwelling unit

Single-Family – 1000 square feet

Duplex – 1000 square feet

#### 700.4 - REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL USES

(a) Single Building Development. One principal multi-family residential building is permitted on one (1) zoning lot in accordance with the following standards:

(1) Minimum Lot Area per Dwelling Unit (Square Feet)

Multi-family 2,900

(2) Minimum Lot Width for Dwellings

Multi-family 115 ft.

(3) Minimum Front Yard. The front wall of the main structure shall be set back from the right-of-way of the street as follows\*:

Major Street	40 ft.
Collector Street	40 ft.
Minor Street	35 ft.

\* See Section 618 Special Building Setbacks for other requirements.

(4) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way line of the street as follows\*:

Major Street	20 ft.
Collector Street	20 ft.
Minor Street	20 ft.

\* See Section 618 Special Building Setbacks for other requirements.

(5) Side Yard Not on Street. The side wall of the main structure shall be set back from the adjacent property line as follows:

<u>Multi-family</u>	
Least Dimension	15 ft.
Both Sides	35 ft.

(6) Rear Yard. The rear wall of the main structure shall be set back from the rear property line as follows:  
25 ft.

(7) Maximum Height. The maximum height for all uses shall be 35 feet, unless approved by the Waycross Fire Department.

(8) Floor Area Ratio. Maximum floor area shall not exceed thirty-five percent (35%) of the zoning lot except as provided for in townhouses.

(9) Minimum Heated Square Footage. Each dwelling unit must be a minimum of 1000 square feet of heated floor area.

(b) Group Building Development. Two or more principal multiple family residential buildings on one or more contiguous lots are permitted in accordance with the following standards:

- (1) Lot Size and Setback Requirement: All buildings and structures established as a part of a group building development shall comply with the lot area, size, floor area ratio and setbacks according to Section 700.4(a).
- (2) Separation of Buildings: All residential buildings established as part of a group of building development shall be not less than twenty (20) feet apart.

- (3) Street Access: Any building established as a part of a group development which cannot be served from an abutting street shall be made accessible to vehicles by a paved driveway having a roadbed width of not less than twenty (20) feet, exclusive of parking spaces.
- (4) Buffers: Within the above exterior rear and side setback requirements, a planted buffer shall be required. Property within such buffer areas may be included with the lot area for density lot coverage purposes.
- (5) Minimum Heated Square Footage. Each dwelling unit must be a minimum of 1000 square feet of heated floor area.

(c) Townhouses. Townhouses are permitted provided that:

- (1) Not more than ten (10) nor fewer than three (3) contiguous townhouses shall be built in a row with approximately the same but staggered front line, except units on corner lots may face either street;
- (2) Minimum width for the portion of the lot on which the townhouse is to be constructed shall be eighteen (18) feet, but the minimum average width of a group of five (5) or more units shall be twenty (20) feet;
- (3) Lot area shall average no less than 2,500 square feet, and the minimum of any single lot shall be 2,000 square feet;
- (4) Separation Requirements. No portion of a townhouse or accessory structure in or related to one group of contiguous townhouses shall be closer than twenty (20) feet to any portion of a townhouse or accessory structure related to another group, or to any building outside the townhouse area;
- (5) Yards. The nearest point of each building shall be at least twenty (20) feet from the nearest right-of-way line of abutting streets and at least ten (10) feet from all other property lines adjacent to the townhouse complex. Each townhouse shall have on its own lot one rear or side yard, private or reasonably secluded from view from streets and from neighboring property. Such yard shall not be used for any accessory building. Front and rear yard setbacks shall be the same as the zone in which such townhouse development is located.
- (6) Grouped Parking Facilities. Insofar as practicable, off-street parking facilities shall be grouped in bays, either adjacent to streets or in the interior of blocks.
- (7) Open Space. In all townhouse projects where more than ten (10) units are to be constructed, a landscaped common area amounting to at least ten percent (10%) of a single townhouse project area shall be provided on the same or adjacent block. No building, parking, storage or other use shall be made of this open space.
- (8) Buffers. Within the above exterior rear and side setback requirements, planted buffer shall be required. Property within such buffer areas may be included within the lot area for density lot coverage purposes.
- (9) Minimum Heated Square Footage. Each dwelling unit must be a minimum of 1000 square feet of heated floor area

#### 700.5 - REQUIREMENTS FOR NON-RESIDENTIAL USES

- (a) Minimum Lot Area: 12,000 square feet.

- (b) Minimum Lot Width: 100 feet.
- (c) Minimum Front Yard: The front wall of the main structure shall be set back from the right-of-way line of the street as follows\*.

Major Street	40 feet
Collector Street	40 feet
Minor Street	35 feet

\* See Section 618 Special Building Setbacks for other requirements.

- (d) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way line of the streets as follows\*.

Major Street	20 feet
Collector Street	20 feet
Minor Street	20 feet

\* See Section 618 Special Building Setbacks for other requirements.

- (e) Side Yard Not on Street. The side wall of the main structure shall be set back at least twenty (20) feet from the side property line. The combined area of both side yards shall be at least forty-five (45) feet.
- (f) Minimum Rear Yard. The rear wall of the main structure shall be set back at least twenty-five (25) feet from the rear property line.
- (g) Minimum Height. No structure shall exceed sixty (60) feet in height except upon the approval of the City of Waycross Fire Department.
- (h) Planted Buffer. A planted-buffer strip is required within setbacks adjoining residential uses and meeting the requirements of Section 610.1.
- (i) Floor Area Ratio. Maximum floor area ration shall not exceed thirty-five percent (35%) of the zoning lot.

700.6 - STANDARD REQUIREMENTS FOR MANUFACTURED HOUSING. Each manufactured housing dwelling to be placed in the RM-75 district, must comply with the following requirements and conditions:

- (a) A parking permit must be obtained from the City prior to placing or moving the unit onto the property; (the fee for such permit will be determined by City Commission and on file in the City Clerk's office);
- (b) All units must front the street on which they are addressed;
- (c) All footings and foundations must be inspected by the Building Inspectors after the placement of the unit; units must be anchored at time of setup and before occupancy;
- (d) All units must be properly skirted in one of the following manners: stucco finished concrete block, painted concrete block, brick, stucco-finished metal lath and vinyl skirting specifically designed for manufactured housing/mobile homes; further subject to such written standards as may be established by the building official from time to time;
- (e) Units must be free of all conditions not in conformity to applicable housing and health laws, standards and regulations prior to occupancy;

- (f) Electrical service to all manufactured housing shall be securely mounted on the unit rather than on a free-standing pole; all electrical work must be performed by an electrician licensed in the State of Georgia and inspected by the City Building Inspectors;
- (g) Installation of heating and air units must be performed by a mechanical contractor licensed by the State of Georgia and inspected by the City Building Inspector;
- (h) New sewer line installation and hook-up must be done by a plumber licensed in the State of Georgia and inspected by the City Building Inspector;
- (i) All towing devices, wheels, axles, and hitches must be removed before occupancy;
- (j) Each entrance and exit door shall have a platform, landing, porch or stoop that has a minimum size of 4 feet by 4 feet exclusive of steps and shall be complete with handrail and porch rail and shall be constructed of pressure treated or other weather resistant lumber, or shall be constructed of masonry material;
- (k) Building additions to both mobile homes and manufactured housing must be designed to enhance the general appearance of the unit, to be structurally sound, and to meet all applicable regulations and codes, expressed and implied, of the City of Waycross including, without limitation, the Standard Housing Code as the same may be amended from time to time. Construction and site plans must be submitted to the City. A building permit will not be issued if the plans do not comply as stated herein. Inspections must be requested by the builder and subcontractors at appropriate stages;
- (l) Each lot where a manufactured house is to be placed shall have a paved driveway, with a minimum width of 10 feet, paved with asphalt or concrete and shall extend from a public street to the front walk or front landing of the manufactured housing unit; provided, however, this subsection shall apply only when the driveway abuts on:
  - (1) a paved street or
  - (2) abuts a street which is scheduled to be paved pursuant to the published paving list established by the City Commission;
- (m) The property owner shall comply with all the requirements set forth herein prior to connecting electrical service, water and sewer service and prior to occupancy of the manufactured housing unit.

700.7 - NON-CONFORMING USE - The Non-Conforming Use provisions of Section 606 of the Ordinance (including all subparts thereof), Subsections 606.1 through 606.7, inclusive, shall apply to the RM-75 District and said Section 606, including all subparts is incorporated herein by reference as if set forth verbatim herein.

700.8 - PUNISHMENT UPON CONVICTION - Any violation of the terms and conditions of this Section 700 or any of its subparts is hereby declared to be unlawful and an offense; the failure to do any act required pursuant to the terms and conditions of this Section 700 or any of its subparts is hereby declared to be unlawful and an offense. Each person convicted before the Judge of the Recorder's Court of the City of Waycross (Municipal Court) shall be subject to punishment as set forth in Section 1-6 of the Code of the City of Waycross.

700.9 - REVOCATION OF PERMITS - The Building Official of the City of Waycross may

revoke any permit or license issued for the parking, placement or location of any manufactured housing dwelling in the RM-75 District upon 15 days advance written notice to the permittee or licensee. Such permittee or licensee shall be given the opportunity for a hearing on such revocation upon making written demand filed with the City Clerk of the City of Waycross within the 15-day notice period.



## SECTION 701 - R-S, R-90, R-75 and R-50 RESIDENTIAL DISTRICTS

701.1 - INTENT OF DISTRICT - The R-S, R-90, R-75 and R-50 Residential Districts are established to provide suitable locations for all types of dwellings with appropriate standards for each district. They are designed to accomplish the following purposes:

- (a) To provide sufficient space in appropriate locations for residential development to meet the housing needs of the present and anticipated population;
- (b) To protect residential areas from hazardous and offensive or objectionable influences;
- (c) To protect residential areas from unnecessary congestion from heavy traffic or through traffic, by regulating the density of population, by regulating the bulk of buildings in relation to the land around them, and by providing for open space for off-street parking;
- (d) To provide space for both public and private community facilities which serve the needs of nearby residents and which generally perform their functions more effectively in a residential environment;
- (e) To promote the most desirable use of land in accordance with a comprehensive plan;
- (f) To promote stable residential development;
- (g) To conserve the value of land and buildings;
- (h) To promote freedom of architectural design, in order to encourage the development of more attractive and economic building forms;
- (i) To encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this article; and,
- (j) To encourage the development of vacant land for attractive diversified residential projects.

### 701.2 - PERMITTED USES

- (a) Single-family, duplex and multi-family (including apartments and townhouses) site-built dwellings, except in a R-S District where only single-family detached site-built dwellings will be permitted. Existing single-family and duplex dwellings shall not be converted, or otherwise changed to multi-family (3 or more) dwellings. New multi-family dwellings developed shall meet current zoning, building and other development code requirements.
- (b) Public elementary, junior high and senior high level schools.
- (c) Private schools offering curricula substantially the same as that offered by public schools.
- (d) Public libraries, public recreation centers and other public facilities.
- (e) Non-commercial parks, playgrounds and other outdoor recreation activities and their related facilities.
- (f) Non-commercial horticulture or agriculture, but not including the keeping of farm animals or poultry.
- (g) Accessory uses or structures.
- (h) Home occupations.

- (i) Churches, synagogues, temples and other places of worship provided that such uses are located on a lot fronting a major or collector street as designated on the Zoning Map and provided further that no structures housing church activities are located less than fifty (50) feet from a residential property line. Exception: These type facilities are not allowed in the RS Zoning District.
- (j) Public utility substations or sub-installations, provided that; (1) such uses are enclosed by a solid or chain-link fence or wall at least six (6) feet in height above finish grade if needed to give protection against hazardous equipment; (2) there are no office nor is there storage of vehicles, equipment or construction materials on the premises; and (3) landscaped buffer strip not less than five (5) feet in width are planted and suitably maintained at the periphery of the containing facilities.
- (k) Nurseries (pre-school nurseries, day nurseries, day care centers and similar uses) provided that such facilities conform with the requirements of the Georgia State Board of Health and the Ware County Health Department and provided that such play area is fenced to a minimum height of four (4) feet and that no building is less than thirty (30) feet from a residential property line. Exception: These type of facilities are not allowed in the RS Zoning District.
- (l) Cemeteries, provided that such uses; (1) front a major street or a collector street; (2) have a ten (10) foot planted buffer strip around its entire perimeter which is kept free of any other use, except access; (3) include no crematorium.
- (m) Planned Unit Development meeting the requirements of Section 714.
- (n) Group Development meeting the requirements of Section 701.4(b).
- (o) Signs: For permitted signage, please see Article VIII.
- (p) Home Provider as defined in Section 309.2 but only in R – 90, R – 75, and R – 50.
- (q) Condominiums meeting all housing code requirements shall be permitted in R-90 and R-75 Residential Districts. Condominiums shall meet the requirements of Section 701.4 (a) and (b).

701.3 - LOT AND YARD REQUIREMENTS FOR SINGLE-FAMILY AND DUPLEX RESIDENTIAL USES

- (a) Minimum Lot Area per Dwelling Unit (Square Feet):

	<u>R-S</u>	<u>R-90</u>	<u>R-75</u>	<u>R-50</u>
Single-Family	9,000	9,000	7,500	5,000
Duplex	- - -	6,000	5,500	4,500

- (b) Minimum Lot Width for Dwellings

	<u>R-S</u>	<u>R-90</u>	<u>R-75</u>	<u>R-50</u>
Single-Family	90 ft.	90 ft.	75 ft.	50 ft.
Duplex	- - -	100 ft.	90 ft.	65 ft.

- (c) Minimum Front Yard. The front wall of the main structure shall be set back from the right-of-way line of the street as follows\*:

	<u>R-S</u>	<u>R-90</u>	<u>R-75</u>	<u>R-50</u>
Major Street	45 ft.	45 ft.	40 ft.	35 ft.
Collector Street	45 ft.	45 ft.	40 ft.	35 ft.
Minor Street	40 ft.	40 ft.	35 ft.	30 ft.

\* See Section 618 Special Building Setbacks for other requirements.

- (d) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way line of the street as follows\*:

	<u>R-S</u>	<u>R-90</u>	<u>R-75</u>	<u>R-50</u>
Major Street	20 ft.	20 ft.	20 ft.	20 ft.
Collector Street	20 ft.	20 ft.	20 ft.	20 ft.
Minor Street	20 ft.	20 ft.	20 ft.	17 ft.

\* See Section 618 Special Building Setbacks for other requirements.

- (e) Side Yard Not on Street. The side wall of the main structure shall be set back from the adjacent property line as follows:

	<u>R-S</u>	<u>R-90</u>	<u>R-75</u>	<u>R-50</u>
<u>Single Family</u>				
Least Dimension	10 ft.	10 ft.	8 ft.	6 ft.
Both Sides	25 ft.	25 ft.	20 ft.	15 ft.
<u>Duplex</u>				
Least Dimension	- - -	14 ft.	10 ft.	8 ft.
Both Sides	- - -	30 ft.	25 ft.	18 ft.

- (f) Rear Yards. The rear wall of the main structure shall be set back from the rear property line as follows:

<u>R-S</u>	<u>R-90</u>	<u>R-75</u>	<u>R-50</u>
30 ft.	30 ft.	25 ft.	25 ft.

- (g) Maximum Height. The maximum height for all uses shall be 35 feet, unless approved by the Waycross Fire Department.
- (h) Floor Area Ratio. In all residential districts, maximum floor area ratio shall not exceed thirty-five (35) percent except as provided for in townhouses.
- (j) Minimum Heated Square footage per Dwelling unit  
 Single-Family – 1000 square feet  
 Duplex – 1000 square feet

#### 701.4 - REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL USES

- (a) Single Building Development. One principal multi-family residential building is permitted on one (1) zoning lot in accordance with the following standards:
- (1) Minimum Lot Area per Dwelling Unit (Square Feet)
- |              | <u>R-90</u> | <u>R-75</u> | <u>R-50</u> |
|--------------|-------------|-------------|-------------|
| Multi-family | 2,900       | 2,900       | 2,900       |
- (2) Minimum Lot Width for Dwellings

	<u>R-90</u>	<u>R-75</u>	<u>R-50</u>
Multi-family	125 ft.	115 ft.	90 ft.

- (3) Minimum Front Yard. The front wall of the main structure shall be set back from the right-of-way of the street as follows\*:

	<u>R-90</u>	<u>R-75</u>	<u>R-50</u>
Major Street	45 ft.	40 ft.	35 ft.
Collector Street	45 ft.	40 ft.	35 ft.
Minor Street	40 ft.	35 ft.	30 ft.

\* See Section 618 Special Building Setbacks for other requirements.

- (4) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way line of the street as follows\*:

	<u>R-90</u>	<u>R-75</u>	<u>R-50</u>
Major Street	20 ft.	20 ft.	20 ft.
Collector Street	20 ft.	20 ft.	20 ft.
Minor Street	20 ft.	20 ft.	17 ft.

\* See Section 618 Special Building Setbacks for other requirements.

- (5) Side Yard Not on Street. The side wall of the main structure shall be set back from the adjacent property line as follows:

	<u>R-90</u>	<u>R-75</u>	<u>R-50</u>
Multi-family			
Least Dimension	20 ft.	15 ft.	10 ft.
Both Sides	40 ft.	35 ft.	25 ft.

- (6) Rear Yard. The rear wall of the main structure shall be set back from the rear property line as follows:

	<u>R-90</u>	<u>R-75</u>	<u>R-50</u>
	30 ft.	25 ft.	25 ft.

- (7) Maximum Height. The maximum height for all uses shall be 35 feet, unless approved by the Waycross Fire Department.

- (8) Floor Area Ratio. Same as provided for in Section 701.3(h).

- (9) Minimum Heated Square Footage. Each dwelling unit must be a minimum of 1000 square feet of heated floor area.

- (b) Group Building Development. Two or more principal multi-family residential buildings on one or more contiguous lots are permitted in accordance with the following standards:

- (1) Lot Size and Setbacks Requirements: All buildings and structures established as a part of a group building development shall comply with the lot area, size, floor area ratio and setbacks according to Section 701.4(a).
  - (2) Separation of Buildings: All residential buildings established as part of a group building development shall be not less than twenty (20) feet apart.
  - (3) Street Access: Any building established as a part of a group development which cannot be served from an abutting street shall be made accessible to vehicles by a paved driveway having a roadbed width of not less than twenty (20) feet, exclusive of parking spaces.
  - (4) Buffers: Within the above exterior rear and side setback requirements, a planted buffer shall be required. Property within such buffer areas may be included within the lot area for density lot coverage purposes.
  - (5) Minimum Heated Square Footage. Each dwelling unit must be minimum of 1000 square feet of heated floor area.
- (c) Townhouses. Townhouses are permitted provided that:
- (1) Not more than ten (10) contiguous townhouses nor fewer than three (3) shall be built in a row with approximately the same but staggered front line, except units on corner lots may face either street;
  - (2) Minimum width for the portion of the lot on which the townhouse is to be constructed shall be eighteen (18) feet, but the minimum average width of a group of five (5) or more units shall be twenty (20) feet;
  - (3) Lot area shall average no less than 2,500 square feet, and the minimum of any single lot shall be 2,000 square feet;
  - (4) Separation Requirements. No portion of a townhouse or accessory structure in or related to one group of contiguous townhouses shall be closer than twenty (20) feet to any portion of a townhouse or accessory structure related to another group, or to any building outside the townhouse area;
  - (5) Yards. The nearest point of each building shall be at least twenty (20) feet from the nearest right-of-way line of abutting streets and at least ten (10) feet from all other property lines adjacent to the townhouse complex. Each townhouse shall have on its own lot, one rear or side yard, private or reasonably secluded from view from the streets and neighboring property. Such yard shall not be used for any accessory building. Front and rear yard setbacks shall be the same as the zone in which such townhouse development is located;
  - (6) Grouped Parking Facilities. Insofar as practicable, off-street parking facilities shall be grouped in bays, either adjacent to streets or in the interior of blocks;
  - (7) Open Space. In all townhouse projects where more than ten (10) units are to be constructed, a landscaped common area amounting

- to at least ten (10%) percent of a single townhouse project area shall be provided on the same or adjacent block. No building, parking, storage or other use shall be made of this open space;
- (8) Buffers. Within the above exterior rear and side setback requirements, a planted buffer shall be required. Property within such buffer areas may be included within the lot area for density lot coverage purposes.
  - (9) Minimum Heated Square Footage. Each dwelling unit must be a minimum of 1000 square feet of heated floor area.

#### 701.5 - REQUIREMENTS FOR NON-RESIDENTIAL USES

- (a) Minimum Lot Area. 12,000 square feet
- (b) Minimum Lot Width 100 feet
- (c) Minimum Lot Front Yard. The front wall of the main structure shall be set back from the right-of-way line of the street as follows\*:
 

Major Street	40 feet
Collector Street	40 feet
Minor Street	35 feet

\* See Section 618 Special Building Setbacks for other requirements.

- (d) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way line of the street as follows\*:
 

Major Street	20 feet
Collector Street	20 feet
Minor Street	20 feet

\* See Section 618 Special Building Setbacks for other requirements.

- (e) Side Yard Not on Street. The side wall of the main structure shall be set back at least twenty (20) feet from the side property line. The combined area of both side yards shall be at least forty-five (45) feet.
- (f) Minimum Rear Yard. The rear wall of the main structure shall be set back at least twenty-five (25) feet from the rear property line.
- (g) Maximum Height. No structure shall exceed sixty (60) feet in height except upon the approval of the City of Waycross Fire Department.
- (h) Planted Buffer. A planted buffer strip is required within setbacks adjoining residential uses and meeting the requirements of Section 610.1.
- (i) Floor Area Ratio. Maximum floor area ratio shall not exceed thirty-five (35%) percent.

## SECTION 701.A - R-45 RESIDENTIAL DISTRICT

701.A.1 - INTENT OF DISTRICT - The R-45 Residential District is established to promote stable, quality residential developments of slightly increased densities of at least eight (8) dwelling units located on a developed site having a minimum of one (1) acre or more. This district may include an entire neighborhood or may be a “buffer” district between residential districts and non-residential districts. They are also designed to accomplish the following purposes:

- (a) To provide sufficient space in appropriate locations for residential development to meet the housing needs of the present and anticipated population;
- (b) To protect residential areas from hazardous and offensive or objectionable influences;
- (c) To protect residential areas from unnecessary congestion from heavy traffic or through traffic, by regulating the density of population, by regulating the bulk of buildings in relation to the land around them, and by providing for open space for off-street parking;
- (d) To promote the most desirable use of land in accordance with a comprehensive plan;
- (e) To promote stable quality residential development;
- (f) To conserve the value of land and buildings;
- (g) To promote freedom of architectural design, in order to encourage the development of more attractive and economic building forms;
- (h) To encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this article; and,
- (i) To encourage the development of vacant land for attractive diversified residential projects.

### 701.A.2 – PERMITTED USES:

- (a) Zero-lot line dwellings (as defined in Section 305.9 of the Waycross Zoning Code) of at least eight (8) dwelling units located on a development site having a minimum land area of one (1) acre or more. Existing single-family and duplex dwellings shall not be converted, or otherwise changed to multi-family (3 or more) dwellings. New dwellings developed shall meet current zoning, building and other development code requirements except as otherwise regulated in this section.
- (b) Accessory uses or structures.
- (c) Home occupations.

- (d) Churches, synagogues, temples and other places of worship provided that such uses are located on a lot fronting a major or collector street as designated on the Zoning Map and provided further that no structures housing church activities are located less than fifty (50) feet from a residential property line.
- (e) Public utility substations or sub-installations, provided that: (1) such uses are enclosed by a solid or chain-link fence or wall at least six (6) feet in height above finish grade if needed to give protection against hazardous equipment; (2) there are no offices nor is there storage of vehicles, equipment or construction materials on the premises; and (3) landscaped buffer strip not less than five (5) feet in width is planted and suitably maintained at the periphery of the containing facilities.
- (r) Signs: For permitted signage, please see Article VIII.

**701.A.3 – LOT AND YARD REQUIREMENTS FOR ZERO-LOT LINE RESIDENTIAL USES**  
 One principal residential building is permitted on one (1) zoning lot with the following standards:

- (a) Minimum Average Lot Area Per Dwelling Unit (Square Feet):  
       Single-Family                       4,500
- (b) Minimum Average Lot Width for Dwellings:  
       Single-Family                       45 feet
- (c) Minimum Front Yard. The front wall of the main structure shall be set back from the right-of-way line of the street as follows\*:
 

Major Street	35 Feet
Collector Street	35 Feet
Minor Street	20 Feet

\*See Section 618 Special Building Setbacks for other requirements.

- (d) Minimum Side Yard On Street. The side wall of the main structure shall be set back from the adjacent property line as follows:
 

Major Street	20 Feet
Collector Street	20 Feet
Minor Street	17 Feet

\*See Section 618 Special Building Setbacks for other requirements.



- (e) Side Yard Not On Street. The side wall of the main structure shall be set back a minimum distance from the adjacent property line as follows:

Single Family Dwelling Unit Detached:

Least Dimension 0 (zero) to 6 feet \*  
Other Side (Minimum) 12 Feet (twelve feet)

Single-Family Dwelling Unit Attached

Least Dimension 0 (zero) Feet\*  
Other Side (Minimum) 12 Feet (twelve feet) from adjoining property line if no adjoining building exists or is planned.

\* A 2-hour fire-rated wall is required on the sidewall that is less than six (6) feet from the property line.

- (f) Rear Yards. The rear wall of the main structure shall be set back from the rear property line as follows:

15 Feet

- (g) Maximum Height. The maximum height for all uses shall be 35 feet, unless approved by the Waycross Fire Department.

- (h) Floor Area Ratio. The maximum floor area ratio shall not exceed forty-five (45) percent.

701.A.4 – ZERO-LOT LINE DWELLING SITE DEVELOPMENT STANDARDS:

- (a) On sites where single-family zero-lot line dwellings are to be placed, not less than eight (8) dwelling units shall be located on such development site which shall have a minimum land area of one (1) acre or more. All such zero-lot line dwelling developments are permitted provided they meet the following standards:
- (1) Lot Size and Setbacks Requirements: Each building and structure constructed or zero-lot line dwelling shall comply with the minimum lot area, size, floor area ratio and setbacks of Section 701.A.3.
  - (2) Street Access: Each building and structure constructed or established as a zero-lot line dwelling shall be served from an abutting public street and shall be made accessible to vehicles by a paved driveway having a roadbed width of not less than ten (10) feet nor more than forty (40) feet.
  - (3) Buffers/Fences: A solid wood, vinyl, brick or block fence is hereby required to be placed and maintained around the rear yard behind each zero-lot line dwelling. Property within such buffer areas shall be included within the lot area for density lot coverage purposes.
  - (4) Parking: Two parking spaces shall be provided on each single-family zero-lot line dwelling lot.

- (5) A conceptual development plan showing the entire tract of land proposed for development shall meet all zoning ordinance and Waycross Subdivision Ordinance final plat requirements and shall be reviewed by City building and planning staff for conformity to regulations before said plan is submitted to the Waycross-Ware County Planning Commission for approval and recommendation to the City Commission for final approval;
- (6) The final subdivision/development plat shall show the location of not less than eight (8) zero-lot line dwelling units on a site which covers a minimum land area of one (1) acre;
- (7) The side wall of the zero-lot line dwelling abutting the zero-lot line side shall be constructed as a solid structural wall with no windows, doors, or other openings and shall satisfy the minimum standards of all City Code requirements and shall satisfy minimum standards of all applicable building codes.
- (8) When the side wall is not less than three (3) feet from the side lot line as provided for in zero-lot line dwellings, the owner/developer shall establish and maintain a permanent maintenance easement, not less than three (3) feet wide which easement shall extend the entire length of the lot from front lot line to the rear lot line, and which easement shall abut the zero-lot line side of said lot. Said easement shall be established for and continued for the use and benefit of such owner/developer, his/her successors and assigns.
- (9) The front yard setback should be staggered, varied or reduced.

## SECTION 702 - R-75MH AND R-50MH RESIDENTIAL MOBILE HOME DISTRICTS

702.1 - INTENT OF DISTRICT - The R-75MH and R50-MH Residential Mobile Home districts are established to accomplish the following purposes:

- (a) The same purposes as the R-75 and R-50 District as shown in Section 701.1(a) thru(j);
- (b) To provide locations for factory built or manufactured housing such as mobile homes; and
- (c) To provide an alternate type of structure within the single-family housing market.

### 702.2 - PERMITTED USES; REQUIREMENTS AND CONDITIONS

- (a) All uses permitted in the R-75 and R-50 Residential Districts as shown in Section 701.2; and
- (b) Mobile homes, factory built, or manufactured housing unit meeting the following requirements and conditions:
  - (1) A parking permit must be obtained from the City prior to moving the unit onto the property; (the fee for such permit will be determined by City Commission and on file in the City Clerk's office);
  - (2) All units must be properly skirted in one of the following manners: stucco finished concrete block, painted concrete block, brick, stucco finished metal lath. Vinyl skirting specifically designed for manufactured housing/mobile homes; further subject to such written standards as may be established by the building official from time to time. The underskirting must be installed and in place in such a manner so that the towing attachments and similar devices for the housing unit shall not be visible;
  - (3) All units must satisfy applicable Housing and Building Codes prior to occupancy.
  - (4) All electrical work must be performed by a Georgia State licensed electrical contractor and inspected by the City Building Inspectors;
  - (5) Sewer line installation and hook-up must be done by a plumber licensed pursuant to Georgia law and the Code of the City of Waycross and inspected by the City Building Inspectors;
  - (6) Installation of heating and air units must be performed by a mechanical contractor licensed by the State of Georgia and inspected by the City Building Inspectors;
  - (7) Each unit shall have:
    - a) Each entrance and exit door shall have a platform, landing, porch or stoop that has a minimum size of 4 feet by 4 feet exclusive of steps and shall be complete with handrail and porch rail and shall be constructed of pressure treated or other weather resistant lumber, or shall be constructed or masonry material.

- b) Each lot where a manufactured house is to be placed shall have paved driveway, with a minimum width of 10 feet, paved with asphalt or concrete and shall extend from a public street to the front walk or front landing of the manufactured housing unit.
  - c) The property owner shall comply with all the requirements set forth herein prior to connecting electrical service, water and sewer service and prior to occupancy of the manufactured housing unit.
- (8) Building additions to both mobile homes and manufactured housing must be designed to enhance the general appearance of the unit, to be structurally sound, and to meet all applicable regulations, expressed or implied, of the City of Waycross. Construction and site plans must be submitted to the City. A building permit will not be issued if the plans do not comply as stated herein. Inspections must be requested by the builder and subcontractors at appropriate stages.

(c) Home Providers meeting the requirements of Section 309.2 (R-75MH, R-50MH)

**702.3 - LOT AND YARD REQUIREMENTS FOR SINGLE-FAMILY AND DUPLEX RESIDENTIAL USES** - The requirements in Section 701.3 pertaining to the R-75 and R-50 Districts shall apply to the R-75MH and R-50MH Districts, respectively. Mobile homes shall meet the requirements set forth for single-family residential uses.

**702.4 - REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL USES** - The requirements in Section 701.4 shall apply.

**702.5 - REQUIREMENTS FOR NON-RESIDENTIAL USES** - The requirements in Section 701.5 shall apply.

**702.6 - PUNISHMENT UPON CONVICTION** - Any violation of the terms and conditions of this Section 702 or any of its subparts is hereby declared to be unlawful and an offense; the failure to do any act required pursuant to the terms and conditions of this Section 702 or any of its subparts is hereby declared to be unlawful and an offense. Each person convicted before the Judge of the Recorder's Court of the City of Waycross (municipal court) shall be subject to punishment as set forth in Section 1-6 of the City of Waycross.

## SECTION 703 - R-50HD RESIDENTIAL HISTORIC DISTRICT

703.1 - INTENT OF DISTRICT - The purposes of this district are to:

- (a) Safeguard the architectural and historic heritage of the City of Waycross by preserving parts of the City which reflect elements of its cultural, economic and architectural history;
- (b) Promote the use of historic district for education, pleasure and welfare of both the citizens of the City and its visitors;
- (c) Stabilize and improve property values.

703.2 - PERMITTED USES

- (a) Single-family residential detached dwellings. New single-family residential detached dwellings developed shall meet current zoning, building, design guidelines and other development code requirements.
- (b) The following retail sales and services which are located within a residential style building: Barber shops, beauty shops, antique shops, book stores, gift shops, tobacco shops, restaurants and similar retail sales and services.
- (c) The following business activities which are located within a residential style building: Art galleries, museums and professional offices.
- (d) The previous permitted uses are allowed in any combination within a residential-style building.
- (e) Public libraries, parks, playgrounds and other recreation facilities.
- (f) Public utility stations or sub-installations, provided that: 1) such uses are enclosed by a solid or chain-link fence or wall at least six (6) feet in height above finish grade if needed to give protection against hazardous equipment; 2) there are no offices nor is there storage of vehicles, equipment or construction materials on the premises; and, 3) landscaped buffer strips, not less than five (5) feet in width are planted and suitably maintained at the periphery of the containing facilities.
- (g) Home occupations.
- (h) Accessory Uses
- (i) Signs: Signs: For permitted signage, please see Article VIII.
- (j) Church, temple, synagogues and other recognized religious places of worship meeting requirements of 701.2(i).
- (k) Nurseries (Pre-school nurseries, day nurseries, day care centers and similar uses) provided that such facilities conform with the requirements of the Georgia State Board of Health and the Ware County Health Department, and provided that such play (recreational) area is fenced to a minimum height of four (4) feet and that no building is less than thirty (30) feet from a residential property line.

703.3 - LOT AND YARD REQUIREMENTS FOR SINGLE-FAMILY DETACHED RESIDENTIAL USES - Requirements shown in Section 701.3 pertaining to the R-50 District shall apply to single-family residential uses.

703.4 - REQUIREMENTS FOR NON-RESIDENTIAL USES - Requirements shown in Section 701.5 shall apply.

703.5 - CONDITIONAL USES - Upon application and payment of any fees, the Building Inspector may issue a building permit for the following uses provided all of subsequent conditions are met:

- (a) Bed and Breakfast Inn shall be permitted as a conditional use provided all of the following conditions and procedures are met:
  - (1) Person(s) desiring to operate a Bed and Breakfast Inn within their retail business or residence shall apply for approval and meet the procedures and fees of a conditional use permit approved by Building Official.
  - (2) That Bed and Breakfast Inn is intended to provide for occasional paying guests.
  - (3) That Bed and Breakfast Inn use is to be allowed in an owner-occupied residence or tourist related retail business.
  - (4) That the normal period of continuous occupancy by any guest will not exceed six calendar days.
  - (5) In owner-occupied residences, only breakfast shall be served to guest in residence. Incidental restaurant operation of a fee to others shall not be permitted except when a restaurant use is also located in the residence or retail business building.
  - (6) That adequate off-street parking will be provided for all Bed and Breakfast paying guests.
  - (7) No exterior alterations, other than those necessary to assure safety of the structure, shall be made to any building for the purpose of providing a Bed and Breakfast Inn. The requirements of this Section 703 shall be met for approval of such exterior changes.
  - (8) The owner shall keep a current guest register including names, addresses and dates of occupancy of all guests.
  - (9) The owner shall comply with all business license and revenue collection ordinances of the City of Waycross and the State of Georgia.
  - (10) The building shall comply with all requirements for dwellings including in the City's Standard Building Code.
  - (11) Such Bed and Breakfast Inn shall be located on a major street or collector street.

## SECTION 704 - M MEDICAL DISTRICT

704.1 - INTENT OF DISTRICT - The M Medical District is established to contain as principal uses the Memorial Hospital, the medical offices associated therewith, and certain types of retail and service establishments which should be in the vicinity of the hospital for the convenience of patients and visitors. The specific intentions of the regulatory provisions as applied to this district are to:

- (a) Encourage the construction and continued use of the land for medical and related facilities;
- (b) Exclude commercial enterprises not directly serving the facilities or persons using the medical facilities;
- (c) Enhance the compatibility of the medical and commercial uses and the residences adjoining such uses or among which they are interspersed; and,
- (d) Encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this article.

## 704.2 - PERMITTED USES

- (a) Single-family, duplex and multi-family (including apartments and townhouses) dwellings.
- (b) Home Occupations.
- (c) Medical school facilities, including students', interns' and nurses' quarters.
- (d) Hospitals, clinics and clinical laboratories.
- (e) Care Homes.
- (f) Medical, dental and professional offices.
- (g) Restaurants which are located only within or in combination with another business. Drive-In restaurants are not included in this use.
- (h) Pharmaceutical stores and pharmacies.
- (i) Flower and gift shops.
- (j) Undertaking establishments.
- (k) Accessory Uses.
- (l) Planned Unit Development meeting the requirements of Section 714.
- (m) Group Developments meeting the requirements of Section 701.4(b) or 706.4(b).
- (n) Signs: For permitted signage, please see Article VIII.
- (o) Churches and other places of worship meeting requirements of 701.2(i).
- (p) Home Providers meeting the requirements of Section 309.2.
- (q) Barber/Beauty Shops
- (r) Group Home as defined in Article III, Section 308.2 and as regulated by the Waycross Code of Ordinances, Article VI, Section 18-101.
- (s) Rehabilitation Center as defined in Article III, Section 319.1 and as regulated by the Waycross Code of Ordinances, Article VI, Section 18-101.
- (t) Transitional Housing as defined in Article III, Section 321.4 and as regulated by the Waycross Code of Ordinances, Article VI, Section 18-101.

704.3 - LOT AND YARD REQUIREMENTS FOR SINGLE-FAMILY AND DUPLEX RESIDENTIAL USES - Requirements shown in Section 701.3 pertaining to the R-75 District, where applicable, shall apply to single-family and duplex residential uses.

704.4 - REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL USES - Requirements shown in Section 701.4 pertaining to the R-75 District, where applicable, shall apply to multi-family residential uses.

704.5 - REQUIREMENTS FOR NON-RESIDENTIAL USES -

- (a) Minimum Lot Area. 12,000 square feet.
- (b) Minimum Lot Width. 100 feet.
- (c) Minimum Front Yard. The front wall of the main structure shall be set back from the right-of-way line of the street as follows\*:
  - Major Street                40 feet
  - Collector Street           40 feet
  - Minor Street                35 feet

\*See Section 618 Special Building Setbacks for other requirements.

- (d) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way line of the street as follows\*:
  - Major Street                20 feet
  - Collector Street           20 feet
  - Minor Street                20 feet

\*See Section 618 Special Building Setbacks for other requirements.

- (e) Side Yard Not on Street. The side wall of the main structure shall be set back from the adjacent property line at least twenty (20) feet. The combined area of both side yards shall be at least forty-five (45) feet.
- (f) Rear Yards. The rear wall of the main structure shall be set back from the rear property line at least twenty-five (25) feet.
- (g) Maximum Height. The maximum height for all uses shall be seventy-five (75) feet, unless approved by the Waycross Fire Department.
- (h) Planted Buffer. A planted buffer strip is required within setbacks adjoining residential uses and meeting the requirements of Section 610.
- (i) Floor Area Ratio. Maximum floor area ratio, including any parking space provided within the structure, shall not exceed forty (40) percent for single-story buildings, nor shall it exceed eighty (80) percent for buildings of more than one story. The ground area occupied by the principal and accessory buildings shall not exceed forty (40) percent of the total zoning lot.



## SECTION 705 - O OFFICE DISTRICT

705.1 - INTENT OF DISTRICT - The O Office District is intended to permit those office uses which will provide opportunities for local employment close to residential areas, thus reducing travel to and from work and which will provide clean, modern office buildings in landscaped setting; uses which do not generate large volumes of traffic, traffic congestion and parking problems; and which will promote the most desirable use of land in accordance with the Waycross Future Land Use Plan.

### 705.2 - PERMITTED USES

- (a) Commercial, financial, governmental and professional offices, but not including any storage, sale rental or servicing of goods on the premises.
- (b) Restaurants which are only located within or in combination with another permitted business, excluding drive-in facilities.
- (c) Any publicly owned and operated building, facility or land.
- (d) Planned Unit Development meeting the requirements of Section 714.
- (j) Group Developments meeting the requirements of Section 701.4(b) or 706.4(b).
- (k) Signs: For permitted signage, please see Article VIII.
- (l) Churches and other places of worship meeting requirements of 701.2(i).
- (m) Fraternal/Masonic Lodges, provided that such uses shall not conduct fund-raising activities including circuses, carnivals and similar activities, nor the conduct of vending stands, merchandising or commercial activities.
- (n) Archive Depot.
- (o) Single-family, duplex, multi-family residences.
- (p) Home Providers meeting the requirements of Section 309.2.

### 705.3 - LOT AND YARD REQUIREMENTS

- (a) Minimum Front Yard. The front wall of the main structure shall be set back from the right-of-way line of the street as follows\*:

Major Street	35 feet
Collector Street	35 feet
Minor Street	30 feet

\*See Section 618 Special Building Setbacks for other requirements.

- (b) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way line of the street as follows\*:

Major Street	20 feet
Collector Street	20 feet
Minor Street	17 feet

\*See Section 618 Special Building Setbacks for other requirements.

- (c) Side Yard Not on Street. Where adjacent fireproof walls are used, no side yard is required. Otherwise, the side wall of the main structure shall be set back at least fifteen (15) feet from the side property line or twenty-five (25) feet from any adjacent building, whichever is greater, provided that the distance between structures shall be increased by three (3) feet for each story of each structure in excess of two (2) stories.
- (d) Minimum Rear Yard. The rear wall of the main structure shall be set back twenty-five (25) feet from the rear property line.
- (e) Maximum Height. No structure shall exceed seventy-five (75) feet, unless approved by the Waycross Fire Department.
- (f) Floor Area Ratio. Provisions of 704.5(i) shall apply.

705.4 – LOT AND YARD REQUIREMENTS FOR SINGLE-FAMILY, DUPLEX AND MULTI-FAMILY RESIDENTIAL USES

(a) Minimum Lot Area Per Dwelling Unit (Square Feet)

Single-Family	6,000
Duplex	4,500
Multi-Family	2,900

(b) Minimum Lot Width for Dwellings

Single-Family	50 ft.
Duplex	65 ft.
Multi-Family	90 ft.

(c) Minimum Front Yard. The front wall of the main structure shall be set back from the right-of-way line of the street as follows:

Major Street	35 ft.
Collector Street	35 ft.
Minor Street	30 ft.

(d) Minimum Side Yard on Street. The side wall of the main structure shall be Set back from the right-of-way line of the street as follows:

Major Street	20 ft.
Collector Street	20 ft.
Minor Street	17 ft.

(e) Side Yard Not on Street. The side wall on the main structure shall be set back from the adjacent property line as follows:

<u>Single-Family</u>	
Least Dimension	6 ft.
Both Sides	15 ft.
<u>Duplex</u>	
Least Dimension	8 ft.
Both Sides	18 ft.
<u>Multi-Family</u>	
Least Dimension	10 ft.
Both Sides	25 ft.

- (f) Rear Yards. The rear wall of the main structure shall be set back from the rear property line as follows:
  - 25 ft.
- (g) Maximum Height: The maximum height for all uses shall be 35 feet, unless approved by the Waycross Fire Department. Height in excess of 35 feet, shall not exceed the maximum height approved by the Waycross Fire Department. Applicant seeking approval for height in excess of 35 feet must request said approval, in writing and provide maps and specification of the proposed project.
- (h) Floor Area Ratio. In all residential districts, maximum floor area ratio of building including parking to lot size shall not exceed thirty-five (35) percent except as provided for in townhouses.
- (i) Minimum Heated Square footage per Dwelling unit
  - Single-Family – 1000 square feet
  - Duplex – 1000 square feet
  - Multi-Family – 1000 square feet

## SECTION 706 - C-1 NEIGHBORHOOD COMMERCIAL

706.1 - INTENT OF DISTRICT - The C-1 Neighborhood Commercial District is to established as a district to contain as principal uses those commercial and service activities which are for the convenience of the surrounding residential districts. The specific intentions of the regulatory provisions as applied to this district are to:

- (a) Encourage the sale of products and services which normally depend on the proximity of other similar establishments;
- (b) Encourage businesses where the customer does not normally take away products and services in a truck;
- (c) Prohibit industrial and certain types of commercial uses of land which would substantially interfere with the development or continuation of the permitted commercial structures in the district;
- (d) Encourage the discontinuance of existing uses that would not be permitted as new uses under these provisions; and,
- (e) Discourage any use which, because of its character or size, would interfere with the use of land in the district as a shopping or service center for the surrounding residential district.

## 706.2 - PERMITTED USES

- (a) Branch offices of banks, insurance companies, loan agencies, real estate companies, utility companies and similar establishments.
- (b) Professional offices excluding medical and dental offices and clinics, except otherwise allowed and provided for in Section 706.4(c).
- (c) Retail sales similar to the following: Newsstands, drug stores, gift shops, specialty shops with residential living quarters, convenience stores, supermarkets, etc.
- (d) Retail services similar to the following: barber and beauty shops, tailor shops, dry cleaning establishments, self-service laundries, shoe repair shops, photographers' shops, pest control companies, etc.
- (e) Utilities stations and facilities provided that (1) such uses are enclosed by a solid or chain link fence no wall at least six (6) feet in height above finish grade if needed to give protection against hazardous equipment and (2) there are no vehicles or equipment stored on the premises.
- (f) Churches, synagogues and other places of worship provided that all vehicular entrances or exits shall be located on a major street or a collector street as designated on the Zoning Maps, and provided further that no structures housing church activities are located less than fifty (50) feet from a residential property line.
- (g) Nurseries (pre-school nurseries, day nurseries, day care centers and similar uses) meeting the requirements of Section 701.2(k).
- (h) Service stations, provided that: all pumps are set back twenty (20) feet from the right-of-way line; all structures and buildings except Class 4 signs shall comply with the setback requirements from any abutting street; point of egress and ingress shall be arranged as to minimize interference with normal street traffic flow and no

- building or structure shall be placed within forty (40) feet of a residential property line.
- (i) Accessory uses.
- (j) Planned Unit Development meeting the requirements of Section 714.
- (k) Signs: For permitted signage, please see Article VIII.
- (l) Mini-storage and storage of products to be sold by nearby business.
- (m) Printing establishments located in a building or tenant space 2500 square feet or less.

### 706.3 - LOT AND YARD REQUIREMENTS

- (a) Minimum Lot Area  
10,000 square feet
- (b) Minimum Lot Width  
50 feet
- (c) Minimum Front Yard. The front wall of the main structure shall be set back from the right-of-way line of the street as follows\*:
 

Major Street	35 ft.
Collector Street	35 ft.
Minor Street	35 ft.

\* See Section 618 Special Building Setbacks for other requirements.

- (d) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way line of the street as follows\*:
 

Major Street	30 ft.
Collector Street	30 ft.
Minor Street	25 ft.

\* See Section 618 Special Building Setbacks for other requirements.

- (e) Side Yard Not on Street. Where adjacent fire proof walls are used, no side yard is required. Otherwise, the side wall of the main structure shall be set back at least fifteen (15) feet from any adjacent building, whichever is greater.
- (f) Minimum Rear Yard. The rear wall of the main structure shall be set back at least twenty-five (25) feet from the rear property line.
- (g) Maximum Height. No structure shall exceed seventy-five (75) feet in height, unless approved by the Waycross Fire Department.
- (h) Planted Buffer. A planted buffer strip is required within setbacks adjoining residential uses and meeting the requirements of Section 610.
- (i) Floor Area Ratio. Maximum floor area ratio, including any parking space provided within the structure, shall not exceed twenty-five (25) percent for single-story buildings, nor shall it exceed forty (40) percent for buildings of more than one story. The ground area occupied by the principal and accessory buildings shall not exceed twenty-five (25) percent of total zoning lot area.

## 706.4 - OTHER REQUIREMENTS

- (a) All Development. The following requirements shall pertain to all permitted uses:
  - (1) Lighting. Any floodlights used to illuminate the premises are directed and/or shielded so as not to be an annoyance to any adjacent residential district.
  - (2) Noise. Any regularly recurring noises connected with the activity and detectable by the human sense of hearing, without instruments, shall not exceed the normal noise level generated by uses permitted within the adjacent residential district.
  - (3) Access. Access to the activities is provided primarily from a major or collector street as designated on the Zoning Maps, except for C-4 district and also except that secondary access may be provided from a minor street.
- (b) Group Development. Two or more principal buildings or principal uses as permitted within the zoning district in which the proposed development is located, on one or more contiguous lots are permitted in accordance with the following additional standards:
  - (1) Street Access. Any building established as a part of a group development which cannot be served from an abutting street shall be made accessible to vehicles by a paved driveway having a roadbed width of not less than twenty (20) feet, exclusive of parking spaces.
  - (2) Setback Requirements. All buildings and structures established as a part of a group development shall comply with the front yard setbacks and the exterior rear yard requirements established for the district in which located.
  - (3) Site Development Plat. A site development plat showing location of buildings with their proposed use, location of access ways, setback lines, parking and buffers shall be submitted for review with the request for building permit.
- (c) Shopping Center/Mall Developments consisting of permitted uses within the zoning district in which the proposed project is located, “ and restaurants, medical and dental offices and clinics”, shall be approved under the provisions of Section 706.4(b) and 706.4(d). Developments having a mixture of residential, other commercial and/or industrial uses not specifically permitted in the zoning district in which the proposed development is located shall meet the requirements of Section 714. Planned Unit Development.
- (d) Requirements, development standards and procedures for all shopping centers/mall developments in C-1 Zoning District.
  - (1) Lot size. The site utilized must contain an area of not less than one (1) acre.
  - (2) Access. The site must adjoin or have direct access to at least one major street or collector street as shown on the Zoning Maps.

- (3) Filing of Application. The area proposed shall be in one ownership, or if in several ownership's, the application shall be filed jointly by all of the owners of the properties included in the plan.
- (4) Site Design. Over-all site design should be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes, and street patterns, and use relationship.
- (5) Abutting Residential District. Where a shopping center/mall development abuts a residential district, buildings and activities must be set back a sufficient distance from the separating property line or district boundary line, not less than fifty (50) feet for commercial uses, to insure the absence of any objectionable effects on or from abutting districts. In the case of commercial uses, the distances separating all buildings and activities from surrounding residential districts should in fact be great enough to constitute a reasonable buffer. Loading docks should be further removed from residential lot lines than buildings. Property lines abutting residential districts must be screened by a permanent attractive planted buffer meeting the requirements of Section 610.
- (6) All storage yards or outdoor display spaces must be enclosed with a planting screen, wall or fence to a height of at least six (6) feet, excluding gates or exit points.
- (7) Lighting. Lighting facilities shall be arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.
- (8) Accessways. Areas used for parking and loading or for traffic ways shall be physically separated from public streets by suitable barriers against unchanneled motor vehicles' ingress and egress. Accessways shall generally conform to standards set forth in Article VI, Section 608, with the following exceptions:
  - (i) Shopping centers and other individual commercial uses shall have no more than one (1) access point to any one public street, unless unusual circumstances demonstrate the need for additional access points; and,
  - (ii) Where possible, all access points to a public street from shopping centers and other individual commercial uses shall be located at least one hundred (100) feet from the intersection of any street lines and shall be designed in a manner conducive to safe ingress and egress.

- (9) An application for shopping center/mall development approval shall consist of the following elements:
- (i) A site development plan drawn to scale 1" = 100' or 1" = 50' and indicating all property dimensions, platting and street systems, proposed building sites and sizes, types of use proposed for buildings, plans for the protection of abutting proper ties, means of ingress and egress, access and circulation arrangements, off-street parking and loading facilities and if requested, two-foot contour intervals, density standards and yard requirements, plans for the provision of utilities, including water, sewer and storm drainage facilities; plans for open space, courts, walks and common areas; and, plans for parking, loading, accessways, signs and lighting. Also, included will be the name of the development and the developers, a north point, the date of field , survey tract boundary lines, dimensions, bearings, angles, and reference points to at least two (2) permanent monuments.
  - (ii) The information required for a preliminary plat as required under the Waycross Subdivision Ordinance, if the proposal includes the subdivision of land for any purpose or the provision of new public streets.
- (10) The violation of any provision of the plan, as submitted and approved under the provisions provided herein, shall constitute a violation of this ordinance.



## SECTION 707 - C-2 HIGHWAY COMMERCIAL

707.1 - INTENT OF DISTRICT - The C-2 Highway Commercial District is established as a district to contain as principal uses those commercial and service activities which will serve the tourist and automobile drive-in trade. The specific intentions of the regulatory provisions as applied to this district are to:

- (a) Encourage the development and continued use of the land for highway Service uses;
- (b) Prohibit industrial and certain types of commercial uses which would substantially interfere with the continuation of the uses presently in the district or with the orderly growth of the district;
- (c) Encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this article; and,
- (d) Encourage the development of the district with such uses and in such a manner as to minimize traffic and parking congestion in such a manner as to provide for the safety of motorists passing through the district.

## 707.2 - PERMITTED USES

- (a) All uses permitted in the C-1 Neighborhood Commercial District.
- (b) Radio and Television Transmission Towers
- (c) Transient residential establishments such as hotels, motels, tourist homes and boarding houses.
- (d) Commercial, governmental, financial or professional offices.
- (e) Printing establishments.
- (f) Commercial recreation facilities such as bowling alleys, pool or billiard parlors, roller skating rinks, theaters, miniature golf courses, golf driving ranges, swimming pools, video arcades, health centers, etc.
- (g) Retail sales and services for the convenience of tourists and drive-in trade such as: auto accessory stores, restaurants, dry-cleaning establishments, flower shops, bakeries, furniture, office supply, equipment stores, clothing accessory shops and tattoo parlors meeting city and health department codes.
- (h) Service involving considerable automobile and truck traffic which would present unusual safety hazards if permitted in areas with heavy pedestrian traffic such as: Automobile laundries, auto sales and services, cold storage lockers, appliance and business machine sales and services, undertaking establishments, boat sales and services, farm supply and implement sales and services, mobile home sales agencies, trailer and equipment rentals, building materials stores, etc.
- (i) Railroad and bus passenger and freight stations as well as taxicab stands and taxi cab businesses.

- (j) Animal hospitals or veterinary clinics provided that any structure used for that purpose shall be at least 200 feet from any residential district. Also, an on-site dwelling (second floor only) designed for one family at veterinary facilities for occupancy by a clinic staff member and his/her immediate family, which will allow for more complete medical surveillance, treatment and care.
- (k) Commercial parking lots.
- (l) Accessory uses.
- (m) Planned Unit Development meeting the requirements of Section 714.
- (n) Group Development meeting the requirements of Section 706.4(b).
- (o) Signs: For permitted signage, please see Article VIII.
- (p) Private Club or Lodge.
- (q) Group Home as defined in Article III, Section 308.2 and as regulated by the Waycross Code of Ordinances, Article VI, Section 18-101.
- (r) Rehabilitation Center as defined in Article III, Section 319.1 and as regulated by the Waycross Code of Ordinances, Article VI, Section 18-101.
- (s) Transitional Housing as defined in Article III, Section 321.4 and as regulated by the Waycross Code of Ordinances, Article VI, Section 18-101.

### 707.3 - LOT AND YARD REQUIREMENTS

- (a) Minimum Lot Area  
10,000 square feet
- (b) Minimum Lot Width  
50 feet
- (c) Minimum Front Yard. The front wall of the main structure shall be set back from the right-of-way line of the street as follows\*:
 

Major Street	40 ft.
Collector Street	40 ft.
Minor Street	40 ft.

\*See Section 618 Special Building Setbacks for other requirements.

- (d) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way line of the street as follows:
 

Major Street	30 ft.
Collector Street	30 ft.
Minor Street	25 ft.

\*See Section 618 Special Building Setbacks for other requirements.

- (e) Side Yard Not on Street. Where adjacent fireproof walls are used, no side yard is required. Otherwise, the sidewall of the main structure shall be set back as least ten (10) feet from the side property line or fifteen (15) feet from any adjacent building, whichever is greater.

- (f) Minimum Rear Yard. The rear wall of the main structure shall be set back at least twenty-five (25) feet from the rear property line.
- (g) Maximum Height. No structure shall exceed seventy-five (75) feet, unless approved by the Waycross Fire Department.
- (h) Planted Buffer. A planted buffer strip is required within setbacks adjoining residential uses and meeting the requirements of Section 610.
- (i) Floor Area Ratio. Maximum floor area ratio, including any parking space within the structure, shall not exceed forty (40) percent for single-story buildings, nor shall it exceed sixty (60) percent for buildings of more than one story. The ground area occupied by the principal and accessory buildings shall not exceed forty (40) percent of the total zoning lot area.

#### 707.4 - OTHER REQUIREMENTS

The requirements in Section 706.4 shall apply.

707.5 - CONDITIONAL USES - The following permitted uses provided that the maximum floor area ratio, including any parking space within the structure, shall not exceed seventy-five (75) percent for single-story buildings, nor shall it exceed one hundred fifty (150) percent for buildings of more than one story. The ground area occupied by principal and accessory buildings shall not exceed seventy-five (75) percent of the total zoning lot area:

- (1) Storage of any products or supplies eventually to be sold at retail, provided that no unusual fire or safety hazards are created, no live animals are sold and no junk, wrecked automobiles, second-hand equipment or other salvage materials or dead animals are stored or sold and on the premises, and all merchandise is stored wholly within an enclosed structure.
- (2) The manufacture, compounding, processing, packaging, treatment or assembly of any product which does not produce offensive odors, glare, dust or heat of any product which does not produce offensive odors, glare, dust or heat and which does not produce noise or vibration at any boundary of the district in which such use is located in excess of the average intensity of street or traffic noise or privation at that point.
- (3) Flea Market. The Building Inspector may issue a use permit for a flea market. Any use permit granted by the Building Inspector shall be subject to the following conditions being met.
  - (a) That the sales and parking area be located no closer than 300 feet to any existing or conditionally approved residential zoning district and the uses of this land must be outlined on the development plan/use permit applications;
  - (b) All flea market operations in buildings shall be conducted wholly within such enclosed buildings; outdoor selling, storage, display, serving of goods or materials is permitted only in open-air flea market operations;
  - (c) Levels of noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard, radiation, or other injurious or obnoxious conditions shall

- not exceed the average annual daily levels of existing adjacent uses within 1,000 feet of the premises (lot);
- (d) Off-street parking be provided according to standards set by Section 608;
  - (e) The use permit shall describe and provide adequate traffic access to the flea market by streets that do not serve residences;
  - (f) Acceleration-deceleration lanes shall be provided at the access drive to the site in accordance with City Engineer's standards;
  - (g) Proof that the vendor holds a valid states sales tax permit;
  - (h) Overnight lodging shall not be allowed;
  - (i) The City shall regulate hours which outdoor lighting may be used; such lighting shall meet the requirements of Section 616;
  - (j) RESERVED
  - (k) All selling space and aisles must be of dust-free surface as determined by the Building Inspector;
  - (l) Accessory uses such as vending machines for snack, foods, drinks, tobacco products and sundries, provided such uses meet all City Codes;
  - (m) At least two restrooms shall be provided according to City Codes;
  - (n) Warehousing or indoor-outdoor storage of goods or materials in quantity greater than normally needed for the above permitted uses shall be prohibited.

Planted Buffer. For the above conditional uses, within the required rear and side setback requirements, a planted buffer strip shall be required meeting the requirements of Section 610.

## SECTION 707.6 TOWERS AND ANTENNAS

Towers and antennas are permitted pursuant to the following definitions and conditions:

- 1) Definitions. As used in this ordinance, the following terms shall have the meanings indicated:
  - (a) "Alternative tower structure" shall mean man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures.
  - (b) "Antenna" shall mean exterior apparatus designed for telephone, radio, or television communication through sending and/or receiving of electromagnetic waves.
  - (c) "FAA" shall mean the Federal Aviation Administration.
  - (d) "FCC" shall mean the Federal Communications Commission.
  - (e) "Governing authority" shall mean the governing authority of the City of Waycross.
  - (f) "Grandfathered towers and antennas" shall have the meaning set forth in section 2(d) of this ordinance.
  - (g) "Height" shall mean, when referring to a tower or other structure, the distance measured from ground level to the highest point on the tower

or other structure, even if said highest point is an antenna.

- (h) "Tower" shall mean any structure that is designated and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, and the like.

## 2) Applicability.

- (a) District Height Limitations. The requirements set forth in this ordinance shall govern the location of towers that exceed, and antennas that are installed at a height in excess of, any existing height limitations of any other zoning ordinance of the governing authority. The height limitations applicable to buildings and structures shall not apply to towers and antennas.
- (b) Public Property. Antennas or towers located on publicly owned property shall be exempt from the requirements of this ordinance, provided a license or lease authorizing such antenna or tower has been approved by the Commission.
- (c) Amateur Radio: Receive-Only Antennas. This ordinance shall not govern any tower, or the installation of any antenna, that is under seventy (70) feet in height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive-only antennas.
- (d) Grandfathered Towers and Antennas. Any tower or antenna existing on the effective date of this ordinance shall not be required to meet the requirements of this ordinance, other than the requirements of Sections 3.e. and 3.f. Any such towers and antennas that fail to meet the requirements of this ordinance shall be referred to in this ordinance as "grandfathered towers" or "grandfathered antennas".

## 3) General Guidelines and Requirements.

- (a) Purpose; Goals. The purpose of this ordinance is to establish guidelines for the siting of towers and antennas. The goals of this ordinance are to: (i) enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently, (ii) encourage strongly the joint use of new and existing towers sites, (iii) encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal, (iv) encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas, and (v) discourage, specifically, the location of towers in residential areas and, generally, the proliferation of towers throughout the community.
- (b) Principal or Accessory Use. Antennas and towers may be considered either principal or accessory uses. A different existing use or an existing structure on the same lot shall not preclude the installation of antenna

or tower on such lot. For purposes of determining whether the installation of a tower on such lot. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to set-back requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lots.

- (c) Inventory of Existing Sites. Each applicant for an administrative approval or a special use permit shall provide to the Building Department with an inventory of its existing towers, including specific information about the location, height and design of each tower. The Building Department may share such information with other applicants applying for administrative appeals or special use permits under this ordinance or other organizations seeking to locate antennas within the jurisdiction of the governing authority.
- (d) Aesthetics; Lighting. The guidelines set forth in this Section 3.d. shall govern the location of all towers, and the installation of all antennas governed by this ordinance; provided, however, that the governing authority may waive these requirements if, in its sole discretion, it determines that the goals of this ordinance are better served thereby.
  - 1) Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA or other applicable regulatory agencies, be painted sky blue or gray, so as to reduce visual obtrusiveness.
  - 2) At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend the tower facilities to the natural setting and built environment.
  - 3) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
  - 4) Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.
- (e) Federal Requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government or state government with the authority to regulate towers and antennas governed by this ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such

standards and regulations. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

- (f) Building Codes: Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable City of Waycross building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the Chief Codes Official concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such codes and standards. If the owner fails to bring such tower into compliance within said thirty (30) days, the City of Waycross may remove such tower at the owner's expense.

#### 4) Conditional Uses.

- (a) General. The uses listed in this Section 4 are deemed to be conditional uses and shall require administrative review. Nevertheless, all such uses shall comply with Sections 3.d., and 3.e. and 3.f. of this ordinance and all other applicable ordinances, and prior to the installation of any antenna or tower pursuant to this Section 4, the owner of such antenna or tower shall send written notice to the Building Department, which notice shall include the location, size and configuration of such antenna or tower.
- (b) Specific Conditional Uses. The following uses are conditionally permitted.
  - 1) Locating a tower in C-2 zoning district; provided, however, that such tower shall be set back from any existing off-site residential structure a distance equal to the height of the tower, plus fifty (50) feet;
  - 2) Installing an antenna in a C-2 zoning district on an existing structure that is fifty (50) feet in height or greater, so long as said additional antenna adds no more than twenty (20) feet to the height of said existing structure, such structures to include buildings, signs, light poles, water towers, and other free-standing non-residential structures; and
  - 3) Installing an antenna on any existing tower of any height, so long as the addition of said antenna adds no more than twenty (20) feet to the height of said existing tower and said existing tower is not a grandfathered tower.

#### 5) Administrative Approvals.

- (a) General.

- 1) The Chief Codes Official may administratively approve the uses listed in this Section 5.
- 2) Applicants for administrative approval shall apply to the Chief Codes Official, providing the information set forth in Sections 6.b. and 6.d. of this ordinance.
- 3) The Chief Codes Official shall respond to each such application within thirty (30) days of receiving it by either approving the application, denying the application, or requesting further information from the applicant. If the Chief Codes Official fails to respond to the applicant within said thirty (30) days, then the application shall be deemed to be approved.
- 4) In connection with any such administrative approval, the Chief Codes Official may, in order to encourage shared use, administratively waive any district setback requirements by up to fifty percent (50%).

(b) Specific Administratively Approved Uses. The following uses may be approved by the Chief Codes Officer after conducting an administrative review:

- 1) Installing an antenna in a C-2 zoning district on an existing structure other than a tower (such as a building, sign, light pole, water tower or other free-standing non-residential structure), as long as such addition does not add more than twenty (20) feet to the height of the existing structure;
- 2) Installing an antenna on an existing tower, including a grandfathered tower and further including the placement of additional buildings or other supporting equipment used in connection with said antenna, so long as the additional of said antenna adds no more than twenty (20) feet to the height of said existing tower;

6) Conditional Use Permits.

(a) General. The following provisions shall govern the issuance of conditional use permit:

- 1) A conditional use permit shall be required for the construction of a tower or the placement of an antenna.
- 2) Any information of an engineering nature that the applicant submits, whether civil, mechanical, electrical, or radio-frequency, shall be certified by a qualified professional engineer.

(b) Site Plan. Applicants requesting a conditional use permit under this Ordinance shall submit a scaled site plan, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, tower height requirements, setbacks,



drives, parking, fencing, landscaping, and other information necessary to access compliance with this ordinance.

(c) Factors considered in Granting Conditional Use Permits. The governing authority shall consider the following factors in determining whether to issue a conditional use permit, although the governing authority may waive or reduce the burden on the applicant of one or more of these criteria, if, in the sole discretion of the governing authority, the goals of this ordinance are better served thereby:

- 1) Height of the proposed tower;
- 2) Proximity of the tower to residential structures and residential district boundaries;
- 3) Nature of uses on adjacent and nearby properties;
- 4) Surrounding topography;
- 5) Surrounding tree coverage and foliage;
- 6) Design of the tower with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness; and
- 7) Availability if suitable existing towers and other structures as discussed in Section 6.d. of this ordinance.

(d) Availability of Suitable Existing Towers or Other Structures. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the governing authority that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of the following:

- 1) No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements;
- 2) Existing towers or structures are not of sufficient height to meet applicant's engineering requirements;
- 3) Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment;
- 4) Applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures;
- 5) The fees or costs required to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed unreasonable;
- 6) Property owner's of existing towers or structures are unwilling to accommodate reasonably the applicant's needs;
- 7) Applicant demonstrated that there are other limiting factors that render existing towers and structures unsuitable.

(e) Setbacks and Separation. The following setbacks and separation requirements shall apply to all towers and antennas for which a conditional use permit is required; provided, however, that the governing authority may, in its sole discretion, reduce the standard setbacks and separation requirements if the goal of this ordinance would be better served thereby.

- 1) Towers must be set back a distance equal to the height of the tower plus (50) feet from any off-site residential structure.
- 2) Towers, guys, and accessory facilities must satisfy the minimum district yard setback requirements.
- 3) Towers over seventy (70) feet in height shall not be located within one-quarter of a mile from any existing tower that is over seventy (70) feet in height.

(f) Security Fencing. Towers shall be enclosed by security fencing not less than six feet in height and shall be equipped with an appropriate anti-climbing device; device; provided, however, that the governing authority may, in its sole discretion, waive such requirements if the goals of this ordinance would be better served thereby.

- (1) Tower facilities shall be landscaped with a buffer that effectively screens the view of the tower compound from adjacent residential property. The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the compound.
- (2) In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived altogether.
- (3) Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be a sufficient buffer.

7) Removal of Abandoned Antennas and Towers. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove same within ninety (90) days of receipt of notice from the governing authority notifying the owner of such abandonment. If such antenna or tower is not removed within said ninety (90) days, the governing authority may remove such antenna or tower at the owner's expense. If there are two or more uses of a single tower, then this provision shall not become effective until all users cease using the tower.

707.7 – SPECIAL EXCEPTIONS – Upon application, payment of special exceptions fee, and after due notice and public hearing, the City Commission may authorize the occupancy of the building for the following uses when the conditions described hereinafter are found to exist.

(a) Residential non-conforming use which meets all of the following conditions:

- (1) The dwelling for which a special exception is applied has been vacant for a period of not less than six (6) months and the dwelling can be improved to satisfy existing building and other applicable codes or already satisfies said codes.
- (2) The proposed cost for altering the dwelling does not exceed fifty percent (50%) of one hundred percent (100%) value of said building as established using the value for ad valorem taxes for the year the application is filed, or if the value for this purpose has not been determined for the year the application is made, then the value for the most recent year for which the value of said building for advalorem tax purposes has been finally determined shall be used. The applicant shall be required to furnish such information with the filing of the application for special exception.
- (3) The property for which the special exception is sought shall be required to satisfy not less than the minimum standards for density and other regulations of the R-75 (Residential) Zoning District.

## SECTION 708 - C-4 CENTRAL BUSINESS DISTRICT

708.1 - INTENT OF DISTRICT - The C-4 Central Business District is established to preserve and protect land to be used for those commercial and service uses serving the City of Waycross and its regional market area. The specific intentions of the regulatory provisions as applied to this district are to:

- (a) Encourage the use of the land for commercial and service uses of regional scope;
- (b) Guide the conservation and future development toward an intensive mix of commercial and residential uses;
- (c) Prohibit industrial uses and certain types of commercial uses which would substantially interfere with the effective operation of the uses presently in the district or with the orderly growth of the district to meet the growth of trade in the regional market area;
- (d) Encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this article; and
- (e) Encourage the development of the district with such uses and in such a manner as to minimize traffic and parking congestion and to provide for the safety and convenience of the pedestrians in the district.

## 708.2 - PERMITTED USES

- (a) Multi-family (including apartments and townhouses) dwellings meeting the requirements of Section 701.4 with R-50 District requirements used where applicable (single building and group development).
- (b) Nurseries (pre-school nurseries, day nurseries, day care centers and similar uses) meeting the requirements of Section 701.2(k).
- (c) Libraries, art galleries, museums and other similar public uses.
- (d) All commercial, financial, governmental or professional offices, including medical and dental offices.
- (e) Retail sales and services of all kinds, excluding tattoo parlors.
- (f) Churches, synagogues and other places of worship.
- (g) Hotels, motels and boarding houses.
- (h) Commercial recreation facilities.
- (i) Utility stations and facilities subject to the provisions of Section 706.2(e).
- (j) Railroad and bus passenger stations as well as taxi cab stands; however taxi cab businesses shall not be a permitted use.
- (k) Commercial off-street parking lots or structures.
- (l) Accessory uses.
- (m) Group Development meeting the requirements of Section 706.4(b).
- (n) Planned Unit Development meeting the requirements of Section 714.
- (o) Signs: For permitted signage, please see Article VIII.
- (p) Private schools offering curricular substantially the same as that offered by public schools providing that parking requirements of Section 608 are met.
- (q) Home Providers I meeting the requirements of Section 309.2.

### 708.3 - LOT AND YARD REQUIREMENTS FOR NON-RESIDENTIAL USES

- (a) Minimum Front Yard. None required.
- (b) Minimum Side Yard on Street. None required.
- (c) Side Yard Not on Street. Where adjacent fireproof walls are used, no side yard is required. Otherwise, the side wall of the main structure shall be set back at least ten (10) feet from the side property line or fifteen (15) feet from any adjacent building, whichever is greater, provided that the distance between structures shall be increased by three (3) feet for each story of each structure in excess of two (2) stories.
- (d) Rear Yard. The rear wall of the main structure shall be set back at least ten (10) feet from the rear property line, except where the rear of a zoning lot adjoins an alley or street, in which case, no rear yard shall be required.
- (e) Maximum Height. No structure shall exceed seventy-five (75) feet in height, except upon approval of the City of Waycross Fire Department.
- (f) Planted Buffer. A planted buffer strip is required within setbacks adjoining residential uses and meeting the requirements of Section 610.
- (g) Floor Area Ratio. Maximum floor area ratio, including any parking spaces provided within the structure, shall not exceed one hundred (100) percent for single-story buildings, nor shall it exceed three hundred (300) percent for buildings of more than one story.

708.4 - OTHER REQUIREMENTS - The requirements of Section 706.4 shall apply.

708.5 - SPECIAL EXCEPTIONS - Upon application, payment of special exceptions fee, and after due notice and public hearing, the City Commission may authorize this issuance of a building permit for the following uses when the conditions described hereinafter are found to exist. Where variance(s) are also requested as a part of this application, the justification - rationale and reasons for such variances may be approved by the City Commission as part of the special exception approval process. The City Commission may, in its discretion refer the request for a variance to the Board of Zoning Appeals.

- (a) Combination of residences (dwellings) with any use permitted herein, provided that the following conditions are met:
  - (1) All dwelling units have direct access to the street;
  - (2) A single-family residence shall not be located on the first floor of any building;
  - (3) In all cases, the commercial use occurring within the building shall be one that is not considered by reason of materials that are used or products that are made on the premises, to be hazardous;
  - (4) Prior to residential occupancy, alterations as required shall be made to insure that the building will comply with applicable provisions of the Building Code, Fire Code, and other City Ordinances;
  - (5) The density, lot area, setbacks (yards), and other regulations of the district in which the proposed combination of use is to be located must be met.

SECTION 708.6 - CONDITIONAL USES - Upon application and payment of any fee, the Community Improvement Director or his/her appointee may issue a building permit and/or Occupational Tax Certificate for the following permitted uses provided that the subsequent conditions are met.

- (1) The manufacturer, compounding, processing, packaging, treatment or assembly and storage thereof, in combination with retail sales thereof, of any product which does not produce offensive odors, glare, dust or heat and which does not produce noise or vibration at any boundary of the lot on which such use is located in excess of the average intensity of street or traffic noise or privation at that point, and, all such use is wholly within an enclosed structure; Such mixed use or combination of uses (retail and light manufacturing) shall be provided on the lot in accordance with Section 608.
  - (a) Such combination of uses (retail and light manufacturing) in the building shall be arranged such that retail sales or retail service delivery use of the product manufactured shall occupy (1) the entire front part (width) and (2) at least ten (10) percent of the total building area occupied by both uses.
  - (b) Parking for such combination of uses (retail and light manufacturing) shall be provided on the lot in accordance with Section 608.
  - (c) Such combination of uses (retail and light manufacturing) shall not cause an environmental hazard of any kind.
  - (d) The retail use shall be maintained and operated in the front of the building while the light manufacturing continues as a legal business in the remaining part of the building. (The front part of the building shall be for purposes of this Section, the part closest to the entrance abutting the sidewalk or street. If more than one entrance should meet this definition, then the Building Inspector may designate which entrance shall be considered for purpose of this subsection.)
  - (e) In all cases, the manufacturing use occurring within the building shall be one that is not considered by reason of materials that are used or products that are made on the premises, to be hazardous.
  - (f) The lot and year requirements of Section 708.3 must be met.
- (2) Microblading services:
  - (a) Microblading Services may only be offered in Beauty Salons or within a Cosmetic Retail facility; and
  - (b) Must obtain appropriate State License to offer such services; and
  - (c) Must sign approved agreement with the City of Waycross stating that only Microblading services will be performed, and that no other form of Body Art or tattooing will be conducted in such business; and that if business is found to be in violation of said agreement, the Occupational Tax Certificate will be revoked and the business shall cease operation.

## SECTION 709 - LI LIMITED INDUSTRIAL DISTRICT

709.1 - INTENT OF DISTRICT - The LI Limited Industrial District is established to develop and reserve land for non-nuisance industrial uses which are not significantly objectionable in terms of noise, odor, fumes, etc. to surrounding properties. The intentions as applied to this district are designed to:

- (a) Encourage the development and continued use of land for limited types of commercial and industrial buildings;
- (b) Prohibit the use of land for residential, retail commercial and nuisance types of industries which would pre-empt land intended to be preserved for limited industrial uses within the City;
- (c) Discourage the location of residences in an area inappropriate for such uses; and
- (d) Encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this article.

## 709.2 - PERMITTED USES

- (a) Any conditional uses permitted in the C-2 Highway Commercial District.
- (b) Public buildings, facilities or land.
- (c) Transportation terminals.
- (d) Storage buildings and warehouses.
- (e) Research or experimental laboratories.
- (f) The following uses when conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid wall, compact hedge or uniformly painted board fence, no less than six (6) feet in height:
  - (1) Building materials sales yards, including the sale of rock, sand, gravel, and the like as an incidental part of the principal use, but excluding concrete mixing.
  - (2) Contractor's and general equipment storage yards or plants, or rental equipment commonly used by contractor's.
  - (3) Retail lumber yards, including only incidental millwork.
  - (4) Feed Yards.
  - (5) Coal and fuel yards.
  - (6) Pipe yards or storage, sale and rental of oil or gas well drilling equipment.
- (g) Any industrial use which involves manufacturing, processing, assembly, or storage operations, provided that: (1) said operations in no way involves any junk or salvage operations; (2) that there is no open storage of junk or salvageable materials; and (3) that any noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation or other injurious or obnoxious conditions related to the operations are not sufficient to create a nuisance beyond the premises.

- (h) Practice of Agriculture and Forestry.
- (i) Accessory uses.
- (j) Planned Unit Development meeting the requirements of Section 714.
- (k) Signs: For permitted signage, please see Article VIII.

709.3 - LOT AND YARD REQUIREMENTS

- (a) Minimum Front and Side Yards on Streets. The front and side walls of the main structure shall be set back from the right-of-way line of the streets as follows\*:

Major Street	30 ft.
Collector Street	20 ft.
Minor Street	15 ft.

\*See Section 618 Special Building Setbacks for other requirements.

- (b) Side Yard Not on Street. Where adjacent fireproof walls are used, no side yard is required. Otherwise, the side wall of the main structure shall be set back at least fifteen (15) feet from the side property line or twenty-five (25) feet from any adjacent structure, whichever is greater, provided that the distance between structures shall be increased by three feet for each story of each structure in excess of two stories. Wherever a property line abuts a railway right-of-way, this setback requirement may be waived for the sole purpose of providing a facility for direct loading and unloading between railway car and building.
- (c) Minimum Rear Yard. The rear wall of the main structure shall be set back at least twenty-five (25) feet from the rear line. Wherever a property line abuts a railway right-of-way, this setback requirement may be waived for the sole purpose of providing a facility for direct loading and unloading between railway car and building.
- (d) Maximum Height. No structure shall exceed seventy-five (75) feet in height, except upon approval of the City of Waycross Fire Department.
- (e) Planted Buffer. A planted buffer strip is required within setbacks adjoining residential uses and meeting the requirements of Section 610.1.
- (f) Floor Area Ratio. Maximum floor area ratio, including any parking space within the structure, shall not exceed fifty (50) percent for single-story buildings nor shall it exceed one hundred (100) percent for building of more than one story. The ground area occupied by the principal and accessory structures shall not exceed fifty (50) percent of the total zoning lot area.

709.4 - OTHER REQUIREMENTS - The requirements in Section 706.4(a) and (b) shall apply.



709.5 – SPECIAL EXCEPTIONS – Upon application, payment of special exceptions fee, and after due notice and public hearing, the City Commission may authorize the occupancy of the building for the following uses when the conditions described hereinafter are found to exist.

(a) Residential non-conforming use which meets all of the following conditions:

- (1) The dwelling for which a special exception is applied has been vacant for a period of not less than six (6) months and the dwelling can be improved to satisfy existing building and other applicable codes or already satisfies said codes.
- (2) The proposed cost for altering the dwelling does not exceed fifty percent (50%) of one hundred percent (100%) value of said building as established using the value for advalorem taxes for the year the application is filed, or if the value for this purpose has not been determined for the year the application is made, then the value for the most recent year for which the value of said building for advalorem tax purposes has been finally determined shall be used. The applicant shall be required to furnish such information with the filing of the application for special exception.
- (3) The property for which the special exception is sought shall be required to satisfy not less than the minimum standards for density and other regulations of the R-75 (Residential) Zoning District.

## SECTION 710 - GI GENERAL INDUSTRIAL DISTRICT

710.1 - INTENT OF DISTRICT - The GI General Industrial District is established for all types of industrial uses, including those which may be objectionable in terms of noise, odor, fumes, etc. to surrounding properties. The intentions as applied to this district are designed to:

- (a) Encourage the development and continued use of land for heavy commercial and industrial purposes;
- (b) Prohibit the use of land for residential, retail commercial or similar uses which would pre-empt land intended to be preserved or industrial uses, in order to achieve a favorable balance of land uses within the City;
- (c) Discourage the location of residences in an area inappropriate for such uses; and
- (d) Encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this article.

### 710.2 - PERMITTED USES

- (a) Any uses permitted in the LI Limited Industrial District.
- (b) Railroad freight classification yard, repair shops and related railroad facilities.
- (c) Mobile home manufacturing.
- (d) Sand, gravel or mineral extraction.
- (e) Utility stations and facilities subject to the provisions of Section 706.2(e).
- (f) The manufacturing, compounding, processing, refining and treatment of materials and products such as the following: Acetylene, alcohol, asphalt, brick, tile or terra cotta, concrete products or mixing, electricity, oil cloth or linoleum, paint, shellac, turpentine, lacquer or varnish, pulp or paper, petroleum products, plastics, tar or tar products, tobacco products, wood preserving, furniture, wood, leather and metal products.
- (g) Junkyards, provided that all operations are conducted wholly within an enclosed building, or within an area enclosed on all sides with a solid wall, compact evergreen hedge, or uniformly painted board fence not less than six (6) feet in height: provided further, that there shall be no burning of wrecked automobiles or other products, except within an approved furnace or incinerator; and provided further, that said junk yards are set back at least one hundred (100) feet from the street or highway right-of-way.
- (h) Septic tank servicing company.
- (i) Any use such as the following, provided that no principal structure is located closer than 500 feet to any District in which it is not a permitted use:
  - (1) Cement, lime, gypsum or plaster or paris manufacture.
  - (2) Drop forge industry.
  - (3) Any uses involving a punch press over 20 tons rated capacity or a screw machine.
  - (4) Storage of petroleum and petroleum products.
  - (5) Fertilizer manufacturing.
  - (6) Garbage or dead animal reduction.

- (7) Gas manufacture.
  - (8) Petroleum refining.
  - (9) Smelting of tin, copper, zinc or iron ores.
  - (10) Soap manufacturing.
  - (11) Livestock sales and stockyards or feeding pens.
  - (12) Slaughter or packing of animals or feed products.
  - (13) Tannery or the curing of storage or raw hides.
  - (14) Manufacture and storage of bottled gas.
- (j) Auto Repair Shop, provided that all operations are conducted wholly within an enclosed building, or within an area enclosed on all sides with a solid wall, compact evergreen hedge, or uniformly painted board fence not less than six (6) feet in height; provided further that there shall be no storage of cars except within the enclosed building or walls; and provided further that said auto repair shops are set back at least fifty (50) feet from the street or highway right-of-way.
- (k) Accessory uses.
- (l) Group Developments meeting the requirements of Section 706.4(a).
- (m) Planned United Developments meeting the requirements of Section 714.
- (n) Signs: For permitted signage, please see Article VIII.

### 710.3 – LOT AND YARD REQUIREMENTS

- (a) Minimum Front and Side Yards on Streets. The front and side walls of the main structure shall be set back from the right-of-way line of the street as follows\*:

Major Street	30 ft.
Collector Street	20 ft.
Minor Street	15 ft.

\*See section 618 Special Building Setbacks for other requirements.

- (b) Side Yard Not on Street. The side wall of the main structure shall be set back at least fifteen (15) feet from the side property line or twenty-five (25) feet from any adjacent structure, whichever is greater, provided that the distance between structures shall be increased by three (3) feet for each story of each structure in excess of two (2) stories. Wherever a property line abuts a railway right-of-way, this setback requirement may be waived for the sole purpose of providing a facility for direct loading and unloading between railway car and building.
- (c) Minimum Rear Yard. The rear wall of the main structure shall be set back at least twenty-five (25) feet from the rear property line. Wherever a property line abuts a railway right-of-way, this setback requirement may be waived for the sole purpose of providing a facility for direct loading and unloading between railway car and building.
- (d) Maximum Height. No structure shall exceed seventy-five (75) feet, except upon approval of the City of Waycross Fire Department.
- (e) Planted Buffer. A planted buffer strip is required within setbacks adjoining residential uses and meeting the requirements of Section 610.

- (f) Floor Area Ratio. Maximum floor area ratio, including any parking space within the structure, shall not exceed 50 percent for single-story buildings nor shall it exceed 100 percent for buildings of more than one story. The ground area occupied by the principal and accessory structures shall not exceed 50 percent of the total zoning lot area.

710.4 – OTHER REQUIREMENTS - The requirements in Section 706.4(a) and (b) shall apply.

710.5 – CONDITIONAL USES - The uses listed below are permitted provided the conditions specified are met:

- (a) Storage of petroleum and petroleum products.
- (b) Chemical manufacturing/processing.
- (c) Gas manufacture.
- (d) Petroleum refining.
- (e) Smelting of tin, copper, zinc or iron ores.
- (f) Manufacture and storage of bottled gas.

710.6 – SPECIAL EXCEPTIONS – Upon application, payment of special exceptions fee, and after due notice and public hearing, the City Commission may authorize the occupancy of the building for the following uses when the conditions described hereinafter are found to exist.

(a) Residential non-conforming use which meets all of the following conditions:

- (1) The dwelling for which a special exception is applied has been vacant for a period of not less than six (6) months and the dwelling can be improved to satisfy existing building and other applicable codes or already satisfies said codes.
- (2) The proposed cost for altering the dwelling does not exceed fifty percent (50%) of one hundred percent (100%) value of said building as established using the value for advalorem taxes for the year the application is filed, or if the value for this purpose has not been determined for the year the application is made, then the value for the most recent year for which the value of said building for advalorem tax purposes has been finally determined shall be used. The applicant shall be required to furnish such information with the filing of the application for special exception.
- (3) The property for which the special exception is sought shall be required to satisfy not less than the minimum standards for density and other regulations of the R-75 (Residential) Zoning District.

## SECTION 711 - CN CONSERVATION DISTRICT

711.1 - INTENT OF DISTRICT - The CN Conservation Districts are established to limit the development of certain land, swamp and/or water areas with poor drainage which serves as a wildlife refuge; possess great natural beauty; are utilized for outdoor recreational purposes and are subject to periodic flooding. These areas have such a small amount of developable land that with the best interests of the governing body, to encourage residential, commercial and industrial development. The regulations applying within this district are designed:

- (a) To reserve these areas for the uses outlined hereafter;
- (b) To discourage new residential, commercial and industrial development; and
- (c) To encourage the gradual transformation of the areas into forestry, agriculture, wildlife preserves and recreational areas.

### 711.2 - PERMITTED USES

- (a) The practice of agriculture and forestry including the manufacturing and sale of agriculture and forestry products.
- (b) Residential uses incidental to the practice of agriculture or forestry within the district.
- (c) Boat docks or boat houses.
- (d) Bait stores.
- (e) Wildlife refuges and publicly owned and/or operated recreational facilities and any structure or equipment incidental to serving the users thereof, including residences for caretakers.
- (f) Utilities stations and facilities.
- (g) Accessory uses.
- (h) Signs: For permitted signage, please see Article VIII.

### 711.3 - LOT AND YARD REQUIREMENTS

- (a) Minimum Lot Area 6,000 square feet.
- (b) Minimum Lot Width 50 feet.
- (c) Minimum Front Yard. The front wall of the main structure shall be set back from the right-of-way line of the street as follows\*:
  - Major Street 40 ft.
  - Collector Street 35 ft.
  - Minor Street 25 ft.

\*See Section 618 Special Building Setbacks for other requirements.

(d) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way line of the street as follows\*:

Major Street            25 ft.

Collector Street`      20 ft.

Minor Street            15 ft.

\* See Section 618 Special Building Setbacks for other requirements.

(e) Side Yard Not on Street. The side wall of any structure shall be set back 10 feet from the adjacent property line.

(f) Minimum Rear Yard. None except where the property abuts another zoning district, in which case 25 feet shall be required.

(g) Maximum Height. For all uses, 35 feet.

(h) Floor Area Ratio. Maximum floor area ratio shall not exceed twenty (20) percent.

## SECTION 712 FDP - FLOOD DAMAGE PREVENTION DISTRICT

### SECTION 712.1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

#### A. AUTHORIZATION

Article IX, Section II of the Constitution of the State of Georgia and Section 36-1-20(a) of the Official Code of Georgia Annotated have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Commission, of City of Waycross, GEORGIA, does ordain as follows:

#### B. FINDINGS OF FACT

(1) The flood hazard areas of Waycross, Georgia are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are caused by the occupancy in flood hazard areas of uses vulnerable to floods, which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages, and by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities.

#### C. STATEMENT OF PURPOSE

It is the purpose of this district to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(1) require that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;

(2) restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;

(3) control filling, grading, dredging and other development which may increase flood damage or erosion, and;

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

(5) control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters.

#### D. OBJECTIVES

The objectives of this district are:

- (1) to protect human life and health;
- (2) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (3) to help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas,
- (4) to minimize expenditure of public money for costly flood control projects;
- (5) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (6) to minimize prolonged business interruptions, and;
- (7) to insure that potential homebuyers are notified that property is in a flood area.

### SECTION 712.2 - GENERAL PROVISIONS

#### A. LANDS TO WHICH THIS DISTRICT APPLIES

This district shall apply to all Areas of Special Flood Hazard within the jurisdiction of Waycross, Georgia.

#### B. BASIS FOR AREA OF SPECIAL FLOOD HAZARD

The Areas of Special Flood Hazard identified by the Federal Emergency Management Agency in its Flood Insurance Study (FIS), dated September 25, 2009, with accompanying maps and other supporting data and any revision thereto, are adopted by reference and declared a part of this district.

For those land areas acquired by the municipality through annexation, the current effective FIS dated September 25, 2009, with accompanying maps and other supporting data and any revision thereto, for unincorporated Ware County are hereby adopted by reference.

Areas of Special Flood Hazard may also include those areas known to have flooded historically or defined through standard engineering analysis by governmental agencies or private parties but not yet incorporated in a FIS.



The Repository for public inspection of the Flood Insurance Study (FIS), accompanying maps and other supporting data is located: Waycross City Hall, 3<sup>rd</sup> Floor, Engineering Division, 417 Pendleton Street, Waycross Georgia.

C. ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be required in conformance with the provisions of this district PRIOR to the commencement of any Development activities.

D. COMPLIANCE

No structure or land shall hereafter be located, extended, converted or altered without full compliance with the terms of this district and other applicable regulations.

E. ABROGATION AND GREATER RESTRICTIONS

This district is not intended to repeal, abrogate, or impair any existing ordinance, easements, covenants, or deed restrictions. However, where this district and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

F. INTERPRETATION

In the interpretation and application of this district all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed neither to limit nor repeal any other powers granted under state statutes.

G. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this district is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by man-made or natural causes. This district does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This district shall not create liability on the part of the City of Waycross or by any officer or employee thereof for any flood damages that result from reliance on this district or any administrative decision lawfully made hereunder.

H. PENALTIES FOR VIOLATION

Failure to comply with the provisions of this district or with any of its requirements, including conditions and safeguards established in connection with grants of variance or special exceptions shall constitute a violation. Enforcement shall be as provided in Article IX of the Waycross Zoning Ordinance. Any person who violates this district or fails to comply with any of its requirements shall, upon conviction thereof, be subject to punishment as set forth in Section 1-6 of the Waycross Code of Ordinances. Each day

such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Waycross from taking such other lawful actions as is necessary to prevent or remedy any violation.

## SECTION 712.3 - ADMINISTRATION

### A. DESIGNATION OF BUILDING OFFICIAL

The Designated Building Official is hereby appointed to administer and implement the provisions of this district.

### B. PERMIT PROCEDURES

Application for a Development Permit shall be made to the Building Official on forms furnished by the community **PRIOR** to any development activities, and may include, but not be limited to the following: plans in duplicate drawn to scale showing the elevations of the area in question and the nature, location, dimensions, of existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities.

Specifically, the following information is required:

#### (1) Application Stage -

- (a) Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
- (b) Elevation in relation to mean sea level to which any non-residential structure will be flood-proofed;
- (c) Design certification from a registered professional engineer or architect that any proposed non-residential flood-proofed structure will meet the flood-proofing criteria of Section 712.4, B(2);
- (d) Description of the extent to which any watercourse will be altered or relocated as a result of a proposed development, and;

#### (2) Construction Stage -

For all new construction and substantial improvements, the permit holder shall provide to the Building Official an as-built certification of the regulatory floor elevation or flood-proofing level immediately after the lowest floor or flood proofing is completed. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and

certified by same. When flood proofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.

Any work undertaken prior to submission of these certifications shall be at the permit holder's risk.

The Building Official shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being allowed to proceed. Failure to submit certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

### C. DUTIES AND RESPONSIBILITIES OF THE BUILDING OFFICIAL

Duties of the Building Official shall include, but shall not be limited to:

- (1) Review proposed development to assure that the permit requirements of this district have been satisfied.
- (2) Review proposed development to assure that all necessary permits have been received from governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. Require that copies of such permits be provided and maintained on file.
- (3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding.
- (4) When Base Flood Elevation data or floodway data have not been provided in accordance with Section 712.2 B, then the Building Official shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other sources in order to administer the provisions of Section 712.4.
- (5) Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new or substantially improved structures in accordance with Section 712.3, B (2).
- (6) Review and record the actual elevation, in relation to mean sea level to which any new or substantially improved structures have been flood-proofed, in accordance with Section 712.3, B (2).
- (7) When flood-proofing is utilized for a structure, the Building Official shall obtain certification of design criteria from a registered professional engineer or architect in accordance with Section 712.3 B (1)(c) and Section 712.4 B (2) or D (2).
- (8) Make substantial damage determinations following a flood event or any other event that causes damage to structures in flood hazard areas.

(9) Notify adjacent communities and the Georgia Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).

(10) For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to the FEMA to ensure accuracy of community flood maps through the Letter of Map Revision process. Assure flood carrying capacity of any altered or relocated watercourse is maintained.

(11) Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Building Official shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this District.

(12) All records pertaining to the provisions of this district shall be maintained in the office of the Building Official and shall be open for public inspection.

## SECTION 712.4. PROVISIONS FOR FLOOD HAZARD REDUCTION

### A. GENERAL STANDARDS

In ALL Areas of Special Flood Hazard the following provisions are required:

- (1) New construction and substantial improvements of existing structures shall be anchored to prevent flotation, collapse or lateral movement of the structure;
- (2) New construction and substantial improvements of existing structures shall be constructed with materials and utility equipment resistant to flood damage;
- (3) New construction or substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage;
- (4) Elevated Buildings - All New construction or substantial improvements of existing structures that include ANY fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
  - (a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

- (i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
  - (ii) The bottom of all openings shall be no higher than one foot above grade; and,
  - (iii) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both direction.
- (b) So as not to violate the "Lowest Floor" criteria of this district, the unfinished or flood resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area, and
  - (c) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
- (5) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (6) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces.
- (7) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (8) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- (9) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding, and;
- (10) Any alteration, repair, reconstruction or improvement to a structure, which is not compliant with the provisions of this district, shall be undertaken only if the non- conformity is not furthered, extended or replaced.

## B. SPECIFIC STANDARDS

In ALL Areas of Special Flood Hazard the following provisions are required:

- (1) New construction and/or substantial improvements - Where base flood elevation data are available, new construction and/or substantial improvement of any structure or manufactured home shall have the lowest floor, including basement, elevated no lower than **two feet** above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls

shall be provided in accordance with standards of Section 712.4, A (4), "Elevated Buildings".

(a) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be elevated at or above *two feet* above the base flood elevation.

(2) Non-Residential Construction - New construction and/or the substantial improvement of any structure located in A1-30, AE, or AH zones, may be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to *two feet* above the base flood elevation, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and in Section 712.3, C. (6).

(3) Standards for Manufactured Homes and Recreational Vehicles - Where base flood elevation data are available:

(a) All manufactured homes placed and/or substantially improved on: (1) individual lots or parcels, (2) in new and/or substantially improved manufactured home parks or subdivisions, (3) in expansions to existing manufactured home parks or subdivisions, or (4) on a site in an existing manufactured home park or subdivision where a manufactured home has incurred "substantial damage" as the result of a flood, must have the lowest floor including basement, elevated no lower than *two feet* above the base flood elevation.

(b) Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision may be elevated so that either:

(i) The lowest floor of the manufactured home is elevated no lower than *two feet* above the level of the base flood elevation, or

(ii) The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.

(c) All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. (Ref. Section 712.4 A (6) above)

(d) All recreational vehicles placed on sites must either:

(i) Be on the site for fewer than 180 consecutive days.

(ii) Be fully licensed and ready for highway use, (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or

(iii) The recreational vehicle must meet all the requirements for "New Construction", including the anchoring and elevation requirements of Section 712.4, B (3)(a)(c), above.

(4). Floodway - Located within Areas of Special Flood Hazard established in Section 712.2, B, are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:

(a) Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in **any** increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof.

(b) **ONLY** if Section 712.4 B (4)(a) above is satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Section 712.4.

**C. BUILDING STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS AND/OR FLOODWAY (A-ZONES) -**

Located within the Areas of Special Flood Hazard established in Section 712.2, B, where streams exist but no base flood data have been provided (A-Zones), OR where base flood data have been provided but a Floodway has not been delineated, the following provisions apply:

(1) When base flood elevation data or floodway data have not been provided in accordance with Section 712.2 B, then the Building Official shall obtain, review, and reasonably utilize any scientific or historic base flood elevation and floodway data available from a Federal, State, or other source, in order to administer the provisions of Section 712.4. **ONLY** if data are not available from these sources, then the following provisions (2&3) shall apply:

(2) No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet, whichever is greater, measured from the top of the stream bank, unless certification by a registered professional engineer is provided demonstrating that such encroachment shall not result in more than a **one foot** increase in flood levels during the occurrence of the base flood discharge.

(3) In special flood hazard areas without base flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than **three feet** above the highest adjacent grade at the building site. (NOTE: Require the lowest floor to be elevated two feet above the estimated base flood elevation in A-Zone areas where a Limited Detail Study has been completed). Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Section 712.4, A (4) "Elevated Buildings".

(a) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be elevated no less than **three feet** above the highest adjacent grade at the building site.

The Building Official shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

D. STANDARDS FOR AREAS OF SPECIAL FLOOD HAZARD (ZONES AE) WITH ESTABLISHED BASE FLOOD ELEVATIONS WITHOUT DESIGNATED FLOODWAYS

Located within the Areas of Special Flood Hazard established in Section 712 2, B, where streams with base flood elevations are provided but no floodways have been designated, (Zones AE) the following provisions apply:

(1) No encroachments, including fill material, new structures or substantial improvements shall be located within areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than **one foot** at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

(2) New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Section 712 4, B.

E. STANDARDS FOR AREAS OF SHALLOW FLOODING (AO ZONES) -

Areas of Special Flood Hazard established in Section 712.2, B, may include designated "AO" shallow flooding areas. These areas have base flood depths of **one to three feet** above ground, with no clearly defined channel. The following provisions apply:

(1) All new construction and substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, elevated to the flood depth number specified on the Flood Insurance Rate Map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least **three feet** above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of flood waters



shall be provided in accordance with standards of Section 712.4, A (4), "Elevated Buildings".

The Building Official shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

(2) New construction or the substantial improvement of a non-residential structure may be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus *two feet*, above highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and as required in Sections 712.3 B (1)(c) and 712.3 B (2).

(3) Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

#### F. STANDARDS FOR SUBDIVISIONS

(1) All subdivision and/or development proposals shall be consistent with the need to minimize flood damage;

(2) All subdivision and/or development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

(3) All subdivision and/or development proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;

(4) For subdivisions and/or developments greater than *fifty lots or five acres*, whichever is less, base flood elevation data shall be provided for subdivision and all other proposed development, including manufactured home parks and subdivisions. Any changes or revisions to the flood data adopted herein and shown on the FIRM shall be submitted to FEMA for review as a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable. Upon completion of the project, the developer is responsible for submitting the "as-built" data to FEMA in order to obtain the final LOMR.

#### G. STANDARDS FOR CRITICAL FACILITIES

(1) Critical facilities shall not be located in the 100-year floodplain or the 500 year floodplain.

(2) All ingress and egress from any critical facility must be protected to the 500-year flood elevation.

## SECTION 712.5. VARIANCE PROCEDURES

- A. The Zoning Board of Appeals as established by the Waycross City Commission shall hear and decide requests for appeals or variance from the requirements of this district.
- B. The board shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the Building Official in the enforcement or administration of this district.
- C. Any person aggrieved by the decision of the Zoning Board of Appeals may appeal such decision to the Superior Court of Ware County Georgia, as provided in Section 5-4-1 of the Official Code of Georgia Annotated.
- D. Variances may be issued for the repair or rehabilitation of Historic Structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a Historic Structure and the variance is the minimum to preserve the historic character and design of the structure.
- E. Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this section. are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.
- F. Variances shall not be issued within any designated floodway if ANY increase in flood levels during the base flood discharge would result.
- G. In reviewing such requests, the Zoning Board of Appeals shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this district.
- H. Conditions for Variances:
- (1) A variance shall be issued ONLY when there is:
    - (a) a finding of good and sufficient cause,
    - (b) a determination that failure to grant the variance would result in exceptional hardship, and;
    - (c) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

- (2) The provisions of this District are minimum standards for flood loss reduction; therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and, in the instance of an Historic Structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.
- (3) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.
- (4) The Building Official shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

I. Upon consideration of the factors listed above and the purposes of this district, the Zoning Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this district.

#### SECTION 712.6. DEFINITIONS

Unless specifically defined below, words or phrases used in this district shall be interpreted so as to give them the meaning they have in common usage and to give this district its most reasonable application.

"Accessory Structure" means a structure having minimal value and used for parking, storage and other non-habitable uses, such as garages, carports, storage sheds, pole barns, hay sheds and the like.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by an independent perimeter load-bearing wall, shall be considered "New Construction".

"Appeal" means a request for a review of the Building Official's interpretation of any provision of this district.

"Area of shallow flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

"Area of special flood hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. In the absence of official designation by the Federal Emergency Management Agency, Areas of Special Flood Hazard shall be those designated by the local community and referenced in Section 712.2, B.

"Base flood," means the flood having a one percent chance of being equaled or exceeded in any given year.

"Base Flood Elevation (BFE)" The elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a one percent chance of equaling or exceeding that level in any given year.

"Basement" means that portion of a building having its floor sub grade (below ground level) on all sides.

"Building," means any structure built for support, shelter, or enclosure for any occupancy or storage.

"Critical Facility" means any public or private facility, which, if flooded, would create an added dimension to the disaster or would increase the hazard to life and health. Critical facilities include:

- (a) structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials;
- (b) hospitals and nursing homes, and housing for the elderly, which are likely to contain occupants who may not be sufficiently mobile to avoid the loss of life or injury during flood and storm events;
- (c) emergency operation centers or data storage centers which contain records or services that may become lost or inoperative during flood and storm events; and
- (d) generating plants, and other principal points of utility lines.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, and storage of materials or equipment.

"Elevated building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Existing construction" means for the purposes of determining rates, structures for which the "start of construction" commenced before August 3, 1981.

"Existing Manufactured Home Park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before July 7, 1981.

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. the overflow of inland or tidal waters; or
- b. the unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of areas of special flood hazard have been defined as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

"Flood Insurance Study" the official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles and water surface elevations of the base flood.

"Floodplain" means any land area susceptible to flooding.

"Flood proofing," means any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

"Highest adjacent grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed foundation of a building.

"Historic Structure" means any structure that is;

- a. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
  1. By an approved state program as determined by the Secretary of the Interior, or
  2. Directly by the Secretary of the Interior in states without approved programs.

"Lowest floor" means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this code.

"Manufactured home" means a building, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"New construction" means, for the purposes of determining insurance rates, structures for which the "start of construction" commenced after August 3, 1981 and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced after July 7, 1981 and includes any subsequent improvements to such structures.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed after July 7, 1981.

"North American Vertical Datum (NAVD)" has replaced the National Geodetic Vertical Datum of 1929 in existing and future FEMA Flood Modernization Maps.

"Recreational vehicle" means a vehicle, which is:

- a. built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection;
- c. designed to be self-propelled or permanently towable by a light duty truck; and
- d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Start of construction" means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of the structure such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation. (Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or part of the main structure. (NOTE: accessory structures are NOT exempt from any district requirements) For a substantial improvement, the actual start of construction means the first alteration of any wall,

ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank.

"Subdivision" the division of a single lot into two or more lots for the purpose of sale or development.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

"Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during a 5-year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure prior to the "start of construction" of the improvement. NOTE: *The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring.* This term includes structures, which have incurred "substantial damage", regardless of the actual amount of repair work performed.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include (1) those improvements of a structure required to comply with existing violations of state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions and which have been identified by the Code Enforcement Official, and not solely triggered by an improvement or repair project, or (2) any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Substantially improved existing manufactured home parks or subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this district, which permits construction in a manner otherwise prohibited by this district.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, or other certifications, or other evidence of compliance required by this district is presumed to be in violation until such time as that documentation is provided.

## SECTION 713 - SDD - SPECIAL DEVELOPMENT DISTRICT (OVERLAY)

713.1 - INTENT OF DISTRICT - The Special Development District is an overlay zoning district that provides standards in addition to those required in the underlying zone(s). The district allows the granting of special building permits for developments that modify their bulk, height and setbacks as defined in the Bonus section. This is done by authorizing increases in the permitted floor area ratio for any development permitted in the underlying zone(s) meeting the requirements of the special district. The provisions in this district are designed to:

- (a) Promote areas having special development or redevelopment potential located within strategic areas within the Waycross Urban Area;
- (b) Promote a higher quality, more attractive development located within strategic areas within the Waycross Urban Area;
- (c) Develop and strengthen areas which attract regional traffic in order to help maintain the regional retail, commercial and industrial center within the City of Waycross;
- (d) Develop and strengthen a much needed circulation network in order to avoid congested areas for the movement of highway vehicles to, from and within the district;
- (e) Provide an incentive for possible development or redevelopment of an area in a manner consistent with the foregoing objectives which are an integral element of the Comprehensive Plan of the City of Waycross;
- (f) Encourage a desirable design relationship of each new building to its neighbors;
- (g) Promote the most desirable use of land in special development areas and to conserve the value of land and buildings, and, therefore, protect the City of Waycross tax revenues; and,
- (h) Provide incentives for improved and flexible site and buildings design which should promote a more economic development.

713.2 - MINIMUM REQUIREMENTS - The following requirements shall apply to any development proposed/located in the Special Development District:

- (a) A maintained planted, landscaped strip shall extend across the entire width of the lot along the right-of-way line of a major or collector street. Such landscaped strip shall be at least ten (10) feet wide, extending into the yard setback. Such a strip shall contain landscaping such as grass, trees, bushes and/or shrubs.
- (b) A planted buffer or wall or fence shall be required within the rear setback where any development adjoins a residential use or district. Such buffer shall meet and satisfy the requirements of Section 610.1.
- (c) A planted buffer or wall or fence shall be required within the side set back where such development adjoins a residential use or district. Such buffer shall meet and satisfy the requirements of Section 610.1.
- (d) Landscaping in off-street parking lots shall be required to equal five (5) percent of the total area devoted to parking including ingress and egress.
- (e) Off-street parking requirements of Section 608 shall be met.



- (f) Access to streets shall meet requirements of this Ordinance.
- (g) If site contains a building or place in which a historic event occurred, which has a special public value because of notable architecture, or is of cultural significance, the project must fulfill the following criteria:
  - (1) Prevent creation of influences adverse to its preservation;
  - (2) Assure that new structures and uses will be in keeping with the character of the building or place. Imitation of period styles should be avoided; and,
  - (3) Propose adaptive use of the building or place that will lead to its continuance, conservation, and improvement in an appropriate manner while respecting the integrity of the neighborhood.
- (h) If off-site parking areas are provided, there shall be direct vehicular and pedestrian access between on-site parking areas and adjacent existing or future off-site parking areas which contain more than ten (10) spaces.

713.3 - BONUSES - The total floor area ratio, including bonuses, may not exceed one hundred (100) percent floor area ratio for residential buildings or residential portions of mixed use buildings.

- (a) Lot Width. A floor area ratio bonus of an additional .02 (2%) will be added to each building permit for each foot over 100 feet of lot width up to a maximum lot width of 200 feet for bonus. (i.e. A floor area ratio requirement of 25% may be increased to 45% for a 200 foot wide lot developed.)
- (b) Planted, landscaped strip in front yard. A floor area ratio bonus of an additional .05 (5%) will be added to each building permit for each additional one (1) foot of planted, landscaped strip over the required ten (10) foot depth, up to a maximum of fifteen (15) feet depth. (i.e. A floor area ratio of 25% may be increased to 27.5% for a fifteen (15) foot landscaped strip developed.)
- (c) Planted, landscaped strip in rear yard. A floor area ratio bonus of an additional .01 (1%) will be added to each building permit for each additional foot over the required ten (10) foot width of buffer up to a maximum of 15 feet width.
- (d) Planted, landscaped strip in side yard. A floor area ratio bonus of an additional .01 (1%) will be added to each building permit for each additional foot over the required ten (10) foot width of buffer up to a maximum of 15 feet width.
- (e) Planted, landscaped areas in parking lots. A floor area ratio bonus of an additional .01 (1%) of planted landscaping over the required 5% up to a maximum of 10% of the total landscaped parking area will be added to each building permit.
- (f) Off-street Parking for Non-Residential Buildings. An increase in the floor area ratio of .02 (2%) will be added to each building permit for each off-street parking space provided in excess of the required amount up to a maximum of 50% over minimum parking requirements.
- (g) Access to Streets for Corner Lots. A floor area ratio bonus of an additional .05 (5%) will be added to each development's building permit when such development's entrance or exit does not directly enter a primary arterial or collector street as designated on the Official Zoning Map.

- (h) Non-renewable Energy Usage. A floor area ratio bonus of an additional .05 (5%) will be added to each development's building permit when the activity reduces non-renewable energy usage, through the application of alternative energy systems, use of existing buildings, and through committed energy conservation measures beyond that normally required by City Code.

713.4 - SPECIAL PERMIT REVIEW PROCEDURES - All requests for building permits which apply for floor area ratio bonuses under the provisions of Section 713.3 shall be submitted by the applicant and reviewed by the City of Waycross as follows:

- (a) Permit Preliminary Review. Representatives of the Departments of Planning, Engineering, Community Development, Water and Sewer, Code Enforcement, Traffic Engineering, Police and Fire shall be available for applicants to discuss requirements, standards and policies that apply to the building development proposal. Major problems can be identified and solved before a formal application is made. The general outline of the proposal, evidenced schematically by sketch plans, shall be submitted by the applicant and reviewed by the City. Thereafter, the Planning Director shall furnish the applicant with written comments regarding such conference, including appropriate recommendations to inform and assist the applicant prior to preparing the application.
- (b) Permit Approval. Data regarding site conditions, and utilities adjacent to and proposed on the site and a drawing to scale showing proposed location of the uses of land, building and adjoining major streets shall be submitted to the Building Official and forwarded to the Planning Director. A form listing the possible bonuses shall be used by the Planning Director to evaluate the proposal. Within 10 days of its receipt, the completed form with the permit request and data shall be returned to the Building Official. Permits for construction shall then be issued as required by City Codes and the provisions of this section.

## SECTION 714 PUD - PLANNED UNIT DEVELOPMENT DISTRICTS

714.1 - INTENT OF DISTRICT - The purpose of the PUD Planned Unit Development Districts is to encourage the best possible site plans and building arrangements under a unified plan of development rather than under lot-by-lot regulation. The developer benefits from better land utilization, economy in the provision of roads and utilities and flexibility in design. Review of the development plan by the Planning Commission and approval by the Waycross City Commission provides an opportunity to assure that the development will be in harmony with the character of the neighborhood in which the development is located. The Planned Unit Development District is intended to be used when any one of the following conditions are sought:

- (a) More than one principal building is proposed for development on a single parcel under single or multiple ownership; or
- (b) Separate land uses, which would not otherwise be permitted to locate within the same zoning district, are proposed for development on one or more adjacent parcels under single or multiple ownership; or
- (c) Exceptions to provisions relating to lot area, yard size, floor area ratio, or to other requirements of these regulations are being sought.

## 714.2 - PERMITTED PLANNED UNIT DEVELOPMENT DISTRICTS

- (a) Planned General Development (PGD)
- (b) Planned Industrial District (PID)
- (c) Planned Mobile Home Park Development (PMD)
- (d) Planned Residential Development (PRD)
- (e) Planned Shopping / Commercial Center Development (PCD)

## 714.3 - REQUIREMENTS AND DEVELOPMENT STANDARDS FOR ALL PLANNED UNIT DEVELOPMENT DISTRICTS

- (a) Lot size. Except for a Planned Mobile Home Park, the site utilized for planned unit developments must contain an area of not less than one (1) acre;
- (b) Access. The site must adjoin or have direct access to at least one major street or collector street as shown on the Zoning Maps;
- (c) Filing of Application. The area proposed shall be in one ownership, or if in several ownership's, the application shall be filed jointly by all of the owners of the properties included in the plan;
- (d) Site Design. Over-all site design should be harmonious in terms of landscaping, enclosure or principal and accessory uses, sizes, and street patterns, and use relationships. Variety in building types, heights, facades, setbacks and size of open spaces shall be encouraged.
- (e) Densities. Densities per acre for residential dwelling units shall not exceed those set forth in R-50 District, Section 701.3(a).
- (f) Yard and Dimensions. Yard and other dimensional requirements for each planned unit development district may be set by the Governing Body after consideration by the Planning Commission.

The following criteria shall serve as a general guide for requirements set for uses proposed for location in a planned unit development district: R-50 District standards shall serve as minimum requirements for residential uses. The most restrictive standards specified elsewhere in this Ordinance as they apply to commercial, industrial, and institutional uses shall serve as minimum requirements for such uses located in the planned unit development districts.

- (g) **Parking and Loading.** Parking, loading and other requirements for each planned unit development district may be set by the Governing Body, after consideration by the Planning Commission. The standards of Article VI, Sections 608 and 609 shall serve as general guides to such requirements for uses proposed for location in a planned unit development district, with the following exceptions:
  - (1) in all planned unit development districts required off-street parking spaces and all of their servicing drives shall be provided off of publicly dedicated rights-of-way or approved private streets, and
  - (2) parking from the street upon private property shall be prohibited.
- (h) **Abutting Residential Property.** Where a planned unit development abuts a residential district, planned unit development buildings and activities other than single-family and two family dwellings, must be set back a sufficient distance from the separating property line or district boundary line, not less than thirty (30) feet for multi-family residential, public or institutional uses or fifty (50) feet for commercial or industrial uses, to insure the absence of any objectionable effects on or from abutting districts. In the case of commercial and industrial uses, the distances separating all buildings and activities from surrounding residential districts should in fact be great enough to constitute a reasonable buffer. Loading docks should be further removed from residential lot lines than buildings. Property lines abutting residential districts may be screened by a permanent attractive planted buffer meeting the requirements of Section 610, except in the following instances:
  - (1) Where one and two family dwellings within the planned unit development are on property immediately adjoining one and two family dwellings in a residential district, then no buffer shall be required; or,
  - (2) Where multi-family dwellings and townhouses within the planned unit development district are on property immediately adjoining multi-family dwellings or townhouses in a residential district, then no buffer shall be required. In addition, all storage yards or outdoor display spaces must be enclosed with a planting screen, wall or fence to a height of at least six (6) feet, excluding gates or exit points.
- (i) Within a planned unit development district, the design shall include buffers suitable for screening residential areas from institutional, commercial, and industrial uses when a danger of incompatibility appears to exist.
- (j) **Lighting.** Lighting facilities shall be arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous

interference of any kind.

- (k) Signs. Sign requirements may be set by the Governing Body, following consideration by the Planning Commission.
- (l) Accessways. In planned unit development districts, areas used for parking and loading or for traffic ways shall be physically separated from public streets by suitable barriers against unchanneled motor vehicles ingress and egress. Accessways shall generally conform to standards set forth in Article VI, Section 608, with the following exceptions:
  - (1) Shopping centers, other individual commercial, industrial, institutional and multi-family uses shall have not more than two (2) access points to any one public street, unless unusual circumstances demonstrate the need for additional access points; and,
  - (2) Where possible, all access points to a public street from shopping centers other individual commercial, industrial, institutional, and multi-family uses shall be located at least one hundred (100) feet from the intersection of any street lines and shall be designed in a manner conducive to safe ingress and egress.

714.4 - PLANNED UNIT DEVELOPMENT APPLICATION PROCESS – PROCEDURES -  
An application for Planned Unit Development approval shall be submitted in accordance with the following requirements and procedures:

- (a) An application for Planned Unit Development approval shall consist of the following elements.
  - (1) A site development plan drawn to scale 1" = 100' or 1" = 50' and indicating all property dimensions, platting and street systems, proposed building sites and sizes, types of use proposed for buildings, plans for the protection of abutting properties, means of ingress and egress, access and circulation arrangements, off-street parking and loading facilities, proposed reservations or dedications for street and other public facilities and if requested two-foot contour intervals, density standards and yard requirements, plans for the provision of utilities, including water, sewer and storm drainage facilities; plans for open space, courts, walks and common areas; and, plans for parking, loading, access ways, signs and lighting. Also included will be the name of the development and the developers, a north point, the date of field survey, tract boundary lines, dimensions, bearings, angles, and reference points to at least two (2) permanent monuments.
  - (2) A written report explaining the type, nature, intent and specifically including:
    - (a) A general description of the proposal;
    - (b) A detailed legal description of the location of the site;

- (c) Proposed standards for development, including restrictions on the use of the property and proposed restrictive covenants;
  - (d) Exceptions or variations from the requirements of these regulations, if any are being requested;
  - (e) Tables showing the total number of acres in the proposed development and the percentage designated for each proposed type of land use, including public facilities;
  - (f) Means of protecting adjacent areas from lighting and other potentially adverse effects;
  - (g) A statement defining the manner in which the Governing Body is to be assured that all improvements and protective devices, such as buffers, fences, etc., are to be installed and maintained;
  - (h) Tabulations of the overall density for residential use, if any; and other data the Planning Commission may require;
  - (i) A listing of permitted uses proposed within the Planned Unit Development shall be submitted with the application. Any use proposed by the developer and considered by the Planning Commission and the Governing Body as being compatible to other nearby uses within and without the development in keeping with the intent of the particular Planned Unit Development may be permitted.
- (3) The information required for preliminary plat as required under the Waycross Subdivision Ordinance, if the proposal includes the subdivision of land for any purpose of the provision of new public streets.
- (b) A Planned Unit Development application for approval shall follow the steps for approval as required for amendment of the Waycross Zoning Ordinance, Section 908, including the following:
- (1) A pre-application meeting shall be held between the applicant and the Planning Department for discussion of the general proposal, location and related community development / plan requirements;
  - (2) The application (site development plans, written report and subdivision plat information) shall be submitted to the Planning Department for approval and recommendation by the Planning Commission. Within 30 days a report shall be made.
  - (3) The application with the recommendations of the Planning Commission shall then be submitted to the Governing Body for approval. A public hearing will be set and an ordinance will be adopted amending the Zoning Ordinance.
- Before approval of the development plan, the Governing Body, may require a contract with safeguards satisfactory to its attorney guaranteeing completion of the development plan in a period to be specified by the Governing Body, but which period shall not exceed

- five (5) years unless extended by the Governing Body for due cause shown. Such guarantee may include the submission of a performance bond in an amount as set by the Governing Body.
- (4) The Planned Unit Development boundary shall then be delineated to the Waycross Official Zoning Map and with the report and subdivision plat thereby be recorded as the particular Planned Unit Development;
  - (5) Development of the Planned Unit Development, regardless of changes in ownership, shall be issued building permit approval in accordance with the standards adopted for the Planned Unit Development;
  - (6) Failure to begin substantial development (issuance of a building permit in the amount of at least \$500) within two (2) years of the effective date of approval shall automatically void the development plan and the parcel shall revert back to the zoning classification in effect immediately prior to approval.

714.5 - ADDITIONAL REQUIREMENTS FOR SPECIFIC PLANNED UNIT DEVELOPMENT DISTRICTS – The following intents and provisions shall apply in addition to previous requirements, to particular planned unit development districts.

- (a) Planned General Development (PGD) It is the intent of the PGD District to encourage the large scale planned development to uses or groups of uses not otherwise provided for in this section, but considered by the Planning Commission and the Governing Body to be logical and worthy, in the public interest, of inclusion in a PGD District, and further, to encourage the development of such uses or groups of uses according to the requirements and standards of this section.
  - (1) Site plans for PGD districts shall show the following items, if applicable and possible:
    - (a) Loading zones
    - (b) Fire fighting facilities
    - (c) Electric, oil, gas or other power systems
    - (d) Open space
  - (2) The written report shall include, where applicable and possible, the following:
    - (a) Proposed restrictive covenants
    - (b) Proposed development schedule
  - (3) Other standards deemed suitable to the particular request by the Governing Body, after consideration by the Planning Commission, shall be met.

- (b) Planned Industrial District (PID) It is the intent that PID District be developed and reserved primarily for industrial purposes in a planned, organized and controlled development. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible industrial use which involves manufacturing, assembling and processing operations or the sale and distribution of goods and products at wholesale, and to discourage any encroachment by residential, commercial or other uses except those which augment the principal purpose of the district.
- (1) Site plans for PID Districts shall show the following items, if applicable and possible:
    - (a) Loading zones
    - (b) Rail facilities
    - (c) Fire fighting facilities
    - (d) Electric, oil, gas, or any other power system
  - (2) The written report shall include, where applicable and possible, the following:
    - (a) Any proposed restrictive covenants
    - (b) Plans for control of air and water or ground pollution
    - (c) A proposed development schedule
  - (3) Other standards deemed suitable to the particular request by the Governing Body, after consideration by the Planning Commission, shall be met.
- (c) Planned Mobile Home Park Development (PMD) It is the intent of the PMD District to provide a sound and healthy residential environment sufficient to meet the unique needs of inhabitants living in mobile home parks, to protect mobile home parks from encroachment by incompatible uses and to encourage the consolidation and concentration of mobile homes.
- (1) A mobile home park shall occupy at least three (3) acres and provide no less than twenty-five (25) mobile home lots.
  - (2) Each mobile home lot shall contain at least four thousand (4,000) square feet of area and shall be of such shape and dimensions that a rectangle, forty-four (44) feet wide by ninety (90) feet long, may be drawn therein. In no case shall any portion of a mobile home be placed nearer than ten (10) feet from any lot line.
  - (3) Each mobile home lot shall have a patio of not less than one hundred eighty (180) square feet and a driveway not less than ten (10) feet wide extending from street to patio. The driveway shall be paved as the street is paved; and the patio may be of any all-weather surface.
  - (4) A separate common area, equal to no less than (10) percent of the total area of all lots in the mobile home park, shall be reserved and developed for recreation area. Such area shall be centrally located and shall contain individual areas for passive adult recreation, children's play and a fenced tot lot.



A swimming pool may occupy a portion of this area provided it is separated from other recreation areas by a fence having a gate which can be closed and locked. Required street setbacks shall not be counted as part of the required recreation area.

- (4) All mobile home spaces shall abut upon a private street, which shall be paved to local requirements. Minimum width of all street pavement shall be twenty (20) feet and no lot line shall be nearer than twenty (20) feet to the centerline of any street.
- (5) Every mobile home park shall be lighted to provide safe, convenient access to all parts of the park during the night.
- (6) Adequate electrical, water and sewage service connections shall be provided for each mobile home space. Power lines over any mobile home space shall be not less than fifteen (15) feet above ground level.
- (7) Anchors and tie downs imbedded in concrete, screw augers, arrowhead anchors or other devices to maintain the stability of mobile home shall be placed at each corner of every mobile home stand. Every occupied mobile home shall be secured to these anchors or tie downs in such a manner that no part of the attachment shall have a minimum tensile strength of less than 2,800 pounds.
- (9) Surrounding the park (excepting only ingress and egress points) there shall be an easement at least ten (10) feet wide upon which buildings shall not be permitted and upon which there shall be planted and permanently maintained a vegetative screen that will, within five (5) years, be six (6) feet high and obscure objects at a distance of fifty (50) feet. The area of this planting easement shall not be considered a part of any abutting mobile home lot for the purposes of complying with any minimum dimensions required herein. Every mobile home park shall be adequately landscaped with trees and shrubs. All grounds, except hard-surfaced areas and planting beds, shall be sodden and maintained as lawn. It shall be a continuing responsibility of the owner of every mobile home park to preserve and maintain in good order all improvements required herein, including streets, utilities, trees and shrubs, lawn, and vegetative screen. Failure to do so shall constitute a violation of this ordinance.
- (10) Drainage and public utilities plans shall be reviewed by the City Engineer and he shall advise the Planning Commission of his findings, in writing, prior to the Commission's making a formal recommendation on the proposal.
- (11) Plans for the mobile home park must also be reviewed and approved by the Ware County Health Department, which body shall advise the Planning Commission, in writing, prior to the Commission's making formal recommendation. The proposed plan shall not receive a favorable recommendation unless the Ware County Health Department certified that the proposed development meets all local and state health requirements.

- (12) Commercial and service facilities within the PMD District shall be of size and design suitable for serving only the mobile home park occupants.
  - (13) Permitted Signs: Choice of one: Class 1, 3 or 4.
- (g) Planned Residential Development (PRD) It is the intent of the PRD District to permit in a large scale development a more flexible placing of residential buildings on the land, the grouping of open space and such accessory facilities as garages, parking and limited retail, service and other establishments, and the mixture of housing types, according to a carefully drawn plan of development.
- (1) The following standards shall be used as guides for evaluating the design and layout of proposed PRD Districts:
    - (a) Open Space. The creation of open space, free of buildings, parking and other uses, available for active recreation walking and viewing , and a balanced relationship of buildings to this space shall be considered. A minimum of at least ten (10) percent of the gross area of the site shall be kept open in public open area. Lot sizes may be reduced so as to pool space into common area.
    - (b) Privacy. Personal and individual privacy shall be maintained and balanced with the provisions of private, as well as public, and common open area.
- (e) Planned Shopping/Commercial Center Development (PCD) The purpose of the PCD District shall be to encourage the logical and timely development of land for commercial purposes and the expansion of shopping and/or commercial centers, in accordance with the objectives, policies and proposals of the Comprehensive Plan; to discourage any use which would interfere with the use of the district as a shopping, commercial and service center for surrounding residential areas; and to assure suitable design to protect the residential environment of adjacent neighborhoods.
- (1) Site plans for PCD Districts shall show the following items, if applicable and possible:
    - (a) Loading zones
    - (b) Fire fighting facilities
    - (c) Electric, oil, gas or other power system
  - (2) The written report shall include, where applicable and possible, the following:
    - (a) Proposed restrictive covenants
    - (b) Proposed development schedule
  - (3) Other standards deemed suitable to the particular request by the Governing Body, after consideration by the Planning Commission, shall be met.

714.6 - AMENDMENTS/CHANGES TO ADOPTED PLANNED UNIT DEVELOPMENT PLANS

- (a) Any proposed changes in the Planned Unit Development district shall be treated as further amendments to the Zoning Ordinance and must be considered in accordance with procedure set forth in Section 908.
- (b) Appeals based on hardship or an alleged misinterpretation of these regulations by the Building Official shall be processed in accordance with procedures set forth in Section 907.4(e) entitled Appeals, How Taken.
- (c) Where it is determined by the Governing Body that development in the Planned Unit Development district is not in accordance with the standards adopted for that district, the Governing Body shall be empowered to place parts or all of the property in the Planned Unit Development District in its prior zoning classification through procedures of Section 908.

714.7 - VIOLATION OF ADOPTED PLANNED UNIT DEVELOPMENT PLAN

- (a) The violation of any provision of the plan, as submitted and approved under the provisions provided herein, shall constitute a violation of this ordinance.

## SECTION 715 – IP INDUSTRIAL PARK DISTRICT

715.1 – INTENT OF DISTRICT – The IP Industrial Park District is established to provide high standards of design, land use intensity and open spaces of reselected, non-nuisance and compatible industrial uses on land which is reserved and improved for unified and harmonious industrial development. The specific intentions of the regulatory provisions as applied to this district are to:

- (a) Encourage the development and continued use of land for selected types of Intensive/heavy commercial and limited industrial buildings served by adequate public facilities and services;
- (b) Prohibit the use of land for residential, retail, commercial and nuisance types of industries which would pre-empt land intended for selected industrial uses in the city;
- (c) Protect to the greatest extent possible adjacent residential, commercial and public areas;
- (d) Encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this Article.

### 715.2 – PERMITTED USES

- (a) Public buildings, facilities or land.
- (b) Transportation terminals.
- (c) Storage buildings and warehouses.
- (d) Research or experimental laboratories.
- (e) Storage of any products or supplies eventually to be sold at retail, provided that no unusual fire or safety hazards are created, no live animals are sold and no junk, wrecked automobiles, second-hand equipment or other salvage materials or dead animals are stored or sold on the premises, and all merchandise is stored wholly within an enclosed structure.
- (f) Any industrial use which involves manufacturing, compounding, processing, packaging, treatment or assembly operations, provided that said operations do not produce offensive odors, glare, dust or heat and do not produce noise or vibration at any boundary of the district in which such use is located in excess of the average intensity of street or traffic noise or vibration at that point.
- (g) Accessory uses such as day-care, banks, restaurants and recreational amenities.
- (h) Planned Unit Development meeting the requirements of Section 714.
- (i) Signs: For permitted signage, please see Article VIII.

### 715.3 – PROHIBITED USES

- a) Solid waste handling and storage.
- b) Landfill (solid waste disposal).
- c) Permanent hazardous or toxic waste storage.
- d) Hazardous or toxic waste incineration.
- e) Wholesale outlets selling to retail customers.

#### 715.4 – LOT AND YARD REQUIREMENTS

- a) Minimum Front and Side Yard on Streets. The front and side walls of the main structure shall be set back from the right-of-way line of the street as follows:
  - Major Street            50 feet
  - Collector Street        40 feet
  - Minor Street            40 feet
- b) Side Yard Not on Street. The side wall of the main structure shall be set back at least thirty (30) feet from the side property line. Wherever a property line abuts a railway right-of-way, this setback requirement may be waived for the sole purpose of providing a facility for direct loading and unloading between railway car and building.
- c) Minimum Rear Yard. The rear of the main structure shall be set back at least forty (40) feet from the rear property line. Wherever a property line abuts a railway right-of-way, this setback requirement may be waived for the sole purpose of providing a facility for direct loading and unloading between railway cars and building.
- d) In each of the yards (setbacks) described above, no building structure or obstruction shall be erected or maintained on any land abutting within fifteen (15) feet of the top of the bank of any canal which is part of the Waycross Drainage Canal, including without limitation, additions, extensions and modifications thereto, and all parts of the Waycross stormwater canal system.
- e) Maximum Height. No structure shall exceed seventy-five (75) feet in height, except upon approval of the City of Waycross Fire Department.
- f) Planted Buffer. A planted buffer strip is required within setbacks adjoining residential uses and meeting the applicable requirements of Section 610.1. Such buffer strip shall be composed of and maintained with healthy plants which possess growth characteristics of such a nature so as to provide within five (5) years, a planting screen not less than five (5) feet wide and not less than six (6) feet high.
- g) Floor Area Ratio. Maximum floor area ratio, including any parking space within the structure, shall not exceed fifty (50) percent for single-story buildings nor shall it exceed one hundred (100) percent for buildings of more than one story. The ground area occupied by the principal and accessory structures shall not exceed fifty (50) percent of the total zoning lot area.

#### 715.5 – OTHER REQUIREMENTS

- a) All Development. The following requirements shall pertain to all permitted uses:
  - 1) Lighting. Any floodlights used to illuminate the premises are directed and/or shielded so as not to be an annoyance to any adjacent residential district.
  - 2) Noise. Any regularly recurring noises connected with the activity and detectable by the human sense of hearing, without instruments, shall not exceed the normal noise level generated by uses permitted within the adjacent residential district.
  - 3) Access. Access to the activities is provided primarily from a major or

collector street as designated on the Zoning Maps except that secondary access may be provided from a minor street.

- b) **Group Development.** Two or more principal buildings or principal uses as permitted within the zoning district in which the proposed development is located, on one or more contiguous lots are permitted in accordance with the following additional standards:
- 1) **Street Access.** Any building established as a part of a group development which cannot be served from an abutting street shall be made accessible to vehicles by a paved driveway having a roadbed width of not less than twenty (20) feet, exclusive of parking spaces.
  - 2) **Setback Requirements.** All buildings and structures established as a part of a group development shall comply with the front yard setbacks and the exterior rear yard requirements established for the district in which located.
  - 3) **Site Development Plat.** A site development plat showing location of Buildings with their proposed use, location of access ways, setback lines, parking and buffers shall be submitted for review with the request for building permit.

## SECTION 716 – WRD WATER RESOURCE DISTRICTS

716.1 – PURPOSE - The intent of this section is to establish minimum development standards and criteria which will afford reasonable protection of environmentally sensitive natural resources found throughout the City of Waycross. Based on the findings of the Waycross-Ware County Comprehensive Plan, it has been determined the wise management of these resources as defined in this Section is essential to maintaining the health, safety, general welfare and economic well being of the public.

716.2 – ESTABLISHMENT OF WATER RESOURCE DISTRICTS. Waycross' Water Resource Districts shall include the following:

- Groundwater Recharge Area District**
- River Corridor Protection Districts**
- Wetlands Districts**

The boundaries of these Water Resource Districts are shown on a set of maps designated as "Water Resource Districts" and are included as part of the Waycross Official Zoning Map, which is on file with the Zoning Administrator's office located in the Waycross City Hall.

716.3 - DEFINITIONS. In addition to the general definitions provided in this Ordinance, the following definitions shall apply to this Section:

- a) **Water Resource Districts.** A Water Resource District is a map overlay which imposes a set of requirements in addition to those of the underlying zoning district.
- b) **Hazardous Waste.** Any solid waste, by reason of its toxic, caustic, corrosive, abrasive, or otherwise injurious properties, which may be detrimental to the health of any person handling or otherwise coming into contact with such material or substance. The U.S. Environmental Protection Agency has developed a list of hazardous wastes based upon corrosivity, reactivity and toxicity.
- c) **River/Stream Bank.** The rising ground, bordering a river or a stream, which serves to confine the water to the natural channel during the normal course of flow.
- d) **Utility.** Public, private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, storm water systems and railroads or other utilities identified by a local government.
- e) **Wetlands.** Those areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. The ecological parameters for designating wetlands include hydric soils, hydrological vegetation and hydrological conditions involving a temporary or permanent source of water to cause soil saturation. For the purposes of the Ordinance, the 1987 National Wetlands Inventory shall serve to define these potential areas.

716.4- GROUNDWATER RECHARGE AREA DISTRICT.

- 4.1 **Findings of Fact.** Recharge areas are vulnerable to urban development activities as well as agricultural activities. Pesticides, herbicides sprayed on crops, animal waste and septic tank effluents contribute to a deterioration in the groundwater quality and can threaten the health of residents relying on well water. Development usually means an increase in the amount of land covered with impervious surfaces. Paving land in recharge areas can alter or impair their recharge characteristics thereby decreasing groundwater supplies.
- 4.2 **Purpose.** The purpose of this district is to establish criteria to protect significant groundwater recharge areas from pollution by spills, discharges, leaks, impoundments, application of chemicals, injections and other development pressures.
- 4.3 **District Delineation.** The groundwater recharge area protection map is delineated according to the Georgia Department of Natural Resources “Significant Recharge Area, Hydrological Atlas 18 (1989 Edition)” and the Georgia Department of Natural Resources “Pollution Susceptibility Map Hydrological Atlanta 20, 1992 Edition”. Standards for this district shall comply with the DNR Rule 391-3-16-.02, Criteria for the Protection of Groundwater Recharge Areas.
- 4.4 **Permitted Uses.** All uses allowed in the underlying zoning districts are permitted in the Groundwater Recharge Area Protection District. The following are additional requirements for specific uses:
- (a) All above-ground chemical or petroleum storage tanks, having a minimum volume of 660 gallons, shall meet the requirements of U.S. EPA rules for oil pollution prevention, 40 CFR 1121. Such tanks used for agricultural purposes are exempt, provided they comply with all Federal requirements.
  - (b) New agricultural waste impoundment sites shall be lined if they are within:
    - 1) a high pollution susceptibility area;
    - 2) a medium pollution susceptibility area and exceed 15 acre-feet in size; and
    - 3) a low pollution susceptibility area and exceed 50 acre-feet in size.As a minimum, the liner shall be constructed of compacted clay having a thickness of one-foot and a vertical hydraulic conductivity of less than  $5 \times 10^{-7}$  cm/sec or other criteria established by the U.S. Soil Conservation Service.
  - (c) New homes served by septic tank/drain field systems shall be on lots having the following minimum size limitations as identified on the following minimum size limitations as identified on Table MT-1 of the Department of Human Resources’ Manual for On-Site Sewage Management Systems (“DHR Table MT-1”):
    - 1) 150% of the subdivision minimum lot size of DHR Table MT-1 if they are within a high pollution susceptibility area;
    - 2) 125% of the subdivision minimum lot size of DHR Table MT-1 if they are within a medium pollution susceptibility area; and



- 3) 110% of the subdivision minimum lot size of DHR Table MT-1 if they are within a low pollution susceptibility area. New homes served by a public sanitary sewer system shall be on lots having size limitations as identified in the underlying zoning district requirements which apply to subdivision lot.
- (d) New mobile home parks served by septic tank/drain field systems shall have lots or spaces having the following size limitation as identified on Table MT-2 of the Department of Human Resources' (DHR) manual for On-Site Sewage Management Systems ("DHR Table MT-2"):
  - 1) 150% of the subdivision minimum lot size of DHR Table MT-2 if they are within a high pollution susceptibility area;
  - 2) 125% of the subdivision minimum lot size of DHR Table MT-2 if they are within a medium pollution susceptibility area; and
  - 3) 110% of the subdivision minimum lot size of DHR Table MT-2 if they are within a low pollution susceptibility area.
  - 4) Local governments at their option may exempt any lot of record on the date of their adoption of these lot size standards from the minimum lot size requirements.

No construction may proceed on a building or mobile home to be served by a septic tank unless the county health department first approves the proposed septic tank installation as meeting the standards of the DHR Manual and minimum lot size requirements.

New mobile home parks served by a public sanitary sewer system shall be on lots having size limitations as identified in the underlying zoning district requirements which apply to such lot.

- (e) New facilities which handle hazardous materials, of the types (listed in Section 312 of the Resource Conservation and Recovery Act of 1976, excluding underground storage tanks) and in amounts (10,000 pounds or more on any one day) shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements and any local fire prevention code requirements.
- (f) Permanent storm water infiltration basins shall not be constructed in areas having high pollution susceptibility.

## 716.5 - SATILLA RIVER CORRIDOR PROTECTION DISTRICT

- 5.1 **Description of District.** The limits of the Satilla River Corridor Protection District are hereby defined to be all areas within 100 feet horizontally of the river, measured from the river bank. This area shall remain in an undisturbed vegetative buffer. The 100-foot buffer is measured from the uppermost part of the river bank, usually marked by a break in slope. Although not within the buffer area, the area between the top of the river bank and the water's edge shall be included in the district.

Because these protective measures allow some latitude with land uses and because the District is not intended to prescribe a specific land use but rather, to define a range of acceptable land uses, the Satilla River Corridor Protection District is designed as an overlay district. Within the range of land uses which can be located within the District, this Section establishes performance standards which apply to development within the District. The regulations of the underlying zoning district shall be maintained and not affected, except in the event of conflict or discrepancy between the Overlay District and the underlying zoning district. In that case, the more stringent requirements shall be observed.

5.2 **Intent.** The intent of the regulations within this Zoning District is to limit the use of the Satilla River Corridor, in conjunction with other governmental entities along the Satilla River Corridor, in order to:

- 1) Assure that the section of the river in City of Waycross will not become polluted and unsuitable as a source for potable water.
- 2) Protect the river corridor by establishing a natural vegetative buffer area bordering the river;
- 3) Preserve those qualities that make the river corridor suitable as a habitat for wildlife;
- 4) Help control erosion and to absorb flood waters.

The further intent of this district is to protect and safeguard the health and welfare of all the citizens of Waycross by providing protection of the section of the river that is or may be used as a future source of drinking water.

5.3 **Conditions and Performance Standards.** Within the Overlay District, the following conditions and performance standards shall apply, in addition to the regulations of the original zoning district on which the Overlay District is superimposed.

5.4 **Permitted Uses.**

(a) Allow the building of single-family dwellings, including the usual appurtenances, within the buffer area, subject to the following conditions:

- 1) The dwelling shall be in compliance with all local zoning regulations.
- 2) The dwelling shall be located on a tract of land containing at least two acres. For the purposes of these standards, the size of the tract of land shall not include any area that lies within the protected river (that is, for tracts of land that include portions of a protected river, the area between the river banks cannot be counted towards the two acre minimum size).
- 3) There shall be only one such dwelling on each two-acre or larger tract of land.
- 4) A septic tank or tanks serving such a dwelling may be located within the buffer area.
- 5) Septic tank drainfields shall not be located within the buffer area.

(b) The construction of road and utility crossings shall meet all requirements of the Erosion and Sedimentation Control Act of 1975 and of any applicable local ordinances on soil erosion and sedimentation control.

(c) Timber production and harvesting, subject to the following conditions:

- 1) Forestry activity shall be consistent with best management practices established by the Georgia Forestry Commission; and
- 2) Forestry activity shall not impair the drinking quality of the river water as defined by the federal Clean Water Act, as amended.
- (d) Wildlife and fisheries management activities consistent with the purposes of Section 12-2-8 (as amended) of Article I, Chapter 2, Title 12 of the Official Code of Georgia Annotated (O.C.G.A.)
- (e) Wastewater treatment.
- (f) Recreational usage consistent either with the maintenance of a natural vegetative buffer or with river-dependent recreation. (For example, a boat ramp would be consistent with this criterion.)
- (g) Natural water quality treatment or purification.
- (h) Agricultural production and management, subject to the following conditions:
  - 1) Agricultural activity shall be consistent with best management practices established by the Georgia Soil and Water Conservation Commission;
  - 2) Agricultural activity shall not impair the drinking quality of the river water as defined by the federal Clean Water Act, as amended; and
  - 3) Agricultural activity shall be consistent with all state and federal laws and all regulations promulgated by the Georgia Department of Agriculture.
- (i) Other uses permitted by the DNR or under Section 404 of the Clean Water Act.

**5.5 Prohibited Uses.**

- (a) Handling areas for the receiving and storage of hazardous waste must be prohibited within river corridors.
- (b) Except as related to single-family dwellings within the river corridor, septic tanks and septic tank drainfields are prohibited within the 100-foot buffer.

**5.6 Exemptions.** Waycross exempts the following from the River Corridor Protection requirements:

- (a) Land uses existing prior to the adoption of the River Corridor Protection Requirements.
- (b) Mining activities, if permitted by the DNR pursuant to the Georgia Surface Mining Act of 1968j, as amended.
- (c) Utilities, (except as discussed above in Section IV.E) If such utilities cannot feasibly be located outside the buffer area (feasibility shall be decided conservatively by the local government), provided that:
  - i. The utilities shall be located as far from the riverbank as reasonably possible;
  - ii. Installation and maintenance of the utilities shall be such as to protect the integrity of the buffer area as well as is reasonably possible; and
  - iii. Utilities shall not impair the drinking quality of the river water.
- (d) Specific forestry and agricultural activities except as discussed above.

- 5.7 **Restoration of Buffer.** The natural vegetative buffer shall be restored as quickly as possible following any land-disturbing activity or construction within the river corridor related to the acceptable uses above.
- 5.8 **Construction Prohibited.** Except as noted above, all construction within the buffer area shall be prohibited.

#### 716.6 WETLANDS DISTRICT

- 6.1 **Findings of Fact.** The wetlands within Waycross are indispensable and fragile natural resources with significant development constraints due to flooding, erosion and soil limitations. In their natural state, wetlands serve man and nature. They provide habitat areas for fish, wildlife and vegetation; water quality maintenance and pollution control; flood control; natural resource education; scientific study; and recreational opportunities.
- 6.2 **Purpose.** The purpose of the Overlay District is to promote the wise use of wetlands and protect them from alterations which will significantly affect or reduce the primary functions for water quality, flood plain and erosion control, ground water recharge, aesthetic natural areas and wildlife habitat areas.
- 6.3 **District Delineation.** These regulations shall apply to all lands within wetlands located within Ware County. The Wetland District Overlay Map, adopted as part of this ordinance, shows the general location of wetlands, according to the 1987 National Wetlands Inventory and should be consulted by persons considering activities in or near wetlands before engaging in a regulated activity. The standards for this district shall comply with Department of Natural Resources Rule 391-3-16-03, Criteria for Wetlands Protection.
- 6.4 **Wetland Development Permit Requirements.** No activity or use except those identified in Section 9-6-.5 shall be allowed within the Wetland Overlay District without a permit issued by the U.S. Army Corp of Engineers. If the subject property contains jurisdictional Wetlands of the United States as delineated by the National Wetlands Inventory Map or as determined by the U.S. Army Corps of Engineers. If jurisdictional wetlands are contained within the subject property, the applicant must document receipt of a Nationwide, Regional, General or Individual permit, from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act before a development permit will be issued by Waycross.
- 6.5 **Permitted Uses.** The following uses are permitted by right within Wetland District to the extent they are not prohibited by any other ordinance or law and provided they do not require structures, grading, fill, draining or dredging:
- 1) Forestry practices applied in accordance with best management practice approved by the Georgia Forestry Commission. Section 404 does not require permits for normal, ongoing silvicultural activities. However, Section 404 does list some required road construction best management practices that must be followed in order to qualify for such an exemption.

- 2) Conservation or preservation of soil, water, vegetation, fish or other wildlife, provided the conservation or preservation does not affect waters of the State of Georgia or of the United States in such a way that would require an individual 404 permit.
- 3) Outdoor passive recreational activities, including fishing, bird watching, hiking, boating, horseback riding and canoeing.
- 4) Natural water quality treatment or purification.
- 5) Normal agriculture activities including the planting and harvesting of crops and pasturing of livestock. Such activities shall be subject to best management practices approved by the Georgia Department of Agriculture.

6.6 **Prohibited Uses.** The following uses are prohibited in a Wetland District:

- 1) Receiving areas for toxic or hazardous waste or other contaminants.
- 2) Hazardous or sanitary landfills.

## SECTION 717 – MIXED USE DISTRICT

717.1 – PURPOSE - The intent of the Mixed Use District is to provide for the establishment of such districts at appropriate locations as may be identified on the Future Land Use Map of the Waycross-Ware County Comprehensive Plan. Permitted uses within Mixed Use Districts shall be integrated for convenience and encourage compatible uses of commercial, office and residential natures.

717.2 – PERMITTED USES - The following are permitted uses within the Mixed Use Corridor District – with all permitted uses keeping in mind the purpose and design of the Mixed Use District.

- (a) Churches and other places of worship meeting the requirements of Section 701.2(i).
- (b) Financial, governmental and professional offices.
- (c) Any publicly owned and operated building, facility or land, including but not limited to educational institutions.
- (d) Planned Unit Development meeting all requirements of Section 714.
- (e) Single-family, duplex, multi-family residences – including townhouses and condominiums, but not to include apartment complexes. Apartment complexes are herein defined as multi-family housing units, but not including those units meeting the definition of townhouses and condominiums.
- (f) Retail Sales and Services as follows: pet stores, neighborhood grocery stores of 5,000 square feet or less, convenient stores, restaurants/lounges with maximum seating not to exceed 200 persons; book stores, coffee house, pharmacy, funeral home, bakery, dry cleaners/laundry mats, hair salons/barber shops, – all of which must maintain the neighborhood character and feel.
- (g) Bed and breakfast facilities.
- (h) Nurseries meeting all requirements set forth in Section 701.2(k).
- (i) Service Stations and service repair stores, provided all pumps are set back twenty feet from the right-of-way line. Building or structure must be at least 40 feet from a residential property line.

### 717.3 – LOT AND YARD REQUIREMENTS FOR NON-RESIDENTIAL USES

- (a) Minimum Lot Area.  
6000 square feet
- (b) Minimum Lot Width.  
50 feet
- (c) Minimum Front Yard. The front wall of the main structure shall be set back from the right-of-way line of the street as follows\*:

Major Street	35 feet
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Collector Street	35 feet
Minor Street	30 feet

\*See Section 618 Special Building Setbacks for other requirements.

(d) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way line of the street as follows\*:

Major Street	20 feet
Collector Street	20 feet
Minor Street	20 feet

\*See Section 618 Special Building Setbacks for other requirements.

(e) Side Yard Not on Street. Where adjacent fireproof walls are used, no side yard is required. Otherwise, the side wall of the main structure shall be set back at least ten (10) feet from the side property line or fifteen (15) feet from any adjacent building, whichever is greater, provided that the distance between structures shall be increased by three (3) feet for each story of each structure in excess of two (2) stories.

(f) Minimum Rear Yard. The rear wall of the main structure shall be set back twenty-five (25) feet from the rear property line.

(g) Maximum Height. No structure shall exceed seventy-five (75) feet, unless approved by the Waycross Fire Department.

(h) Floor Area Ratio. Provisions of 704.5(i) shall apply.

**717.4 – LOT AND YARD REQUIREMENTS FOR SINGLE-FAMILY, DUPLEX AND MULTI-FAMILY RESIDENTIAL USES:**

(a) Minimum Lot Area Per Dwelling Unit (Square Feet):

Single-Family	5,000
Duplex	4,500
Multi-Family	2,900

(b) Minimum Lot Width for Dwellings:

Single-Family	50 feet
Duplex	65 feet
Multi-Family	90 feet

- (c) Minimum Front Yard: The front wall of the main structure shall be set back from the right-of-way line of the street as follows:

Major Street	35 feet
Collector Street	35 feet
Minor Street	30 feet

- (d) Minimum Side Yard on Street. The side wall of the main structure shall be set back from the right-of-way line of the street as follows:

Major Street	20 feet
Collector Street	20 feet
Minor Street	20 feet

- (e) Side Yard Not on Street. The side wall on the main structure shall be set back from the adjacent property line as follows:

<u>Single-Family</u>	
Least Dimension	10 feet
Both Sides	20 feet

<u>Duplex</u>	
Least Dimension	10 feet
Both Sides	20 feet

<u>Multi-Family</u>	
Least Dimension	10 feet
Both Sides	25 feet

- (f) Rear Yards. The rear wall of the main structure shall be set back from the rear property line as follows:

25 feet.

- (g) Maximum Height: The maximum height for all uses shall be 75 feet, unless approved by the Waycross Fire Department. Height in excess of 75 feet shall not exceed the maximum height approved by the Waycross Fire Department. Applicant seeking approval for height in excess of 75 feet must request said approval in writing and provide drawings and specifications of the proposed project.

- (h) Floor Area Ratio. In all residential districts, maximum floor area ratio of building, including parking lot size shall not exceed thirty-five (35) percent, except as provided for in townhouses and condominiums.



- (i) Minimum Heated Square footage per Dwelling unit
  - Single-Family – 1000 square feet
  - Duplex – 1000 square feet
  - Multi-Family – 1000 square feet

717.5 – SIGNS - Permitted signs shall be as set forth in Section 800 – Signs and the approved tables set forth therein.

717.6 – HISTORIC PRESERVATION AREA - To the extent any area delineated as Mixed Use District falls within the previously identified Historic Preservation District, the property shall comply with all provisions under both classifications as more fully set forth in Section 717 and Section 703.

717.7 – GRANDFATHER PROVISIONS - All uses currently used within the delineated district shall be permitted to remain in this district without further requirements for variances or rezoning and all properties can be maintained and permitted for repairs to existing structures. In the event the current use ceases for six months then usage thereafter shall be consistent with the permitted uses of the Mixed Use District as defined herein. If a building is destroyed in whole or in part by fire, natural calamity or Act of God such that the building cannot be used, then the building can be repaired or rebuilt under the prior, non-permitted use so long as a valid application for a building permit is filed within six months of the date when the building was rendered useless. Nothing in this Section shall exempt anyone from complying with all applicable code requirements when a building is repaired or rebuilt.