

ARTICLE VI - GENERAL PROVISIONS

SECTION 601 - STREET ACCESS - No building shall hereafter be erected, constructed, moved or relocated on a lot not located on a publicly accepted street with a right-of-way of not less than 30 feet.

SECTION 602 - PRINCIPAL USE OR STRUCTURE - There shall be one (1) principal structure with one (1) principal use permitted on one (1) zoning lot. Applications for more than one (1) principal structure and/or use permitted on one (1) zoning lot shall meet the requirements of Sections 701.4(b) or 706.4(b) Group Developments or Section 714 PUD Planned Unit Development.

SECTION 603 - CLASSIFICATION OF STREETS - All public streets are hereby classified as being either major streets, collector streets, or minor streets. The classification of each public street is designated on the zoning maps.

SECTION 604 - ADJOINING AND VACANT LOTS OF RECORDS - If two or more adjoining or vacant lots with continuous frontage are in a single ownership at any time after the adoption of these regulations, and such lots individually are less than the lot width requirements for the zone in which they are located, such groups of lots shall be considered as a single lot or several lots of minimum permitted size and the lot or lots in one ownership shall be subject to the requirements of these regulations.

SECTION 605 - FRONT YARD REQUIREMENTS - The setback requirements for structures shall not apply to any lot where the average setback on developed lots located wholly or in part within 100 feet on each side of such lot and within the block and zoning district and fronting on the same street as such lot is less than the minimum required setback. In such cases, the setback on such a lot may be less than the required setback but not less than the average of the existing setbacks on the adjacent developed lots. However, in no case shall setbacks be less than 10 feet.

SECTION 606 - NON-CONFORMING USES - Any lawfully existing use of land, building or structure which is not in conformance with the provisions of these regulations upon their enactment into law and/or any building or structure where actual construction was lawfully begun prior to the effective date of adoption of these regulations shall be deemed to be a non-conforming use. Such use may be continued subject to the following conditions:

606.1 - CHANGE - Once changed to a conforming use, no building or use of land shall be permitted to revert to a non-conforming use. Change to another non-conforming use is prohibited.

606.2 - ABANDONMENT - Re-establishment of a non-conforming use after discontinuance for a period of six (6) months shall be prohibited.

606.3 - RESTORATION - A non-conforming building may not be structurally altered for continuance as a non-conforming use if the cost of such alteration exceeds fifty (50%) percent 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 yet been determined for the year the application is filed, 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.

606.4 - EXTENSION - A non-conforming use or building shall not be enlarged or extended, except a non-conforming building may be added to, provided such addition meets other zoning setback requirements of this Ordinance. Front yard requirements must be met on lots fronting major and collector streets as shown on zoning map, as amended.

606.5 - CESSATION OF CERTAIN NON-CONFORMING USES - All non-conforming uses, as defined in Section 606, shall be discontinued, and/or shall be torn down, altered or otherwise made to conform with the provisions of this Ordinance within the following periods of time after said Ordinance is enacted into law:

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| (a) Two (2) years | Auto wrecking, salvage and junk yards and other open uses of land; |
| (b) Three (3) years | Signs and outdoor advertising structures; |
| (c) Five (5) years | Mobile homes; |
| (d) Thirty-five (35) years | Frame, block or light metal structures and all other uses. |

The status of non-conformity shall commence on the date of enactment of these regulations, whether or not notice is sent by the Building Official or received by the affected owner.

The date that a non-conforming use must either comply or cease to exist shall be measured from the date of enactment of these regulations and shall be observed regardless of whether notice of non-conformity is sent by the Building Official or received by the owner.

606.6 - LOT OF RECORD - In any district in which single-family dwellings are permitted, notwithstanding limitations proposed by other provisions of these regulations, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of these regulations, provided that all yard dimensions and all requirements other than those specifying lot area or width, or both, shall conform to the regulations of the district in which such lot is located. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership.

606.7 - HARDSHIP PERMISSION - When (a) a non-conforming use is a mobile home used only for residential purposes located in a zoning district where mobile homes for residential purposes are not permitted (i.e., is a non-conforming use), and (b) the applicant is mentally or physically incapacitated, and (c) the applicant seeks to replace the existing mobile home with

another mobile home; the Commission of the City of Waycross, in its discretion, may permit such replacement.

Any hardship permission granted hereunder would not be transferable and upon the expiration of sixty (60) days after the earlier of the death of the applicant or the applicant vacating the premises, the hardship permission would terminate without further action by the Commission.

“Vacating the Premises” shall occur when the applicant establishes another residency or ceases to occupy the mobile home as his residence.

Applicant under this provision shall file his/her application with the Building Official of the City of Waycross. The Building Official shall deliver the application to the Mayor.

SECTION 607 - LOCATION OF ACCESSORY USES ON ZONING LOT - A permitted accessory structure or use shall not be located:

- (a) within any required front or side yard;
- (b) within the front eight (8) feet of any required rear yard;
- (c) within five (5) feet of any other accessory structure or use on the same lot; or,
- (d) less than two and one-half (2 1/2) feet from any property line;
- (e) nor closer to the right-of-way line of a side street than the set-back distance required for the main structure on the same lot.

SECTION 608 - OFF STREET PARKING REQUIREMENTS - Off-street automobile parking shall be required according to the following specifications.

608.1 - GENERAL REQUIREMENTS - Areas suitable for parking or storing automobiles in off-street locations shall hereinafter be required in all zoning districts at the time of the initial construction of any principal buildings, when a structural alteration or other change in a principal building produces an increase in dwelling units, guest rooms, floor area, seating or bed capacity, or when a conversion in use occurs.

- (a) Except in a C-4 Central Business District, when off-street parking is not required except for private school uses.

608.2 - NUMBER OF SPACES REQUIRED

- (a) One-family dwellings: 2 spaces
- (b) Two-family dwellings: 2 spaces per dwelling unit
- (c) Multi-family dwellings: 2 space per dwelling unit
- (d) Group dwellings: 1 space for each 2 bedrooms
- (e) Tourist homes, boarding houses, and motels: 1.5 spaces for each bedroom or suite plus one space for the manager / owner

- (f) Theaters, restaurants or places dispensing food, drink or refreshments, night clubs and other places of public and semi-public assembly: 1 space for each four (4) seats, as based on estimated total seating capacity or one (1) space for each forty (40) square feet of floor area available for the accommodation of movable seats in the largest assembly room, or combination of fixed and movable seats; or one (1) space for each one hundred fifty (150) square feet of gross floor area; whichever is greatest. A minimum of five (5) spaces shall be provided. Drive-in business facilities shall accommodate a minimum of five (5) cars for each stacking lane.
- (g) Places of amusement or public and semi-public assembly without fixed seats: 1 space for each two hundred (200) square feet of floor space provided for use in the main assembly room
- (h) Hotels, excluding motels: 1 space for each three (3) guest rooms, plus one space for each five (5) employees
- (i) Hospitals, nursing homes, sanitariums, homes for the aged, care homes, and similar institutions: 1 space for each two (2) beds (exclusive of bassinets) plus one space for each staff doctor, plus one space for each one (1) regular employee at maximum employment on a single shift
- (j) Offices and Clinics for Medical and Dental: One (1) space for each 150 square feet of total floor area, plus 1 space for each two (2) employees
- (k) Other offices including banks and governmental establishments: 1 space for each 300 square feet of total floor area plus 1 space for each three (3) employees
- (l) Bowling alleys: 5 spaces for each alley
- (m) Service repair establishments, (except those specifically mentioned in this subsection) - hardware, building supply and auto parts stores: 1 space for each 250 square feet of floor area.
- (n) Wholesale and industrial establishments, including lumber, brick, coal, junk and supply yards: 1 space for each two (2) employees at maximum employment on a single shift, plus sufficient space to park or store all company-owned or leased motor vehicles.
- (o) Gas Station, Full Serve: 1 space for each gas pump, plus two spaces for each grease rack, washing stall or similar facility, plus one space for each 1.5 employees per largest working shift
- (p) Automobile service stations: Four (4) spaces for each grease rack, washing stall or similar facility
- (q) Gas Station, Self Serve: 1 space for each fuel pump. In addition, 1 parking space shall be provided for each 100 square feet of gross floor area in the cashier/office area. Such facility shall provide no less than 3 parking spaces with its maneuvering area not in conflict with vehicles being fueled or awaiting fuel.
- (r) Convenience Store: 1 space for each 200 square feet of gross floor area, plus one space for each employee.
- (s) Car Wash, Full Serve: 2 stacking spaces for each washing stall/module plus 1 space for each employee.

- (t) Car Wash, Self Serve: 2 stacking spaces for each washing stall/module plus one dry space for each washing stall, plus 1 space for each employee.
- (u) Automobile, farm equipment, machinery and furniture/building sales and repair establishments: 1 space for each two (2) employees at maximum employment on a single shift, plus one space for each 400 square feet of total floor area. Such automobile, farm equipment and machinery having outdoor product display areas for customers and the general public shall be paved where such product display area is located.
- (v) Mortuaries and/or funeral homes: 1 space for each 100 square feet of floor area used for assembly purposes, plus sufficient space to park or store all company-owned or leased motor vehicles
- (w) Planned Shopping Centers and retail business not otherwise specifically mentioned in this subsection:
 - Less than 15,000 net square feet: 5 spaces per 1,000 net square feet (minimum); 5.5 spaces for 1,000 net square feet (maximum).
 - Between 15,000 and 400,000 net square feet: 4 spaces per 1,000 square feet (minimum); 4.5 spaces per 1,000 net square feet (maximum).
 - Between 400,000 and 600,000 net square feet: 4 spaces per 1,000 net square feet (minimum); 5 spaces per 1,000 net square feet (maximum).
 - More than 600,000 net square feet: 5 spaces per 1,000 new square feet (minimum And maximum).
- (x) Transportation terminal facilities, including airports, railroad stations, bus depots, truck stops and truck terminals: 1 space for each 100 square feet of public waiting room floor area, plus one space for each two (2) regular employees, plus all areas where all commercial motor vehicles incidental to the facility are to be parked, stored, loaded or unloaded shall be in accordance with provisions of subsections 608.8(a) and (b) of the Waycross Zoning Ordinance.
- (y) Schools, including both public and private educational institutions, colleges, trade schools and universities: 1 space for each two (2) staff members or employees, plus one additional space for places of public assembly in accordance with the provisions of Subsection 608.2(f)
- (z) Mobile home parks: 1 space for each mobile home dwelling unit, plus one space for each two (2) regular park employees
- (aa) Flea Markets: 1 space for each two hundred-fifty (250) square feet of total floor (sales) area.
- (bb) Taxi cab/stand company: One space per each employee on the largest working shift, plus one space per taxi, except when designated cab stands are licensed (by the City) at a transportation origination and delivery point such as hotels, restaurants and other such facilities, when such parking reservation is agreed to by adjoining owners.
- (cc) In the HP zoning district, parking spaces to require one (1) space for each 400 square feet of direct marketing retail floor space.

- (dd) Nurseries (Pre-school nurseries, day nurseries, day care centers (child or adult) and similar uses: Shall have one space for each staff member or employees, plus additional space for places of public assembly in accordance with the provisions of subsection 608.2(f). Space shall be provided for the safe loading and unloading clients. There shall be a minimum of five (5) parking spaces in compliance with provisions of subsections 608.2 (a) and (b) of the Waycross Zoning Ordinance.
- (ee) Mini-storage: All accesses to and on the property shall be constructed in accordance with provisions of subsections 608.2(a) and (b) of the Waycross Zoning Ordinance.
- (ff) Churches: (1) parking space for each two employees plus: 1 parking space for each four (4) seats as based on estimated total seating capacity in the largest assembly room or 1 parking space for each 100 square feet of gross floor area of the largest assembly room whichever is greatest.

608.3 - AMOUNT OF AREA REQUIRED FOR EACH PARKING SPACE - Including aisles, entrances and exits, each required off-street parking area, lot or other facility shall contain a minimum of three hundred fifty (350) square feet of space for each automobile to be accommodated, except that this shall not apply to one- and two-family dwellings.

608.4 - COMBINATION OF USES ON ONE LOT - If there are combinations of uses on a single lot, such as a restaurant within or adjacent to a motel, such uses shall be computed separately according to the individual requirements of each.

608.5 - LOCATION OF OFF-STREET PARKING AREAS - Required off-street parking areas for one and two-family residences shall be located on the same lot as principal building to be served. Under unusual circumstances, and hardship, parking areas for other permitted uses may be located off-site provided that the parking area is not more than four hundred (400) feet from the premises of the principal building or use to be served by such areas, and provided that the owner or owners of said off-site parking areas relinquish all development rights over this property until such time that parking space is provided elsewhere.

608.6 - REQUIRED BARRIERS - When off-street parking spaces or access aisles are located adjacent to the right-of-way line of a public street or alley, a concrete or asphalt curb measuring six (6) inches in height shall be placed along the edge of the parking space or access aisle for the purpose of preventing vehicle encroachment onto the street or alley right-of-way.

608.7 - OFF-STREET PARKING IN RESIDENTIAL DISTRICTS - A lot which is zoned R-50, R-75, R-90, R-S, RM-75, R-50MH or R-75MH shall not be used as a private drive or private street giving vehicle access to any commercial, office or industrial building. Such residential zoned lot shall not be used as a private drive or street giving vehicle access to any parking lot that has been provided for a commercial, office or industrial building.

608.8 - OFF-STREET PARKING DEVELOPMENT REGULATIONS - Off-street parking areas shall have direct access to a street or alley; and they shall be subject to the following general requirements:

- (a) The construction of all parking lots and/or driveways, shall be in accordance

with the provisions of these regulations and such construction shall be approved by the Engineering Department of the City of Waycross, Georgia before actual use of the property as a parking lot and/or driveway. Before commencing construction, plans for the development of any parking lot and/or driveway must be submitted in triplicate to the Building Department of the City of Waycross and must be prepared at a scale of not less than fifty (50) feet equals one (1) inch indicated existing and proposed grades, drainage, water mains and sewers, surfacing and base materials to be used and the general layout of the proposed parking lot and/or driveway.

- (b) All such parking lots and driveways shall be hard-surfaced asphalt or concrete pavement (at the property owner's discretion) and shall be graded and drained as to dispose of surface water which might accumulate within or dispose of surface water which might accumulate within or upon such area. No surface water from such parking lot or driveway shall be permitted to drain into adjoining private property.
- (c) The construction of all driveways to single-family dwellings, that connect to any street which is paved or slated to be paved under the current published paving list or lists as approved by the Waycross City Commission (as of the time of construction) shall be required to be hard-surfaced (asphalt or concrete pavement at the discretion of the property owner) and to meet a curbcut or other access point width of not less than twelve (12) feet and a depth of four (4) inches of such hard-surface material. Such driveway shall be a minimum width of ten (10) feet and shall extend from the street edge or curb to the front walk adjoining the house, or garage opening, or hard-surfaced parking area or to the wall of the house, whichever is least in distance. All residences located on lots facing a paved major or collector public street, as designated in the current Waycross Major Street and Highway Plan, shall have driveways and/or parking area designed so as to allow minimum maneuvering space for the front of vehicles to enter the street first from such driveway access. Residential driveways located on unpaved streets which are not located in the current published paving list or lists as approved by the Waycross City Commission (as of the time of construction) do not have to be hard surfaced. All other residential driveways shall be hard-surfaced in accordance with the terms and conditions of the Waycross Zoning Ordinance and the Code of the City of Waycross, Georgia.
- (d) All illumination for or on such parking lots shall be deflected away from residential areas and shall be installed in such manner as to allow the reduction of the amount of light in other than normal parking hours each day.
- (e) Side yards shall be maintained for a space of not less than ten (10) feet between the side lot lines of adjoining residential lots and the parking area. The depth of the front yard or setback line from the street as established for houses in any block in any given residential area shall be continued and made applicable to parking space in such residential area and it shall be unlawful to use the space between such setback line and the sidewalk for the parking of motor vehicles; provided, however, that the barrier specified in

Section 608.6 shall be located on the setback line as herein required.

- (f) Whenever such parking area adjoins residential property and/or a residential street or alley, a buffer strip shall be erected and maintained between the required yard space and the area to be used for parking in accordance with Section 610.2. Location of said buffer facing a residential street shall be determined with due regard to side yard and building setback requirements adjoining the residential district as may be required in the particular commercial, office or industrial zoning district.

The said buffer shall be constructed in such a manner that the first twelve (12) feet back from the street shall be four (4) feet in height, and the balance shall be six (6) feet as indicated above. Bumper guards of a type described in Section 608.8(f) shall be provided to prevent vehicles striking said buffer.

- (g) In all cases where such parking lots abut public sidewalks, concrete curbing, at least six (6) inches high, set end to end, shall be placed so that a motor vehicle cannot be driven or parked with any part thereof extending within one (1) foot of a public sidewalk. In all cases where necessary for the protection of the public and the adjoining properties, streets and sidewalks, such curbs as described above shall be installed.

(h) REQUIREMENTS FOR UNPAVED PARKING

(1) Unpaved parking areas may be approved by the City Engineer or his designee with conditions including but not limited to the following:

- a. Unpaved spaces located on the periphery of parking areas, in locations that will receive less use than those paved and more remotely located to the use served.
- b. Unpaved spaces not on the periphery of parking areas, in locations that are not for public use and will only be used for the storage of company vehicles, trailers, and equipment to be towed or pulled. Such areas must stay maintained and a privacy fence, complying with the fence ordinance, must be installed around the unpaved area.
- c. Storm water management facilities shall be provided for all vehicular use areas, whether paved or unpaved. The developer must demonstrate that storm water management facilities can be expanded to accommodate future required paving.
- d. Use of the unpaved parking area shall not cause the introduction of sediment or debris on public rights-of-way and/or easements.

(2) At least six (6) months after a final Certificate of Occupancy is issued, an inspection will be made by the City Engineer or designee. If findings indicate that unpaved spaces are in good condition or are infrequently used, such unpaved spaces may remain unpaved. If findings show that the spaces receive as much use as the paved spaces or have deteriorated, such unpaved spaces shall be paved within ninety (90) days of written notice by the City Engineer to the owner of the property. If paving is deemed necessary by the City Engineer, the property owner may be required to expand the storm water management facilities as provided in 608.8 (h) (1) b.

SECTION 609 - OFF-STREET LOADING AND UNLOADING AREA REQUIREMENTS - Areas suitable for loading and unloading motor vehicles in off-street locations shall hereafter be required at the time of the initial construction of any building or structure used or arranged to be used for commercial, industrial, governmental or multi-family residential purposes. Such off-street loading areas shall have access to a public alley or street and shall be provided and maintained in accordance with the following requirements, the computation of which shall not be included in the off-street parking requirements. In a C-4 Central Business District, off-street loading space is not required for retail business uses.

609.1 - NUMBER OF SPACES REQUIRED

- (a) Retail business uses with less than 2,000 square feet in total floor area: None.
- (b) Retail business uses with 2,000 to 20,000 square feet in total floor area: One (1) space.
- (c) Wholesale, industrial, governmental and institutional uses, including public assembly places, hospitals and educational institutions shall provide one (1) space for the first 20,000 square feet of total floor area.

For anything in excess of 20,000 square feet, such uses shall provide additional loading spaces according to the following schedule:

<u>Square Feet</u>	<u>No. of Spaces</u>
20,000 - 99,999	One (1) space for each 10,000 square feet
100,000 - 159,999	One (1) space for each 20,000 square feet
160,000 - 239,999	One (1) space for each 40,000 square feet
240,000 - 359,999	One (1) space for each 60,000 square feet
For each additional 100,000 or fraction thereof	One (1) additional space

- (d) Multi-family residences with less than ten (10) dwelling units: None.
- (e) Multi-family residences with 10 to 30 dwelling units: One (1) Space
- (f) Multi-family residences with thirty (30) dwelling units or fraction thereof: One (1) space for each thirty (30) dwelling units or fraction thereof.

609.2 - AMOUNT OF AREA REQUIRED FOR EACH LOADING SPACE - Each off-street loading and unloading space required by the provisions of this Ordinance shall be at least ten (10) feet in width, fifty (50) feet long and fourteen (14) feet high. Such space shall be clear and free of obstructions at all times.

609.3 - LOCATION OF OFF-STREET LOADING AREAS - Required off-street loading and unloading areas shall in all cases be located on the same lot or parcel of land as the structure they

are intended to serve. In no case shall the required off-street loading space be considered as part of the area provided to satisfy off-street parking requirements as listed herein.

609.4 - ADEQUACY OF LOADING AREA - All uses, whether specified in this Ordinance or not, shall provide off-street loading areas sufficient for their requirements. Such space shall be adequate so that no vehicle being loaded or unloaded in connection with normal operations shall stand in or project into a public street, walk, alley or way.

609.5 - OFF-STREET LOADING AND UNLOADING AREA DEVELOPMENT REGULATIONS - Off-street loading and unloading areas shall have direct access to a street or alley; and they shall be subject to the following requirements:

- (a) The construction of any off-street loading or unloading area shall be in accordance with the provisions of these regulations and such construction shall be approved by the Engineering Department before actual use of the property as a loading or unloading area.

Plans for the development of any loading or unloading area must be submitted in triplicate to the Building Department prepared at a scale of not less than fifty (50) feet equals one (1) inch and indicated existing and proposed grades, drainage, water mains and sewers surfacing and base materials to be used and the general layout of the proposed loading or unloading area.

- (b) All such loading or unloading areas shall be hard-surfaced with a pavement having an asphalt or concrete pavement, and shall be graded and drained so as to dispose of surface water which might accumulate within or upon such area. No surface water from such area shall be permitted to drain into adjoining private property.
- (c) An illumination for or on such loading or unloading areas shall be deflected away from residential areas and shall be installed in such a manner as to allow the reduction of the amount of light in other than normal business hours each day.
- (d) Side yards shall be maintained for a space of not less than ten (10) feet between the side lot lines of adjoining residential lots and the loading or unloading area. The depth of the front yard or setback line from the street as established for houses in any block in any given residential area shall be continued and made applicable to loading or unloading areas between such residential area and it shall be unlawful to use the space between such setback line and the sidewalk for parking, loading or unloading areas for motor vehicles; provided, however, that the barrier specified in Section 608.8(e) shall be located on the setback line as herein required.
- (e) Whenever such loading or unloading area adjoins residential property and/or a residential street or alley, a buffer strip shall be erected and maintained between the required yard space and the area to be used for loading or unloading in accordance with Section 610.2. Location of said buffer facing a residential street shall be determined with due regard to side yard and building setback requirements adjoining the residential district as may be required in the particular commercial office or industrial zoning district. The said buffer shall

be constructed in such a manner that the first twelve (12) feet back from the street shall be four (4) feet in height, and the balance shall be six (6) feet as indicated above.

Bumper guards of a type described in Section 608.8(f) shall be provided to prevent vehicles striking said buffer.

- (f) In all cases where such loading or unloading areas abut public sidewalks, concrete curbing, at least six (6) inches high, set end to end, shall be placed so that a motor vehicle cannot be driven or parked with any part thereof extending within one (1) foot of a public sidewalk. In all cases where necessary for the protection of the public and the adjoining properties, streets and sidewalks, such curbs as described above shall be installed.

SECTION 610 - BUFFER STRIPS

610.1 - COMMERCIAL AND INDUSTRIAL USES - Whenever any commercial or industrial use adjoins a residential district, a continuous planted buffer strip or brick, concrete block, solid wood wall or chain link fence shall be completed and properly maintained within the required setback. 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 5 feet wide and not less than 6 feet high. Such brick, concrete wall, or solid wood wall or chain link fence shall be constructed and located as described in Section 608.8(e). Provided however, if a chain link fence is constructed, it shall have slats inserted within the fence, so as to be permanent in nature, or lattice work, permanent in nature, and of such a nature so that the chain link fence screens and blocks the view between the commercial or industrial use and the adjoining residential district, and also blocks the view between the residential district and the adjoining commercial use.

610.2 - OFF-STREET LOADING AND PARKING AREAS - When situated adjacent to residential property, an off-street loading area or an off-street parking area for five or more automobiles shall be separated from the adjoining residential property by a solid wall or continuous planted buffer strip as specified in Section 610.1 above.

610.3 - MULTI-FAMILY USES - A planted strip or solid wood or masonry wall shall be required along any perimeter lot line or portion thereof in order to provide privacy and separation between adjoining properties. Properties within such buffer areas may be included within the lot area for density lot coverage purposes. Such planted screen shall be not less than 3 feet wide and not less than three feet high.

SECTION 611 - CURB CUT AND ACCESS POINTS

Ingress and egress openings in concrete, asphalt, rock or other street curbing provisions, commonly referred to as "curb cuts", as well as other means of vehicular access to and from

private property, shall be regulated in the several zoning districts established by this Ordinance in accordance with the following requirements:

611.1 - **SIZE AND SPACING OF CURB CUTS AND OTHER ACCESS POINTS** - In no case shall a curb cut or other access point be less than twelve (12) feet for residential uses and twenty (20) feet for all other uses nor more than forty (40) feet in width. No use shall be permitted more than two (2) curb cuts be closer than twenty (20) feet from each other except in residential zoning districts.

611.2 - **LOCATION OF CURB CUTS AND OTHER ACCESS POINTS** - No curb cut or other access points shall be permitted along the following classified streets closer to the intersection of said street right-of-way lines than the following distances: twenty (20) feet for minor streets; forty (40) feet for collector streets; sixty (60) feet for major and minor arterials; and two hundred (200) feet for controlled access highways. However, if the property configuration is such that these standards cannot be met, then a curb cut or access point may be allowed provided a traffic hazard is not created.

611.3 - **PERMITS FOR ACCESS ONTO STATE OWNED HIGHWAY RIGHT-OF-WAY** - A permit must be obtained from the State Highway Department before curb cuts or any other point of access shall be authorized onto State owned highway rights-of-way from abutting property.

SECTION 612 - VISION CLEARANCE AT STREET INTERSECTION

Except in the C-4 Central Business District, no fence, wall, terrace, sign, shrubbery, planting, or other obstruction or object capable of obstructing driver vision between the heights of three (3) feet and ten (10) feet above the finished street level shall be permitted on a corner lot within the triangular area formed by the intersection of the street right-of-way lines (or such lines extended in case of a rounded corner) which bound said lot and a line connecting a point on each right-of-way line which is 25 feet from the point of intersection.

SECTION 613 - VISION CLEARANCE AT PRIVATE ROADWAY AND ENTRANCES INTERSECTING WITH PUBLIC STREETS

Except in the C-4 Central Business District, no fence, wall, hedge or other planting, or sign forming a material impediment to the visibility between the heights of three (3) and ten (10) feet above finished street level shall be erected, planted, placed or maintained within twenty-five (25) feet of the intersection of a public street with any private roadway or drive.

SECTION 614 - EXCEPTION TO HEIGHT LIMITS

The height limits herein shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy; monuments, water towers, observation towers, chimneys, smokestacks, conveyors, flagpoles, masts and antennae, and roof signs provided that evidence is presented from appropriate authorities to the effect that such building or structure will not interfere with any airport approach zones or flight patterns.

SECTION 615 - MINIMUM LOT SIZES

As required by these regulations, minimum lot sizes for residential development assume the provision of public services. Lots served by private water and/or sewer lines shall meet the standards of the Ware County Health Department.

SECTION 616 - NIGHT LIGHTING

Where exterior night lighting is required by any use, the location of the lights shall be so arranged that within 100 feet of any street the direct light rays therefrom shall not be directed into the eyes of the passing motorist. Furthermore, no exterior night lighting shall be permitted to shine directly into a residential, office or medical district when such lights are located less than 300 feet from such district.

SECTION 617 - ENVIRONMENTAL PROTECTION

All uses must satisfactorily comply with the requirements of the Environmental Protection Division, Georgia Department of Natural Resources and the Ware County Board of Health regarding the protection of the environment from pollution by waste materials.

SECTION 618 - SPECIAL BUILDING SETBACKS

In each of the districts described in this ordinance, no building, structure, or obstruction shall be erected or maintained on any land abutting the following canals, streets, or highways, located presently or in the future within the City Limits, nearer than the setback as follows:

- (a) Adjoining the following streets, streets or highways, located presently or in the future within the city limits, no nearer than the setbacks described as follows:
 - (1) Blackshear Avenue seventy-nine (79) feet from the centerline of said existing street on both sides, extending easterly from State Street (U.S. 1) to Sunnyside Drive.
- (b) Abutting within fifteen feet (15') 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.

SECTION 619 - MINIMUM RESIDENTIAL SQUARE FOOTAGE

The minimum square footage requirements for residential dwellings shall not apply to any new residential dwelling where the average square footage of existing residential dwellings located wholly, or in part, within the same block is less than, or more than, the minimum required square footage. In such cases, the minimum square footage for the proposed residential dwelling must not be less than the average of the existing residential dwelling units located in the same block. However, in no case shall the minimum square footage be less than the square footage of immediately adjacent residential dwellings.