

ZONING ORDINANCE

for the

CITY OF ADEL, GEORGIA

Originally Adopted September 5, 1989

As amended through July 29, 2008

Prepared and Maintained by

**Greater Cook Planning Commission
South Georgia Regional Development Center**

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SECTION 1

ENACTMENT, SHORT TITLE, JURISDICTION, PURPOSE

1-1 Enactment Clause. The Mayor and Council of the City of Adel, under the authority of the General Planning and Zoning Enabling Act of 1957, Georgia L. 1957, Page 420, No. 358; and the Amendments thereto, hereby ordains and enacts into law the following sections.

1-2 Short Title. These regulations shall be known and may be cited as the "Zoning Ordinance for the City of Adel."

1-3 Long Title. An ordinance regulating within the corporate area of City of Adel, Georgia, the location; height, bulk; number of stories and size of buildings and other structures; the sizes of yards, courts, and other open spaces; the density and distribution of population; and the uses of buildings, structures, and the land for trade, industry, residence, recreation, agriculture, forestry, conservation, sanitation, protection against floods, public activities, and other purposes, creating districts for said purposes and establishing the boundaries thereof; defining certain terms used herein; providing for the methods of administration and amendment; providing penalties for violations; repealing conflicting ordinances; and for other purposes.

1-4 Jurisdiction. These regulations shall govern the use of all land and the developments thereof within the corporate limits of the City of Adel.

1-5 Purpose. The purpose of these regulations shall be to promote the proper location, height, bulk, number of stories and size of buildings and other structures, the sizes of yards, courts, and other open spaces, the density and distribution of population, and the uses of buildings, structures, and land for trade, industry, residence, recreation, agriculture, forestry, conservation, sanitation, protection against floods, public activities, and other purposes in accordance with a comprehensive plan for the City of Adel so as to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to prevent urban sprawl; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to promote desirable living conditions and the sustained stability of neighborhoods; to protect property against blight and depreciation; to secure economy in governmental expenditures; to conserve the value of buildings and to encourage the most appropriate use of land, buildings, and structures throughout the City of Adel; and for other purposes.

SECTION 2

DEFINITIONS

For the purposes of these regulations, certain terms of words used herein shall be defined as follows:

2-1 Interpretation of Certain Terms and Words. Words used in the present tense include the future tense. words used in the singular include the plural, and words used in the plural include the singular.

The word "person" includes a firm, co-partnership, company, corporation, or association.

The word "lot" includes the word "plot" or "parcel". The word "building" includes the word "structure."

The word "shall" is always mandatory, and not merely directory.

The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

Acceleration/Deceleration Lanes. Paved exits and entrances off a major thoroughfare onto private property for the purpose of expediting the free flow of traffic. Said lanes shall be constructed in accordance with the State Department of Transportation specifications.

Accessory Building. A detached, subordinate structure, the use of which is clearly incidental to, customarily associated with, and related to the principal structure or use of the land, and which is located on the same lot as the principal structure or use.

Note: Accessory structures will be considered as attached to the principle structure by means of a covered breezeway and/or walkway where the roof system of the attachment is designed as like construction as the principle building and the distance of the breezeway and/or walkway does not exceed a distance of twenty (20) feet. In no case shall there be more than one (1) breezeway and/or walkway attached to the principle structure.

Administrator, Zoning. The person, officer, or official and his/her authorized representative, whom the City/Council has designated as its agent for the administration of these regulations. (*Refer to Section 10-1*)

Apothecary. One who prepares and sells drugs or compounds for medicinal purposes.

Bed and Breakfast Inn. A dwelling in which sleeping accommodations are provided or offered to transient visitors for compensation.

Boarding or Rooming House. A facility where overnight accommodations are provided to transients for compensation with or without meals.

Buffer Yard. An area of land which includes landscape material established for the purpose of separating, screening, or shielding a use from a dissimilar or more intense use.

Building. Any structure, except a trailer, which has a roof and which is for the shelter, support or enclosure of persons, animals or property of any kind.

Building Height. The vertical distance of a building measured from the average elevation of the finished lot grade along the front of the building to the highest point of the building.

Care Home. An orphanage, rest home, nursing home, convalescent home, boarding home for the aged, or similar use established to render domiciliary care, but not including facilities for the care of mental patients, epileptics, alcoholics, drug addicts and not including nursery schools.

Care Home, Personal. A building or group of buildings, a facility or place in which is provided two or more beds and other facilities and services, including room, meals and personal care for non-family ambulatory adults for compensation. Personal care homes are categorized as follows:

Family Personal Care Home means a home for adults in a family type residence, non-institutional in character, which offers care to 2 through 6 persons.

Group Personal Care Home means a home for adult persons in a residence or other type building(s), non-institutional in character, which offers care to 7 through 15 persons.

Congregate Personal Care Home means a home for adults which offer care to 16 or more persons.

Cemetery. For internment of human remains and shall comply with state law and may include one or more of the following: a burial park for earth internments; a mausoleum or crypt internment; or a columbarium internment.

Church. A building in which persons regularly assemble for religious worship intended primarily for purposes connected with such worship, or for propagating a particular form of religious belief.

Club or Lodge, Private. An incorporated or unincorporated association for civic, social, cultural, religious, fraternal, literary, political, recreational, or like activities, operated for the benefit of its members and not open to the general public.

Condominium. A building containing three or more individually owned dwelling units and related, jointly owned, common areas as defined by the laws of the State of Georgia.

Curb Cut. The providing of ingress and/or egress between property and an abutting public street.

Day Care Centers. Any place operated by a person, society, agency, corporation, institution or group wherein are received for pay for group care, for fewer than 24 hours per day without transfer of legal custody, 19 or more children under 18 years of age and which is required to be licensed or commissioned by the Georgia Department of Human Resources.

Density. The overall intensity of land use for the total project. When referred to residential areas it is the number of housing units permitted per acre in the zoning district involved in accordance with the terms of the zoning ordinance or as authorized under the development standards of this ordinance.

Dwelling, Manufactured Home. A new or used structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq. For the purposes of the administration of this ordinance, the term manufactured home shall not be interpreted to include mobile homes. For the purposes of this definition, singlewide shall be construed as any manufactured or mobile home having a width of between 8 and 16 feet and is transported entirely in one section.

Dwelling, Mobile Home. A new or used structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning and electrical systems contained therein. These were built prior to June 15, 1976 and do not meet current Department of Housing and Urban Development manufactured home codes.

Dwelling, Modular Home. See Industrialized Building.

Dwelling, Two Family, or Duplex. A building either designed, constructed, altered, or used for two (2) adjoining dwelling units that are connected by a fire rated common wall and/or if two story by a fire rated common floor.

Dwellings, (Attached) Single Family. A building either designed, constructed, altered, or used for a dwelling unit that is connected by a fire rated common wall and/or if two story by a fire rated common floor. This includes, lofts,

garage apartments, guest quarters or any other type of single-family structure.

Dwelling, (Detached) Single Family. A detached building used and either designed or constructed for one dwelling unit.

Dwelling, Site Built. A dwelling, other than a modular home, manufactured home, or mobile home, which is constructed on site on a permanent foundation.

Dwelling, Multi-Family. A building either designed, constructed, altered, or used for more than two adjoining dwelling units, with each dwelling unit having a common wall or common floor connecting it to at least one other dwelling unit in the building. This includes apartments, condominiums, or any other type of multi-family structure.

Dwelling Unit. An enclosure of one or more rooms in addition to kitchen and bathroom facilities, but excluding closets, designed or constructed as a unit for residential occupancy by one family.

Family. Three or less persons occupying a dwelling unit unless all members are related by blood, marriage, or adoption.

Family Day Care Homes. A private residence operated by any person who receives therein for pay for supervision and care fewer than 24 hours per day, without transfer of legal custody, three but not more than six children under 18 years of age who are not related to such persons and whose parents or guardians are not residents in the same private residence.

Family Residential (Guest Quarters). Provided no more than one (1) shall be permitted on a lot with another dwelling and provided such shall be permitted only within a rear yard. Such structure shall be accessory residential and intended for use by family members related to occupants of the principal structure, and is not to be used for rental purposes. The structure shall not exceed 75% of the required minimum gross floor area per dwelling unit for the respective zoning district or primary dwelling whichever is less in square footage.

Floor Area, Gross. The total number of square feet of floor area in a building determined by horizontal measurements between the exterior faces of walls, excluding basement areas, porches, carports, and garages.

Garage Apartment. A dwelling unit for no more than one family above or attached to an outbuilding, or part of a building for housing automobiles. The structure shall not exceed 75% of the required minimum gross floor area per dwelling unit for the respective zoning district or primary dwelling whichever is less in square footage.

Group Day Care Homes. Any place operated by any person(s), partnership, association or corporation wherein are received for pay for group care not less than 7 nor more than 18 children under 18 years of age for less than 24 hours without transfer of legal custody and which is required to be licensed or commissioned by the Georgia Department of Human Resources.

Home Business. Any business occupation or profession customarily conducted on residential property and carried on by an occupant thereof, which use is clearly incidental and secondary to the use of the property for residential purposes. This includes, but is not limited to, uses such as home beauty shops with more than one (1) operator, pet grooming, and other similar uses, including Home Occupation uses that do not meet the Home Occupation restrictions. Such uses are operated out of the proprietor's residence. Any use that would otherwise be allowed by right under the existing zoning, shall not be deemed to be a Home Business.

Home Business Sign. A sign for a legally existing home business on residential premises, containing no commercial message except advertising for services legally offered on the premises where the sign is located.

Home Occupation. Any business occupation or profession customarily conducted entirely within a dwelling and carried on by an occupant thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes. This includes, but is not limited to, uses such as accountant, architect, art instructor, beauty shop (with no more than one operator), daycare (with no more than 6 children and on a lot no smaller than 6,000 square feet), drafting, dressmaking, insurance agent, manufacturing agent (provided that no items are stored or delivered from the premises), music teacher, notary public, photographer, real estate agent, or consultant. (*Refer to*

Section 6-1)

Home Occupation Sign. A wall sign for a legally existing home occupation on residential premises, containing no commercial message except advertising for services legally offered on the premises where the sign is located.

Hospital. Any institution receiving in-patients, or a public institution receiving out-patients, and authorized under Georgia law to render medical, surgical and/or obstetrical care. The term "hospital" shall include a sanitarium for the treatment and care of senile psychotics or drug addicts, but shall not include office facilities for the private practice of medicine or dentistry.

Impervious Surface. A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water including streets, roofs, sidewalks, parking lots, and other similar structures.

Industrialized Building. Certain manufactured buildings which are regulated by the Georgia Department of Community Affairs. Georgia law defines an Industrialized Building as "any structure or component thereof which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof." Industrialized buildings are constructed and regulated in accordance with the "Industrialized Buildings Act", Georgia Law 1982 (OCGA Title 8, Chapter 2, Article 2, Part 1). An industrialized building must meet all requirements of the district in which it is located. Industrialized buildings designed for residential uses are often referred to as "modular homes". For the purposes of enforcement of this ordinance, industrialized residential homes are subject to the same standards as site built homes.

Junk Yard. Use of property for outdoor storage, keeping, abandonment, sale, or resale of junk including scrap metal, rags, paper or other scrap materials, used lumber, salvaged house wrecking and structural steel materials, and equipment, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof.

Junk Yard Storage Area: Property and/or buildings used for the permanent or temporary storage or inoperable vehicles, machinery or other equipment or materials awaiting salvage, restoration or sale, but not including exterior displays or new or used merchandise in operable condition for retail or wholesale distribution.

kennel. Any location where boarding, caring for, and keeping of more than a total of three dogs or cats, or other small animals or combination thereof (except litters of animals of not more than six months of age) is carried on for compensation, and also raising, breeding, caring for, or boarding of dogs, cats, or other small animals for commercial purposes.

kennel, Non-Commercial. Any location where the boarding, caring for and keeping of more than three but not more than ten dogs or cats or other small animals or combination thereof (except litters of animals of not more than six months of age) is carried on, not for commercial purposes, but as a hobby such as the raising of show and hunting dogs.

Loft Apartment. A floor consisting of a large partitioned or unpartitioned space with a minimum of 600 sq. feet over a factory, warehouse, or commercial business for single-family dwellings. Parking arrangements provided by City of Adel.

Lot. A lot of record, or any combination of lots of record, held in a single ownership by one person, or in common ownership by more than one, which has both usable lot area and lot dimensions equal to or greater than the lot width and lot area requirements established by this ordinance for the zoning district in which such tract of land is located and for the use proposed for the tract of land. (*Refer to Section 3-22*)

Lot, Corner. A lot having frontage on two or more public streets at their intersection. (*Refer to Section 3-11*)

Lot of Record. A lot which is part of a subdivision recorded in the Office of the Clerk of the Superior Court, or a parcel described by metes and bounds, the description of which has been so recorded. (*Refer to Section 9-1*)

Lot, Through. A lot other than a corner lot, having frontage on more than one street.

Lot Width. The distance between the side lot lines, measured along the minimum front yard setback line as established by this ordinance, or if no setback line is established the horizontal distance between the side lot lines measured along the street right-of-way line.

Minor. Any person under 18 years of age.

Nightclub (Lounge). A place of entertainment open at night, usually serving food and alcoholic beverages providing music and space for dancing.

Non-Conforming. A building, structure, or use of land existing at the time of the enactment of this ordinance which does not conform to the regulations of the district in which it is located.

Operator. The manager or other person principally in charge of an adult entertainment establishment.

Open Space. That required portion of a lot at ground level, unoccupied by enclosed buildings and available to all occupants of the project. This space shall not be devoted to driveways or off-street parking but shall be usable for green space, recreational use and other leisure activities normally carried on outdoors.

Planned Development. This district is intended for the combination of residential, office, and limited commercial uses. This district is established to encourage creative and resourceful projects that include compatible, interrelated uses and related public facilities.

Planning Commission. As utilized in this ordinance, the Planning Commission shall mean the Greater Cook Planning Commission, as duly appointed by the member governments of Cook County.

Principal Building. The building containing or to contain the principal use of a lot.

Principal Use. The principal purpose for which a lot or the main building thereon is designed, arranged, or intended, and for which it is or may be used, occupied, or maintained.

Public Space. Any parcel or area of land or water essentially unimproved and set aside, dedicated or reserved for public or private use as an amenity to the development. Public space shall not be interpreted to include public street right-of-way or individual private front, side, or rear yards. Storm water management facilities may be incorporated into the public space, but shall not consist of more than 75% of the required amount of public space

Public Street. Right-of-way dedicated to the city or owned by the city for public street purposes.

Residential. Pertaining to the use of land, means premises such as homes, townhomes, patio homes, mobile homes, duplexes, condominiums or apartment complexes, which contain habitable rooms for non-transient occupancy and which are designed primarily for living, sleeping, cooking, and eating therein.

School. A facility where persons regularly assemble for the purpose of instruction or education including any playgrounds, stadiums, or other structures and grounds used in conjunction therewith. This shall include but not be limited to public and private schools used for primary, secondary, or post-secondary education.

Setback. The shortest distance between the centerline of a street and the principal building or structure on a lot.

Shopping Center. Two or more commercial establishments planned and managed as a single unit with off-street parking and loading facilities provided on the property.

Sign. (See Section 8 - Sign Regulations)

Special Exception. A Special Exception is a use, which within certain districts specified by this ordinance is not permitted as a matter of right but may be permitted within these districts by the Mayor/Council. (See Section 5-1.2)

Structure. Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, billboards, swimming pools, and fall-out shelters but does not include walls or fences.

Tourist Home. A dwelling in which sleeping accommodations are provided or offered to transient visitors for compensation.

Townhouse. One of a group of 3 or more attached dwelling units under fee simple or condominium or cooperative ownership, as defined by the laws of the State of Georgia.

Travel Trailer. A vehicular portable structure not exceeding 32 feet in length or 8 feet in width designed for travel, recreational and vacation uses.

Variance. A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship. *(Refer to Section 11-6.2)*

Yard, Front. That area of a lot lying between the abutting street right-of-way and the principal building of the lot and extending across the front of a lot from side lot line to side lot line.

Yard, Rear. That area of a lot extending across the rear of a lot from side lot line to side lot line and lying between the rear lot line and the principal building on the lot.

Yard, Side. That area of a lot between the side lot lines and the principal building on the lot extending from the front yard to the rear yard.

SECTION 3

GENERAL PROVISIONS

3-1 Interpretation and Application. In interpreting and applying these regulations, the requirements contained herein are declared to be the minimum requirements necessary to carry out the purpose of these regulations. Except as hereinafter provided, these regulations shall not be deemed to interfere with, abrogate, annul, or otherwise affect in any manner whatsoever any easements, covenants, or other agreements between parties. Whenever the provisions of these regulations impose greater restrictions upon the use of land or buildings, or upon the height of buildings, or require a larger percentage of lot to be left unoccupied than the provisions of other ordinances, rules, regulations, permits, or any easements, covenants, or other agreements between parties, the provisions of these regulations shall govern.

3-2 Zoning Affects All Land and Buildings. No buildings, structures, or land shall be used or occupied and no building, structure, or part thereof shall be erected, constructed, reconstructed, moved, enlarged, or structurally altered unless in conformity with the regulations of this ordinance.

3-3 Every Use Must Be Upon a Lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance except as provided in Section 3-23 or Section 9-1.

3-4 Only One Principal Building Per Lot. Except as herein provided (*Refer to Section 6-3*), there shall be no more than one (1) principal building or structure upon any lot other than within an WLI or HI district.

3-5 Open Space Not to be Encroached Upon. No open spaces shall be encroached upon or reduced in any manner except in conformity to the yard, setback, off-street parking spaces, and such other regulations required by this ordinance for the district in which such building is located. Shrubbery, driveways, retaining walls, fences, curbs, and planted buffer strips shall be construed not to be encroachments of yards. (*Refer to Section 3-25*)

3-6 Required Open Space May Not Be Used by Another Building. No part of any yard, other open space, or off-street parking or loading space required or in connection with any building, structure, or use by this ordinance shall be considered to be part of a required yard, or other open space, or off-street parking or loading space for any other building structure, or use except as provided in Section 7-6.

3-7 Reduction of Yards or Lot Area. Except as provided in Section 3-23, no lot existing at the time of passage of this ordinance shall be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless said reduction or division is necessary to provide land that is needed and accepted for public use.

3-8 Encroachment on Public Rights-of-way. No building, structure, service area, or required off-street parking and loading facilities, except drive- ways, shall be permitted to encroach on public rights-of-way.

3-9 Location of Accessory Buildings or Uses. Accessory buildings on residential lots, when located within a side yard, shall be located no closer to property lines than would be allowed for a principal building. Accessory buildings shall not be located in the front yard of the principal use. Within a rear yard, an accessory building on a residential lot shall be located at least 8 feet from all rear and other property lines, except that in the case of corner lots, accessory buildings shall be set back from the centerline of an abutting street right-of-way a distance equal to 3/4 the front yard setback established for the zoning district in which the accessory buildings are located. In the case of a through lot (*Refer to Section 3-11*), accessory buildings shall conform to front yard setbacks on both streets. Swimming pools shall conform to front yard setbacks on both streets. Accessory buildings or uses on non-residential lots shall comply with the minimum yard requirements established for the zoning district in which such accessory buildings or uses are located.

3-9.1 Accessory Building on Separate Lot: An accessory building may be permitted as a Special Exception by the Mayor/Council on a separate lot from the lot of the principal building provided that: (a) the lot upon which the accessory building is located shall adjoin the lot which contains the principal use, and (b) all requirements established for the zoning district in which such accessory building is located shall be complied with, and (c) any structure or building erected shall meet the requirements of the City of Adel Building Code and shall be approved by the Building Inspector, and

(d) provided the Mayor/Council may require design features such as buffer strips, screening, etc., as may be found necessary to protect the purpose of the ordinance.

3-9.2 Swimming Pools: Swimming pools exceeding 24” in depth, accessory to residences or commercial uses, shall be secured from the public in accordance with International Residential Code (IRC), Appendix G for residential uses and International Building Code (IBC) for commercial uses.

3-9.3 Accessory Building - Size and Number Limitations: This shall not apply to swimming pools, garden arbors, playground equipment, decks, or patios. Accessory buildings shall be limited to a maximum square footage as indicated in the following:

Lot Size	Maximum Square Footage
0 — 21,780 square feet.	600 square feet - No more than 3 total buildings
21,781 square feet — 43,560 square feet	800 square feet - No more than 3 total buildings
Over 43,561 square feet.	1,000 square feet plus 150 square feet for each additional whole acre – No more than 5 buildings –

Any increase in square footage requirements shall be allowed only upon proper application and granting of a variance by the Mayor/Council (*Refer to Section 11-6.2*).

3-10 Every Lot Shall Abut a Street. No building shall be erected on a lot which does not abut an open public street, except as provided for in planned developments. (*Refer to Section 6-3*)

3-11 Lots With Multiple Frontage. In the case of a corner lot, side yard setback requirements from the centerline of the street right-of-way shall be equal to 75% of that required for the front yard setback for all zoning districts. On a corner lot where the main entrance into a residence is facing a side yard, it shall be permissible for purposes of this ordinance to construe the residence to be fronting on the street other than that street which said entrance faces, and side and rear yard requirements may be provided accordingly. If a building is constructed on a through lot having frontage on two roads not at an intersection, a setback from each road shall be provided equal to the front yard requirement for the district in which the lot is located.

3-12 Visibility at Intersections. On corner lots within all zoning districts except the D-C zoning district, no fence, shrubbery or other obstruction to the traffic sight vision, except utility poles or light or sign standards, shall exceed a height of 3 feet within a triangular area formed by the intersection of the right-of-way lines of 2 streets or a street intersection with a railroad right-of-way line, and a diagonal line which intersects the right-of-way lines at 2 points, each 20 feet distance from the intersection of the right-of-way lines, or, in the case of a rounded corner, from the point of intersection of their tangents; provided, however, signs, lights, or similar objects which are totally located at least 12 feet above the finished grade shall be permitted.

3-13 Uses Prohibited. If either a use or class of use is not specifically indicated as being permitted in a district, either as a matter of right, or as a Special Exception, then such use, class of use, or structures for such uses, shall be prohibited in such district.

3-14 Zoning of Annexed Areas. Areas annexed to the City of Adel subsequent to the adoption of this ordinance shall be placed in the R-E zoning district, unless other zoning (such as, but not limited to, existing compatible Cook County Zoning) is formally requested and approved with the annexation petition. All rezoning requests which accompany an annexation petition shall pay the required fee for zoning amendments (*refer to Section 12-2.1*). Such annexed and R-E zoned areas shall remain R-E until such time as the Comprehensive Zoning Plan of the city has been extended to include the annexed area and a zoning change is executed in accordance with the provisions of this ordinance for zoning amendments. (Annexation is governed by O.C.G.A. Title 36, Chapter 36 (§ 36-36-1 et seq.) This paper will also address the latest amendments to the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., (including the problems it was designed to address).

3-15 Zoning to Apply When Lot is Divided by District Boundary Line. In the event that a district boundary line on the zoning map divides a lot of record held in one ownership on the date of passage of this ordinance, each part of the lot so divided shall be used in conformity with the regulations established by this ordinance for the district in which each such parcel is located; except, however, that if the property owner of such a lot, other than a through lot, so desires, he may extend a use allowed on the greater portion of said lot 50 feet beyond the district boundary line in accordance with setbacks and yard requirements of the district into which he is encroaching.

3-16 Height Limitations of Walls and Fences. Within any residential district, no wall or fence shall exceed 4 feet in height within or along a boundary of a front or 8 ft. side yard.

3-17 Buffer Yard Requirements. Buffer yards shall be required along the side and rear yards of the proposed development wherever the proposed development abuts a different existing or permitted use. The existing use of the zoning classification of the adjacent property, shall determine the type of buffer yard required. Vacant property will not require a buffer.

- 1) Buffer yard specifications. The following tables prescribe buffer yard types as well as minimum number of trees and shrubs per 100 linear feet. Where feasible and appropriate, developers are encouraged to exceed these minimum requirements.

Buffer Type Required

New Development	Existing Development					
	Single-family Subdivision/ Duplex	Multi-family	Office/ Institutional/ Professional	Commercial	Industrial	Recreation
Single/Two family (new subdivisions only)		C	C	B	B	D
Multi-family	B		D	C	B	D
Office / Institutional / Professional	C	D				
Commercial	B	B				
Industrial	A	A				
Recreation	C	D				

Buffer Type Descriptions

Buffer Component (per 100 linear feet)	Buffer Type			
	A	B	C	D
# Canopy Trees	7	4	3	2
# Understory Trees	11	6	4	4
# Shrubs	50	25	20	20
Buffer Width	40	20	15	10

A minimum 50% of all canopy trees, and minimum of 75% of all understory trees and shrubs shall be

- evergreen vegetation. Planting areas must be mulched with approved material. Upon maturity, buffer yards shall not contain any unobstructed openings more than 10 feet in width.
- 2) Location. Buffer yards shall be located on the side and rear yard of the lot or parcel and extend inward from the parcel boundary line for the required depth. Buffer yards shall not be located in any portion of an existing or dedicated public right-of-way or private street, or stormwater detention/retention area. Buffer yards shall not be used for any parking or loading purposes, nor contain any structures. Only approved driveways and pedestrian pathways may encroach into a required buffer yard.
 - 3) Existing vegetation. Existing vegetation may be retained and used to meet buffer requirements. In the event existing vegetation does not satisfy buffer requirements, it shall be supplemented with additional plantings. Proposed plant materials shall be grouped or massed to achieve a natural looking and unified buffer.
 - 4) Maintenance. The entire buffer yard shall be maintained as green open space with the required plantings. Maintenance of a required buffer yard shall be the responsibility of the property owner or any consenting grantee. If the plant materials die, they shall be replaced within 60 days.

General Landscaping Standards

A. Minimum specifications for plant materials:

1. All plant material shall be nursery grown, and installed according to accepted planting procedures.
2. Shrubs shall be at least eighteen (18) inches in height at the time of installation.
3. All landscaped areas and buffers shall be sodden or covered with ground cover.
4. Ground cover used in lieu of grass shall be planted so as to present a finished appearance and reasonably complete coverage within three (3) months of installation.
5. At least twenty-five (25) percent of the required trees installed in landscaped buffers, landscaped parking areas, and to meet tree planting requirements shall be canopy trees.
6. Existing trees, which are four (4) inches DBH (Diameter at Breast Height) or larger, and shrubs may be counted toward meeting the requirements for landscaped buffers, landscaped parking areas, and tree retention.
7. Canopy trees shall not be installed under any overhead utility line, over any buried utilities, or within a utility easement.

B. Requirements for landscaping

1. The plan shall show the location, size, and description of all proposed plant materials.
2. Existing plant materials, other than invasive species, may be counted toward meeting the landscaping requirements.
3. At least ten (10) percent of the total gross land area of a development site shall be landscaped. The landscaped areas shall be located on the site in such manner as to maximize preservation of existing trees.
4. At least four (4) shade trees per acre shall be provided, which may include existing trees, trees required for buffers, or trees required for parking lot landscaping.

C. Landscaping requirements for parking lots

1. Perimeter landscaping: a minimum of a ten (10) foot wide strip of land, located between the property line and a parking lot shall be landscaped. Width of sidewalks shall not be included within the ten (10) foot wide from setback perimeter landscape area.

D. Interior landscaping

1. Parking lots with twenty (20) or more parking spaces shall provide interior landscaping.
2. Interior planting areas may be located in tree islands, at the end of parking bays, or between

rows of parking spaces. One (1) raised parking lot island shall be provided along the length of each row, thereby creating separated parking areas to aid in safe and orderly use of the lot and confine vehicle movements to marked drives. Planting areas may also be located within driveway medians, provided the median is a minimum of ten (10) feet wide. The height of the island is a minimum six (6) inches from parking lot surface. Length of island is equal to the length of the parking row.

3. The design of interior landscaped areas shall comply as set forth in the General Landscape Standards.

3-18 Screening of Service Areas Within 100 Feet of Public Street. Screening requirements for such areas shall be as prescribed in 3-17 Buffer Yard Requirements.

3-19 Side and Rear Yards Not Required Next to Railroad. Within any non-residential district, side yards and rear yards shall not be required adjacent to railroad rights-of-way.

3-20 Substandard Lots of Record. Any lot of record existing at the time of the adoption of this ordinance, which has an area or a width which is less than required by this ordinance, shall be subject to the following exceptions and modifications identified in Sections 3-23 and 3-25.

3-21 Permitted Modification of Setback Requirements. When a building or structure is proposed on a lot and when on either or both lots which adjoin such lot at the street right-of-way line there exists a principal building which does not conform to the setback requirements of this ordinance, the required setback for such building or structure shall be as follows: (1) where only one said adjoining lot contains a principal building with a non-conforming setback, the setback shall be the computed average of (a) the normal setback requirement with (b) the nonconforming setback, or (2) where both adjoining lots contain a principal building each with a non-conforming setback, the minimum setback shall be the computed average of the two nonconforming setbacks.

3-21.1 Cul-de-sacs. On cul-de-sacs approved by the City Engineer the minimum front yard setback line can be increased up to 15 feet further back from the right-of-way line and must be established on a recorded plat.

3-22 Structures Permitted Above the Height Limit. The height limits of these regulations shall not apply to a church spire, belfry, cupola, dome, or ornamental tower not intended for human occupancy, monument, water tower, observation tower, transmission tower, chimney, smoke stack, conveyor, flag pole, radio or television tower, mast or aerial, parapet wall not extending more than 4 feet above the roof line of the building, and necessary mechanical appurtenances.

3-23 Permitted Encroachments of Yards and Setbacks. Permitted Encroachments of Yard and Setbacks. Architectural features such as cornices, eaves, steps, gutters, and fire escapes may not project more than 3 feet beyond any required setback line, except where such projections would obstruct driveways which are or may be used for access and service and/or emergency vehicles. However, in the case of automobile service stations, motels, and similar uses which serve the motoring public, canopies shall be allowed over a driveway or walkways within the front yard not to extend from the principal building to a point any closer than fifteen (15) feet from the street right-of-way line.

3-24 Prohibited Uses in All Residential Districts.

- 1) It shall be prohibited use in all residentially zoned districts and residential lots to park or store in the open, wrecked or junked vehicles, power driven construction equipment, used lumber, metal or rubbish, or any other miscellaneous scrap or salvageable material in quantity.
- 2) Tractor-trailer combinations, tractors or trailers shall not be placed or stored in residentially zoned districts.
- 3) Commercial Kennels.
- 4) Wrecked or junked vehicles in an open building.

3-25 Modification of Side Yard Requirements. When a lot of record has a width less than the frontage required in the district in which it is located and said lot cannot be increased in width as provided in Section 3-23, then the

Zoning Administrator shall be authorized to reduce the side yard requirements for such lot provided, however, that there shall be not less than an 8-foot side yard.

3-26 Recreational Vehicles. Recreational vehicles shall not be utilized as a permanent dwelling in any zoning district. Occupancy exceeding 30 days shall be considered permanent.

3-27 Use Change of Residential Structure. When a lot within a residential zone is proposed by rezoning, the rezoning application shall include a site plan drawn to scale, showing the lot, the street, the house, the driveway and the proposed off-street parking; this site plan shall be approved by the Building Official prior to the Zoning Administrator accepting the application. If the lot is to be rezoned by governmental petition, the site plan will be required when the change in use is requested through the issuance of the Certificate of Occupancy. Where a lot and house is configured such that the minimum development standards of this ordinance or other ordinances of the City of Adel cannot be adhered to, the City Engineer has the authority to allow subsequent improvements provided the contract fee for the City Engineer's consultation is paid for by the rezoning applicant.

- a. Pavement width.
- b. Pavement encroachment to adjacent property lines.
- c. Driveway radius encroachment to beyond the property line.

Off-street parking in front of the residential structure shall not be allowed. However, off-street parking or development in front of existing structure may be considered and approved by the City of Adel's Mayor/Council only after review of a site plan submitted as a part of the rezoning request.

3-28 Residential Development in Downtown Commercial (D-C) Zoning District. Residential development in the D-C district is subject to a parking plan for the downtown area approved by the Mayor/Council.

3-29 Building Codes. The international Building Code; International Fuel Gas Code; International Mechanical Code; International Plumbing Code; National Electric Code; International Fire Code; International Energy Conservation Code; International Residential Code including Appendix G; International Property Maintenance Code; and International Existing Building Code shall be enforced in the corporate limits of the City of Adel, Georgia. Whenever a provision of these codes conflicts with a City of Adel ordinance or regulation then the standard code provision shall control, unless the City ordinance or regulation contains an express statement that it supersedes the standard code requirement.

SECTION 4

ZONING DISTRICTS

4-1 Establishment of Districts. In order that the purposes of this ordinance as defined in Section 1 may be accomplished, there are hereby established within the City of Adel, Georgia, the zoning districts identified as follows:

E-R Environmental Resource: The purpose of this district is to protect the natural resources of the City of Adel and provide for appropriate recreational and institutional uses oriented towards these natural resources.

R-E Estate Residential: The purpose of this district is to provide single-family detached residential areas with minimum lot sizes of one acre.

R-20 Single-Family Residential: The purpose of this district is to provide single-family detached residential areas with minimum lot sizes of 20,000 square feet.

R-15 Single-Family Residential: The purpose of this district is to provide single-family detached residential areas with minimum lot sizes of 15,000 square feet.

R-10 Single-Family Residential: The purpose of this district is to provide single-family detached residential area with minimum lot sizes of 10,000 square feet.

R-8 Residential: The purpose of this district is to provide orderly development of high density residential areas for one, two, and multi-family dwellings, with a minimum lot size of 8,000 square feet.

R-8M Residential: The purpose of this district is to provide orderly development of high density residential areas for one, two, and multi-family dwellings also allows manufactured homes as a matter of right in a conventional subdivision with a minimum lot size of 8,000 square feet.

M-H-P Manufactured Housing Park: The purpose of this district is to provide for the development of property that is appropriately located and planned for manufactured housing park use. Property developed in this district is to remain in single ownership for rental or leasing purposes only. To be considered for this zoning classification, a site plan meeting the requirements of this ordinance must be submitted with any rezoning petition. Manufactured housing parks shall be developed only in strict accordance with the Manufacturing Housing Park provisions of this ordinance.

R-P Residential Professional: The purpose of this district shall be to create and provide areas in which residential, professional, educational and institutional uses not normally involving the sale of merchandise can be compatibly mixed while maintaining a healthy living environment for the residents of the district.

P-D Planned Development District. Planned Development Districts are intended to provide an alternative method of land development and redevelopment not available within the framework of standard zoning districts. The standards and procedures of approving these districts are intended to promote flexibility of design and allow for planned diversification and integration of uses and structures while at the same time, retaining in the Mayor/Council the absolute authority to establish such conditions, limitations, and regulations as it deems necessary to maintain community aesthetics and to protect the public health, safety, and general welfare.

N-C Neighborhood Commercial: The purpose of this district is to provide for and to protect areas that are convenient to and will serve immediately adjacent residential neighborhoods.

G-B General Business: The purpose of this district shall be to provide and protect convenient areas for community shopping facilities consisting of a wide variety of sales and services.

D-C Downtown Commercial: The purpose of this district shall be to enhance and protect shopping facilities in the central business district of the city.

A-C Adult Commercial: The purpose of this district shall be to provide a reasonable location within the community for the development of adult-oriented businesses including adult entertainment establishments.

WLI The purpose of this district shall be to provide and protect areas for those industrial uses which do not create excessive noise, odor, smoke, dust, and which do not possess other objectionable characteristics which might be detrimental to surrounding neighborhoods, or to the other uses permitted in the district.

H-I The purpose of this district shall be to provide and protect areas for those industrial uses which cannot comply with the regulations of the WLI district.

4-2 Zoning and Street and Road Classification and Major Thoroughfare Plan, Adel, Georgia, Maps. The boundaries of each zoning district are shown on the Official Zoning Map, for the City of Adel, Georgia. The classification of streets (local and collector streets and principal and minor arterials) within Adel, Georgia are shown on a map entitled "Major Thoroughfare Plan, City of Adel, Georgia". Both maps shall be dated and certified by the Mayor and the City Clerk, and said maps and all explanatory matter thereon accompanies and is hereby made a part of this ordinance.

Accurate copies of the "Official Zoning Map, City of Adel, Georgia and the Major Thoroughfare Plan, Adel, Georgia" shall be on file in the office of the Zoning Administrator at all times. Said map shall accurately show all map amendments made in accordance with the provisions of this ordinance, and the date when said amendments became effective. It shall be the duty of the Zoning Administrator to see to it that the Official Zoning Map and Major Thoroughfare Plan, Adel, Georgia", displayed in his/her office is kept up-to-date and accurately shows all amendments.

4-3 Interpretation of Zoning District Boundaries. When uncertainty exists with respect to the location of boundaries of any zoning district as shown on the "Zoning Map of the City of Adel," the following rules shall apply:

- 4-3.1** Unless otherwise specifically indicated, where district boundaries are indicated on the zoning map as approximately following the centerline of a street, highway, railroad right-of-way line, stream bed or river bed; such centerlines shall be construed to be such district boundaries.
- 4-3.2** Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- 4-3.3** Where district boundaries are indicated on the zoning map as approximately following the corporate limit line of the City of Adel, then such corporate limit lines shall be construed to be such district boundaries.
- 4-3.4** Where district boundaries are indicated on the zoning map as being set back from a street, road, highway, railroad, stream, or river, and parallel thereto, then such district boundaries unless otherwise specifically indicated, shall be construed as being at the scaled distance from the centerline of such street, road, highway, railroad, stream, or river and as being parallel thereto.

SECTION 5

SCHEDULE OF PERMITTED USES AND DEVELOPMENT STANDARDS

5-1 Table of Permitted Uses. Within the various zoning districts as indicated on the "Zoning Map of the City of Adel," no building, structure, or land shall be constructed, erected, altered, or used except as indicated in the following schedules.

5-1.1 Uses Permitted by Right: Uses permitted as a matter of right are indicated on the following schedule by the letter "X" in the appropriate column.

5-1.2 Special Exceptions: Uses permitted only after special review and approval of the Mayor/Council are indicated on the following schedule by the letters "SE" in the appropriate column. Requests to approve a use by Special Exception shall be advertised, reviewed and processed in the same manner as an amendment to the Official Zoning Map as described in Section 12 Amendment. In the event that a rezoning is also necessary for the proposed use, the Special Exception request and rezoning request may be processed and heard in conjunction with each other at the required public hearing. Special Exception requests will be reviewed after Council has: (1) reviewed the proposed site plans for the use, its location within the community, its arrangement and design, its relationship to neighboring property and other conditions peculiar to the particular proposal which would determine; (2) desirability or undesirability; (3) has found the proposal not to be contrary to the intent of this ordinance; and (4) has approved the use as specified. Special Exceptions shall only be approved based on findings by the Mayor/Council.

- a) The proposed use will not be contrary to the purpose of this ordinance.
- b) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood, nor affect adversely the health and safety of residents and workers.
- c) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noise or fumes generation, or type of physical activity.
- d) The proposed use will not be affected adversely by the existing uses of adjacent properties; and the proposed use will be placed on a lot of sufficient size to satisfy the space requirements of said use.
- e) The parking and all development standards set forth for each particular use for which a permit may be granted have been met.

Provided, that the Mayor/Council may impose or require such additional restrictions and standards as may be necessary to protect the health and safety of workers and residents in the community, and to protect the value and use of property in the general neighborhood; and provided that wherever the Mayor/Council shall find, in the case of any permit granted pursuant to the provisions of these regulations that any term, condition or restriction upon which such permit was granted are not being complied with, said Mayor/Council shall rescind and revoke such permit after giving due notice to all parties concerned and granting full opportunity for a public hearing.

If activities towards the Special Exception have not commenced within twelve (12) months after approval by the Mayor/Council, or if the Special Exception is discontinued for a period in excess of twelve (12) consecutive months, the request shall be rescinded and subject to re-submission in the same manner as an amendment as described in Section 12 of this Ordinance. Special Exceptions shall not be transferable except upon written approval of the Mayor/Council.

LAND USE	ZONING DISTRICTS								X - denotes a use allowed by right SE - denotes a use allowed only by Special Exception						
	E-R	R-E	R-20	R-15	R-10	R-8	R-8M	MHP	RP	NC	GB	DC	WLI	HI	AC

RESIDENTIAL AND RELATED USES															
Accessory Buildings or Uses (Refer to Section 3-9)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Animals; keeping of pets indoors, provided that the principal building is used to house said pets and no outside enclosure is used.		X	X	X	X	X	X		X	X	X	X	X		
Animals, Kennel; non-commercial, as an accessory use to residential land uses provided that: a) The keeping of animals inside the corporate limits of the City of Adel must comply with Chapter 14 of the Code of Ordinances. The distance from an enclosure used to house the animals must be not less than 100' from any property line.	X	X	X	X	X	X	X								
Animals, non-commercial keeping of horses as an accessory use to residential land uses, provided that in R-E, R-20, R-15, R-10, and R-8 zones: a) shall only be permitted on a lot containing not less than two acres; b) all buildings used to house the animals shall be set back not less than 150 feet from any property lines; c) all animals shall be maintained at least fifty (50) feet from any property line; and d) there shall be not less than 30,000 square feet of fenced lot area not covered by the principal structure for each animal.		X	X	X	X	X	X								
Boarding or Rooming House										X	X				
Cemeteries; permissible in R-P, N-C and G-B zoning districts, subject to the site design standards of the district and the specific supplemental standards in Section 6-7.									SE	SE	X				
Church or Other Place of Worship; including Sunday School buildings, parish houses, convents, nursery school, kindergartens and other related uses on the same premises and operated by the church provided : a) The lot size shall be no less than 2 acres; b) any building or structure established with any such		X	X	X	X	X	X		X	X	X	X			

LAND USE	ZONING DISTRICTS								X - denotes a use allowed by right SE - denotes a use allowed only by Special Exception						
	E-R	R-E	R-20	R-15	R-10	R-8	R-8M	MHP	RP	NC	GB	DC	WLI	HI	AC

Group Day Care Homes (7 to 18 children) , provided that all the requirements of Section 64 are met before the application is submitted.									X	X	X				
BUSINESS USES															
Ambulance Service, Rescue Squad, Police Department, or Fire Department									X	X	X	X	X	X	
Amusement or Recreational Activities (Commercial); Carried on outside a building such as a golf or baseball driving range, miniature golf course, softball field, and uses of similar nature.	X										X		X		
Amusement or Recreational Activities (Commercial); carried on outside a building which produces noise and/or noxious fumes, such as drag strips, race tracks, motorcycle races, ATV (all terrain vehicles) and uses of a similar nature.													X	X	
Amusement or Recreational Activities (Commercial); carried on wholly within a building, such as cinema, theater, auditorium, and uses of a similar nature.										X	X	X			
Animal Hospital, Commercial Kennel, Veterinary Clinic or Animal Boarding Place, located at least 300 feet from the nearest residential district.											X				
Apothecary (Stand Alone); provided that: the principal building does not exceed 1,200 sq.ft. in R-P.									X	X	X	X			
Apothecary – Accessory Use; provided that: a) The use is completely contained within the principal building. b) No outside signage is used; c) There is no direct ingress or egress from the street; Hours of operation to be the same as the principal use.									X	X	X	X			
Art Studio									X	X	X	X			
Automobile Parking Lot or Parking Garage (Commercial)											X	X	X	X	

LAND USE	ZONING DISTRICTS											X - denotes a use allowed by right SE - denotes a use allowed only by Special Exception			
	E-R	R-E	R-20	R-15	R-10	R-8	R-8M	MHP	RP	NC	GB	DC	WLI	HI	AC

Automobile Service Station or Self-service; provided that major auto repair shall not be permitted, nor shall there be outside storage of materials or equipment other than merchandise offered for sale in a NC or GB, district.										SE	X				
Automobile, Truck, Farm Equipment, or Motorcycle Sales, Repair, or Upholstery, Paint Shop, or Tire Recapping including rebuilding/sales of parts and equipment indoors only, no outside storage of equipment or parts except for WLI and HI districts).											X		X	X	
Auto Washerteria											X		X	X	
Bank, Financial Institution									SE	X	X	X			
Bookbinding, Printing, Engraving, Blueprinting, Photostatting or Letter Shop											X	SE	X	X	
Building Contractor and Related Activities such as sale and storage of building supplies and materials. Provided that equipment and materials temporarily stored or displayed outside shall be completely enclosed by a suitable fence, and that no sawmill or planning mill operations shall take place on the premises within any district other than the HI district.											X	SE	X	X	
Business Office									SE	SE	X	X	X	X	
Business School									SE	SE	X	X			
Clothing or Dry Goods Store; including shoe stores, men's shops, women's shops, variety stores and stores of a similar nature.										X	X	X			
Club or Lodge (private)										SE	X	X			
Convenience Store										X	X				
Cultural Facility; libraries, museums, and similar facilities.	SE								SE	X	X	X			
Dance School or Studio									SE	X	X	X			

LAND USE	ZONING DISTRICTS													
	E-R	R-E	R-20	R-15	R-10	R-8	R-8M	MHP	RP	NC	GB	DC	WLI	HI

X - denotes a use allowed by right
 SE - denotes a use allowed only by Special Exception

Day Care Centers (19 or more children)											SE	X			
Drive-in Theater														X	
Drug Store										X	X	X	X		
Electrical Repair and similar repair of a heavy commercial nature.												X		X	X
Experimental Laboratory														X	X
Farmers Market											SE	X		X	X
Feed, Seed, and Insecticides, and Fertilizer Retail Sales														X	
Flower Shop										X	X	X	X		
Freight Express Office											X	X	X		
Funeral Home											SE	X	SE		
Furniture Upholstery Shop												X	X	X	
Glass Sales and Storage												X		X	X
Golf Course (commercial purposes)	SE											X			
Golf Course (residential purposes), provided that: a) It shall be for daytime use only; and b) all greens and fairways shall be setback at least 100 feet from any exterior lines; and, c) all trees and structures shall meet minimum setback requirements for single-family residences within the district.		SE	SE	SE	SE	SE	SE	SE							
Growing of Crops, Gardens	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Home Furnishings, Building Supplies and Materials, and Hardware; such as appliance sales and repairs, hardware stores, paint stores, sporting goods stores, furniture stores, and stores of a similar nature.											SE	X	X	X	

LAND USE	ZONING DISTRICTS										X - denotes a use allowed by right SE - denotes a use allowed only by Special Exception				
	E-R	R-E	R-20	R-15	R-10	R-8	R-8M	MHP	RP	NC	GB	DC	WLI	HI	AC

Hospital, Nursing Home; provided that: a) The lot size for such use shall be no less than 3 acres; and, b) any building or structure established with any such use shall have minimum side and rear yard of 50 feet; and, c) the setback shall be 25 feet more than required for other structures within the same district; and, d) the lot upon which any hospital is built shall front on a major street or secondary street as specified on the Official Street and Road Classification and Major Thoroughfare Plan of Adel.										SE	SE	X				
Hotel												X	SE			
Laboratory Serving Professional Requirements; Medical, Dental, Medical Supplies										X	X	X	X	X		
Launderette or Washerteria (Self-service laundries)											SE	X	X			
Locksmith, Gunsmith												X	X	X		
Medical or Dental Clinic and.. similar professional uses including: accounting, attorney, architects, land surveyors, insurance, real estate, engineering firms and uses of a similar service oriented concern. provided that no window display of products shall be allowed.										X	X	X	X			
Motel												X	SE			
Music Teaching Studio										X	X	X	X			
Neighborhood Dry cleaning Plant, Laundry Pick-up Station: a) The dry cleaning plant and its operation shall meet the requirements of the National Fire Protection Association (NFPA) and the Underwriters Laboratories, Inc.; and b) The dry cleaning plant shall serve not more than one pick-up and delivery station exclusive of one occupying the same premises as the plant; and c) The dry cleaning plant shall be designed to operate in a manner that will not emit smoke, odor, or objectionable waste material and which will not produce noise that will carry beyond the walls of the building occupied by such plant; and d) Fuel for operation of equipment shall be smokeless fuel; and e) The applicant for the dry cleaning plant shall certify in writing, at the time of application, that all the above conditions will be met.											SE	X	X			
Newspaper or Magazine Publishing and Distribution												X	SE	X	X	

LAND USE	ZONING DISTRICTS								X - denotes a use allowed by right SE - denotes a use allowed only by Special Exception						
	E-R	R-E	R-20	R-15	R-10	R-8	R-8M	MHP	RP	NC	GB	DC	WLI	HI	AC

Office Equipment Sales and Service											X	X			
Personal Service Shop; such as hair care services and services of a similar nature.										X	X	X			
Pest Control; providing no outside storage other than within an WLI or H-I district.											X	SE	X	X	
Photography Studio									X	X	X	X			
Professional Office									X	X	X	X			
Radio / Television Studio											X		X	X	
Railroad or Bus Passenger Station											X		X		
Railroad Freight Station											SE	SE	X	X	
Residential Manufacture Sales Office and Lot			SE	SE	SE	SE				SE	X				
Restaurants and Food Catering Service (For E-R: if in conjunction with or secondary to an approved primary use)	SE									X	X	X			
Retail Auto Parts and Tire Store											X	X	X		
Retail Sales and Services not elsewhere classified											X	SE			
Shrubbery Sales and Potting Plants, retailer										SE	X	X	X		
Specialty Shops; such as gift shops, jewelry stores, jewelry repair and stores of a similar nature.									X	X	X	X			
Taxidermist									X	X	X	SE	X		
Taxi Office											X	X			
Telecommunication Tower a) Provided all structures are setback from property											SE		X	X	

LAND USE	ZONING DISTRICTS											X - denotes a use allowed by right SE - denotes a use allowed only by Special Exception			
	E-R	R-E	R-20	R-15	R-10	R-8	R-8M	MHP	RP	NC	GB	DC	WLI	HI	AC

lines and right-of-way lines the required distances for that district, plus 1 foot for every 2 feet above the height requirements of that district. b) Towers for telecommunication services will not be permitted within 500 feet of each other measured from base of tower to base of tower.																
Telegraph or Messenger Service											X	X	X			
Trade Schools												X	X	SE	SE	
Travel Trailer or Recreational Vehicle (RV) Park; provided that : a) No travel trailer park shall be located except with direct access to a designated highway, or major or secondary street, with a minimum lot width of not less than 50 feet for that portion used for entrance and exit. No entrances or exit shall be through a residential district, or shall require movement of traffic from the park through a residential district. b) The minimum lot area park shall be 3 acres. c) Spaces in a travel trailer park may be used by travel trailers provided they shall be rented by the day or week only, and an occupant of such space shall remain in the same trailer park for a period of not more than 30 days. d) Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to operation of a trailer park are permitted as accessory uses in any district in which trailer parks are allowed provided such establishments and the parking area primarily related to their operations shall not occupy more than 10% of the area of the park. e) No space shall be so located that any part intended for occupancy for sleeping purposes shall be within 20 feet of the exterior property line. f) In addition to meeting the above requirements, the travel trailer park site plan shall be accompanied by a certificate of approval of the Cook County Health Department.	SE											SE				
Utility Trailer Rentals and Rent-alls												X	SE	X	X	

LAND USE	ZONING DISTRICTS													
	E-R	R-E	R-20	R-15	R-10	R-8	R-8M	MHP	RP	NC	GB	DC	WLI	HI

X - denotes a use allowed by right
 SE - denotes a use allowed only by Special Exception

Vending Machines; located out-of-doors subject to yard and setback requirements for the respective zoning districts.											SE	SE	SE	X	X	
ATM Machines (off site); located out-of-doors subject to yard and setback requirements for the respective zoning districts.										SE	SE	SE	SE	X	X	
WHOLESALE AND INDUSTRIAL USES																
Acid Storage and Manufacturing															X	
Agricultural Packaging and Handling														X	X	
Feed, Grain, or Fertilizer Wholesaling and Storage														X	X	
Freezer Locker Service, Ice Storage														X	X	
Greenhouse and Plant Nursery (commercial) Heavy equipment allowed only in WLI and HI districts.											SE			X	X	
Heavy Manufacturing; any manufacturing, packaging, processing, or handling of materials provided that any uses such as the manufacturing of cement, corrosive acids, bone distillation, drop forge industry, fat rendering, fertilizer manufacturing, organic materials reduction, meat processing plants, and the like which produce noise, odors, dust, fumes, fire hazards, or other nuisance feature shall be set back not less than 500 feet from any HI district boundary.															X	
Junk Yard or Auto Graveyard; provided that: a) Minimum of 3 acres; b) All setbacks increased 100 feet over requirements in HI zones. c) Cannot be adjacent to E-R, R-E, R-20, R-15, R-10, R-8, R-8M, MHP, or RP zones; and d) An 8 foot high solid fence or wall shall be erected to screen the storage yard from view from the street.															X	
Light Manufacturing: a) Appliance and electronic device assembly plant														X	X	

LAND USE	ZONING DISTRICTS														
	E-R	R-E	R-20	R-15	R-10	R-8	R-8M	MHP	RP	NC	GB	DC	WLI	HI	AC
including the manufacturing of parts for appliances and electronic devices; and, manufacturing of food, cosmetic and pharmaceutical products, but not including fish and meat products, sauerkraut, vinegar, yeast, and rendering plants; and, c) machine shop and related activities; and, d) construction of signs, including painted signs; and, e) cooperage; and, f) bottling and canning plants; and, g) light sheet metal products such as ventilating ducts and eaves; and, h) ice manufacturing; and, i) laundry, cleaning, and dyeing plants; and, j) musical instruments, toys, novelties, and similar products; and, k) ceramic products provided that kilns shall only be by gas or assembly of products from previously prepared materials; and, l) tinsmith and roofing services; and, m) other manufacturing processing, packaging, or handling of a similar nature which shall not omit or produce more smoke, noise, odor, dust, vibration or fumes than the uses listed herein.															
Lumber Yard, Coal Storage Yard, or... storage not specifically listed in this column; such yards if within an WLI district shall be enclosed by a fence and no storage shall be permitted outside such fence.													X	X	
Petroleum Bulk Plant (Storage and wholesale distribution)													X	X	
Planing or Saw Mill														X	
Railroad Classification and Repair Yard														X	
Raising or Sale of Livestock and Fowl; except otherwise permitted. (Refer to "animals") Only allowed in closed climate controlled environment.														X	
Sanitary Landfill or Incineration (private)															SE

X - denotes a use allowed by right
 SE - denotes a use allowed only by Special Exception

5-2 Development Standards. Within the various zoning districts as indicated on the “Zoning Map of the City of Adel, Georgia,” no building or structure, excluding all signs other than the advertising signs, shall be constructed or erected except as indicated in the following schedule:

DEVELOPMENT STANDARD	ZONING DISTRICTS														
	E-R	R-E	R-20	R-15	R-10	R-8	R8-M	MHP	R-P	N-C	G-B	D-C	WLI	H-I	C-A
Minimum Gross Floor Area Per Dwelling Unit (Sq.Ft.) - Single (Detached) - Single (Attached) - Two Family (Duplex) - Multi-Family	N/A	3,000	1,800	1,500	1,000	800	600	600	800				N/A	N/A	
Minimum Lot Area For Development (Sq.Ft.)	None	43,560 (1 acre)	20,000	15,000	10,000	8,000(sf) 12,000 (mf)	8,000 (sf) 12,000	3 total acres 4,000 sq.ft.lot area	8,000 (sf) 12,000 (mf)	None	None	None	none	None	
Maximum Unit Density (# residential units / acre)	N/A	1	1	1	1	12(mf)	12(mf)		12(mf)	N/A	N/A	N/A	N/A	N/A	
Minimum Lot Width (Feet)	60	150	120	100	80	80	80	100/Park	80	60	60	None	None	None	
Minimum Front Yard Setback (Feet from Centerline of Right-of-way) - Major/Secondary Streets - Collector Streets - Residential Streets (Local)	80 * 65 * 55 *	100 * 85 * 75 *	80 * 70 * 65 *	70 * 60 * 55 *	70 * 60 * 55 *	70 * 60 * 55 *	70 * 60 * 55 *	70 * 60 * 55 *	70 * 60 * 55 *	90 ** 80 * 75 *	80** 70** 65**	none none none	90 ** 80 ** 75 **	80 ** 70 ** 65 **	
Minimum Side Yard Setback (Feet)	None	20	15	10	10	10	10(sf)20 (mf)**	20/units 20/park	10(sf) 20(mf) **	None * ***	None ***	None	None* ***	None * ***	
Minimum Rear Yard Setback (Feet)	12	40	10	10	10	10	10	10	10	10	10 * ***	None ***	10 * ***	None *	
Maximum Building Height (Feet)	None **	35	35	35	35	35	35	35	None **	35	None	None **	None **	None **	

* Plus ½ any amount which the right-of-way width exceeds 50 feet for residential streets, 60 feet for collector streets, and 80 feet for Major and Secondary Streets.

** The minimum distance from other property lines to any building over 35 feet in height shall be increased one foot for every two feet (or part of 2 feet) of building height greater than 35 feet

sf Single-family

mf Multi-family

SECTION 6**SPECIAL PROVISIONS FOR CERTAIN USES**

6-1 Home Occupation. A home occupation as defined by this ordinance shall be approved by the Zoning Administrator and governed by the following requirements:

- 6-1.1** Home occupations shall be conducted entirely within the principal dwelling, unless the occupation requires off-site work, in which case only administrative functions may be conducted at the premises.
- 6-1.2** Only residents of the dwelling may be engaged in the home occupation.
- 6-1.3** The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.
- 6-1.4** Except as otherwise stated by this Section, there shall be no exterior evidence of the home occupation, including but not limited to, outside storage of materials or equipment, nor shall such items be displayed in a manner to be viewed from the outside of the dwelling.
- 6-1.5** No internal or external alterations inconsistent with the residential use of the building shall be permitted.
- 6-1.6** No machinery or equipment causing noise, smoke, odor, vibration, electrical interference, or other objectionable condition may be used, nor may the occupation otherwise constitute a nuisance in the neighborhood.
- 6-1.7** Instruction in music and similar subjects shall be limited to two (2) students at a time.
- 6-1.8** No more than two (2) vehicles used in conjunction with the home occupation shall be allowed provided
- 6-1.9** Unless otherwise specified, there shall be no more than one (1) client or customer on the premises at any one time.
- 6-1.10** Signs for Home Occupations shall be limited to one (1).
- 6-1.11** No variances shall be considered to the above criteria and any occupation that does not meet the above criteria shall be considered a Home Business, if it meets the Home Business restrictions.

6-2 Home Business. A home business as defined by this ordinance shall be approved by the Zoning Administrator and be governed by the following restrictions:

- 6-2.1** Home businesses shall conform to the restrictions of the Home Occupation regulations Sections 6-1.3, 6-1.5, and 6-1.8 as it pertains to the property.
- 6-2.2** Accessory buildings used for home businesses shall be subject to all applicable accessory structure standards.
- 6-2.3** At least one resident and not more than one non-resident of the dwelling may be engaged in the home business. The resident must be the owner of the home business.

6-3 Planned Development**A. Master Plan**

The developer of the proposed planned development shall file a master plan along with the planned development rezoning request with the Planning Commission. Being a rezoning, the process shall follow the

same process for rezonings as prescribed by this ordinance except that Planned Development requests shall require an additional month for review prior to being heard by the Planning Commission. Prior to submission, however, PD requests must have been reviewed by all departments including Fire, Engineering, Health, Utilities, Building Inspections, Planning, etc. Any application will be deemed incomplete if the applicant does not show where each of these agencies has reviewed the proposal. Said master plan shall include, but not be limited to, the following:

- 1) An attached statement describing why standard zoning districts are insufficient and how the proposed development conforms to those parameters and ideals set forth in Section 4-1 of this ordinance.
- 2) Name or Names of the Proposed Development. Name or names and addresses of the owners and designers of the site of the master plan and his/her seal.
- 3) Date, appropriate north arrow and scale.
- 4) The boundary line of the tract to be developed drawn accurately to scale and with accurate lineal and angular dimensions.
- 5) A map to an appropriate scale showing the location of the development.
- 6) Contours with a minimum vertical interval of one (1) foot referred to sea level datum shall be provided for both existing and proposed topography.
- 7) The location and extent of existing and proposed public rights-of-way, easements and water and drainage courses within the tract.
- 8) The location and type of existing buildings and structures proposed to be retained or removed and an indication of the use for each retained building.
- 9) The general location of proposed buildings and an indication of the use for each building.
- 10) Proposed lot layout in sketch form.
- 11) Dwelling unit density.
- 12) Minimum standards for interior lot development including setbacks, distances between buildings, etc.
- 13) The percentage of development maintained as public space (as defined by this ordinance) and impervious surface.
- 14) Public transportation facilities or provisions (if any).
- 15) Landscape and buffer plan.

Nothing in this subsection shall be misconstrued as preventing the Mayor/Council from requiring more stringent design standards.

B. Plan Amendments

Any increase in density or intensity of development or other major change shall constitute a plan amendment and shall require re-submittal of the Master Plan. Minor changes to the design of an approved planned development and net decreases in overall density or intensity may be submitted for administrative approval. Said changes will require review and approval by all necessary agencies.

- 1) **Purpose and Intent.** The PD district is intended to allow flexible site planning and building arrangements for both single and multi-family residential developments, for business and commercial developments under a unified plan so that innovative land planning methods may

be utilized which fosters natural resource conservation and neighborhood cohesiveness as well as neo-traditional developments. This may permit buildings to be clustered or arranged in an unconventional manner to maximize public space, create a pedestrian scale and incorporate other public benefits. In this district, smaller lots than would otherwise be permitted under traditional zoning districts may be allowed; however, the purpose is not merely to allow smaller lots or reduce development requirements but to achieve other goals including the protection of sensitive environmental, historic, or aesthetic resources as well as the provision of site amenities such as parks, public space, walking trails, etc. The PD district is not intended to encourage greater density of development, but rather to encourage ingenuity and resourcefulness in land planning techniques which result in quality residential patterns that conserve and create public space, reduce vehicle trips and provide stable developments that enhance the surrounding area.

- 2) **Allowed Uses.** All dwelling types, commercial and office uses shall be allowed in the PD district including manufactured homes. Any use requiring a Special Exception within the R-8M zoning district shall be processed as a Special Exception. The PD district shall allow all types of uses except those allowed only within the A-C, WLI, and HI districts.
- 3) **Development Standards.** A planned development shall conform to the following restrictions and development standards.

Maximum Impervious Surface	70%
Minimum Public Space	30%
Minimum Exterior Setbacks*	30' from all property lines, including the right-of-way.
Minimum Screening Along Exterior Tract Boundaries	See Section 3-18 of this ordinance.

* There is no minimum setback for interior lot lines, except as otherwise indicated within the approved master plan.

6-4 Family Day Care Homes and Group Day Care Homes. Shall conform to the following regulations:

Number of Children	1-6	7-12	13-18
Site Plan	No additional requirements	Conceptual Site Plan required at time of application.	Conceptual site plan required at time of application.
Parking Requirements	No additional requirements	One space for each employee plus one space for every four children kept.	One space for each employee plus one space for every four children kept.
Parking and Driveway	Adequate ingress and egress from the street required.	A circular drive is required unless extenuating circumstances exist, in which case an alternative proposal will be considered provided it meets the intent of the requirement and ensures equal or greater safety for pick-up and drop-off as well as ingress and egress and is approved by the City Engineer prior to submittal of applications.	A circular drive is required unless extenuating circumstances exist, in which case an alternative proposal will be considered provided it meets the intent of the requirement and ensures equal or greater safety for pick-up and drop-off as well as ingress and egress and is approved by the City Engineer prior to submittal of applications.
Roadway Frontage	No additional requirements	No additional requirements	Property must be located on or adjacent to an urban minor or principal arterial or urban collector as designated by the City of Adel's Major Thoroughfare Plan.
Pick-up and Drop-off	Pick-up and drop-off shall be conducted on the property and not in the public right-of-way.	Pick-up and drop-off shall be conducted on the property and not in the public right-of-way.	Pick-up and drop-off shall be conducted on the property and not in the public right-of-way.

Section 6-5 Manufactured and Mobile Homes

- 1) No mobile homes, defined as units constructed prior to June 15, 1976 shall be allowed within the City limits of Adel. Only manufactured homes not greater than 10 years old and constructed to the Federal Manufactured Home Construction and Safety Standards governed by the National Manufactured Housing Construction and Safety standards Act of 1974, as amended, 42 U.S.C. 5401, et seq. shall be permitted to be installed or relocated within the City of Adel.
- 2) Singlewide manufactured homes shall be restricted to Manufactured Home Parks.
- 3) All new manufactured homes shall be installed as required by O.C.GA 8-2-160 and 8-2-164. For the purposes of administration of this section, installation shall mean the construction of a foundation system and the placement or erection of a manufactured home on the foundation system. This also includes, without limitation, supporting, blocking, leveling, securing or anchoring such home and

- connecting multiple or expandable sections of such home. Said installation shall be performed by a person who is able to obtain a license pursuant to the provisions of O.C.G.A 8-2-164.
- 4) Manufactured homes may only be used as a dwelling unit.
 - 5) A curtain wall, also known as skirting or underpinning, shall be constructed of masonry or approved material and shall be un-pierced, except for required minimum ventilation and access so that the area under the home is enclosed to the ground level. Said access shall remain closed when not being used for that purpose. (Not placed in a Manufactured Home Park.)
 - 6) After placement on the lot and before occupancy, all tongues, axles, transporting lights and other towing apparatus are to be removed from sight.
 - 7) Utility meters shall be mounted directly to the manufactured home, to a pedestal, or to a pole as required by the building and electrical codes as adopted by the City of Adel.
 - 8) At all exterior doors there shall be a landing as required by the building codes as adopted by the City of Adel. Said landing shall be constructed in a manner as to be permanently affixed to the ground.
 - 9) All manufactured homes shall be situated on the lot so that the conventional front of the home faces the front yard as defined by this ordinance.
 - 10) All manufactured homes must meet the minimum size requirements for the district in which they are to be located.

6-6 Manufactured Home Parks. Manufactured home parks are allowed in the MHP district as a matter of right provided the following requirements are met:

- 1) The minimum size shall be three (3) acres.
- 2) The park shall have minimum side yards of twenty (20) feet and a front yard at least twenty (20) feet greater than that required for other uses permitted in the district.
- 3) Each manufactured home shall be connected to a proper water and sewer system as required by the Cook County Health Department. The manufactured home park plan shall be accompanied by a certificate of approval from the Cook County Health Department.
- 4) The minimum lot area per manufactured home shall not be less than four thousand (4000) square feet with a minimum width of forty (40) feet where served by public water and sewer or public health department approved community water and sewer. The lot shall be not less than seven thousand five hundred (7500) square feet of lot area per manufactured home where served by septic tanks or private wells.
- 5) The minimum distance between any two (2) manufactured homes or between any manufactured home and any other building in the park shall be twenty (20) feet.
- 6) A twenty (20) foot wide interior street paved and properly drained shall serve all manufactured home lots and be drained so as to prevent damage to adjoining property, public and private.
- 7) Each manufactured home lot shall be clearly defined by means of concrete, steel or iron pipe markers placed at all corners.
- 8) At least two hundred (200) square feet per manufactured home lot not to be a part of required manufactured home lot, shall be provided in one (1) or more locations for community playgrounds and recreation purposes.

- 9) Any property line of a manufactured home park which abuts or is within a residential zoning district shall be screened as described in this Ordinance.
- 10) No manufactured home park shall be occupied by a greater number of manufactured homes than that authorized in the approved building and inspection permit. No manufactured home park shall be enlarged or extended unless a separate building permit and a separate final inspection permit have been issued.
- 11) Access to the park shall be limited to paved streets with at least fifty (50) feet of right-of-way.
- 12) No building permit may be issued unless the park layout has been reviewed and approved by the Zoning Administrator.
- 13) Site must directly abut a major thoroughfare roadway as designated on the Official Road Classification Map for the City of Adel.

6-7 Cemeteries.

- 1) Cemeteries are permissible in the G-B zoning district and by SE in all zoning districts, subject to the site design standards of the district and the specific supplemental standards in this section. Cemeteries for internment of human remains shall comply with State law and the provisions of this section. Cemeteries for internment of pet remains shall comply with the provisions of this section. All cemeteries must have a perpetual care and maintenance plan as described in O.C.G.A. Sec. 10-14-3(6)
- 2) A cemetery may include one (1) or more of the following: a burial park for earth interments, a mausoleum for vault or crypt interments, and a columbarium.
- 3) A cemetery may include a chapel when operated in conjunction with and within the boundaries of such cemetery.
- 4) Site design requirements are as follows:

Standards for Cemeteries

Development Feature	Standard
Minimum land area Registered cemeteries (per State law) Other (private)	10 acres 2 acres
Minimum setbacks for structures, storage, materials, equipment or internment lots:	
Front yard	40 feet
Side yard	20 feet
Rear yard	20 feet
Adjacent to a residentially zoned property	50 feet
Lot dimensions Minimum road frontage	200 feet
Minimum buffer requirements Adjacent to state bodies of water	25 feet
Access for existing cemeteries	Easements for access may be required in new subdivision

- 5) Location requirements:
 - a) A cemetery shall not be located in a wetlands, 100-year floodplain, floodway, or flood hazard area.
 - b) All new cemeteries must be located not less than 150 feet from a drinking water well.
- 6) Adequate off-street waiting space shall be provided for funeral processions so that no vehicle stands or waits in a dedicated right-of-way.
- 7) All cemetery access shall be provided from an arterial street, collector street, or state highway. The entrance and exits to the cemetery shall be only from the frontage street.
- 8) Mausoleums and columbaria may be located only within the boundaries of approved cemeteries. Mausoleums and columbaria shall have facades of brick or stone.

SECTION 7

OFF-STREET PARKING AND SERVICE REQUIREMENTS

7-1 Scope of Provisions. Except as provided in this section, no application for a building permit excluding single-family shall be approved unless there is included with the plan for such building, improvements, or use, a plan showing the required space reserved for off-street parking and service purposes. Occupancy shall not be allowed unless the required off-street parking and service facilities have been provided in accordance with those shown on the approved plan. These provisions shall not apply to the D-C district.

7-2 Parking Spaces May Not Be Reduced. Off-street parking spaces shall not be reduced below the minimum required number for the use or facility to which they are assigned.

7-3 Drainage, Construction, and Maintenance. All off-street parking, loading, and service areas shall be drained so as to prevent damage to abutting properties and/or public streets and shall be constructed of asphalt, concrete, solid brick pavers, or any other material approved by the Building Official with concurrence from the Fire Chief and the Public Works Director where applicable. All such areas shall be at all times maintained at the expense of the owners thereof, in a clean, orderly, dust free, and undeteriorated condition.

7-3.1 Requirements for Unpaved Parking. Unpaved parking areas may be approved by the Building Official or his designee with conditions including, but not limited to, the following:

7-3.1.1 Unpaved spaces shall be 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.

7-3.1.2 Stormwater management facilities shall be provided for all vehicular use areas, whether paved or unpaved. The developer must demonstrate that stormwater management facilities can be expanded to accommodate future required paving.

7-3.1.3 Use of the unpaved parking area shall not cause the introduction of sediment or debris onto city rights-of-way and easements.

7-3.2 Inspection. At least six months after a final certificate of occupancy is issued, an inspection will be made by the Building Official or designee. If findings indicate that the 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 90 days of written notice to the owner of the property. If paving is deemed necessary by the City Engineer, the property owner may be required to expand the stormwater management facilities (as provided in Section 7-3.1.2).

7-4 Separation from Walkways, Sidewalks, Property Lines and Streets. All off-street parking, loading, and service areas shall be separated from walkways, sidewalks, property lines, and streets by concrete curbing. Curbing located in parking areas shall be constructed a minimum of 3 feet from private and/or public property lines so that parked vehicles will not project over such lines.

7-5 Parking Area Design. Parking stalls shall have a minimum interior clearance width of eight and one-half feet and length of 20 feet. There shall be provided adequate interior driveways to connect each parking space with a public right-of-way. Interior driveways shall be at least 24 feet wide where used with 90 degree angle parking, at least 18 feet wide where used with 60 degree angle parking, at least 12 feet wide where used with 45 degree parking, and at least 12 feet wide where used with parallel parking; or where there is no parking interior driveways shall be at least 10 feet wide for one-way traffic movement and at least 20 feet wide for two-way traffic movement.

7-6 Joint Parking Facilities. Two or more neighboring uses, of the same or different types, may provide joint facilities, provided that the number of off-street parking spaces is not less than the sum of the individual requirements.

7-7 Pavement Markings and Signs. Each off-street parking space shall be clearly marked, and pavement directional arrows or signs shall be provided wherever necessary. Markers, directional arrows and signs shall be

properly maintained so as to ensure their maximum efficiency.

7-8 Number of Parking Spaces. In order to assure a proper and uniform development of public parking areas throughout the area of jurisdiction of this ordinance, to relieve traffic congestion on the streets, and to minimize any detrimental effects on adjacent properties, off-street parking space shall be provided and maintained as called for in the following schedule. For any use or class of use not mentioned in this schedule, the requirements shall be the same as a similar use as mentioned herein.

Parking requirements for additions to existing uses shall be based upon the new addition even if the existing use is deficient. These regulations shall apply to all districts except D-C district.

USE	MINIMUM # PARKING SPACES REQUIRED
Dwellings;	Two spaces per dwelling unit.
Rooming, Boarding Houses, Hotels and Motels	One space for each guest room.
Places of public assembly, Churches, Recreation Centers, Stadiums and Fraternal Organizations;	One space for each four seats to be accommodated in the main assembly room.
Hospitals, Convalescent homes, or similar institution;	One space for every two beds intended for patients
Retail Businesses;	One parking space for every 150 sq. ft. of retail floor area.
Medical / Dental office and Clinics	One space for every 100 sq. ft. of office floor area.
Offices including Banks;	One space for every 200 sq. ft. of total floor area.
Trade Schools, High Schools, Colleges, and Universities	One space for each two teachers, employees and administrative personnel plus safe and convenient loading of students plus 5 spaces for each classroom.
Recreational Areas Indoor and Outdoor (commercial) YMCA, and Similar Uses	(a) One space for each 150 sq. ft. of gross floor, building, ground area, or combination devoted to such use.
Industrial or Manufacturing Establishment or Warehouse	One parking space for each two employees on largest shift plus one space for each company vehicle.
Kindergarten and Nursery Schools	One space for each employee plus safe and convenient loading of students.
Retail Stores of All	One space per 150 square feet gross floor area.
Schools, Elementary	One space for each teacher, one space for each two employees and administrative personnel, and one for each classroom, plus safe and convenient loading and unloading of students.
Shopping Center	One space per 200 square feet gross floor area
Wholesale Establishment	One space for each employee plus sufficient space to accommodate vehicles used in the conduct of the business.
Adult Entertainment Establishments	One parking space per 100 square feet of gross building area or one for each 3 customer seats, whichever is greater.

7-9 Minimum Number of Loading Spaces Required. Industrial, wholesale, and retail operations shall provide loading space as follows:

7-9.1 Design of Loading Spaces: Off-street loading spaces shall be designed and constructed so that all maneuvering to park and unpark vehicles for loading and unloading can take place entirely within the property lines of the premises. Loading spaces shall be provided so as not to interfere with the free normal movement of vehicles and pedestrians on public rights-of-way.

7-10 Curb Cut Requirements. In any district as described below where the lowering or cutting away of curbs, or the placement of asphalt and/or driveway pipe on non-curbed sections for the purpose of ingress and egress is required to the property, such curb cuts or asphalt width shall be placed through the entire right-of-way and shall be subject to the following provisions:

7-10.1 Residential Curb Cuts (excluding multi-family development):

- 7-10.1.1** No more than two combined entrances and exits shall be allowed any parcel of property, the front of which is less than 200 feet on any one street. Additional entrances or exits for parcels having a frontage in excess of 200 feet shall be permitted at the rate of one entrance/exit for each additional 100 feet.
- 7-10.1.2** At street intersections (corner lots), no curb cuts shall be located within 25 feet of the intersection of two curb lines or such lines extended; or within 15 feet of the intersection of two property lines or such curb lines extended whichever is more restrictive. On major, secondary or collector streets, no driveway shall be within 70 feet of the intersection of two curb lines or curb lines extended.
- 7-10.1.3** The distance between any two curb cuts on the same side of the street shall be not less than 10 feet. Said distance shall be measured between the point of tangency of the curb return radius and the established curb of the abutting street.
- 7-10.1.4** All driveways shall be constructed so as to have at least 5 feet from any property line (excluding right-of-way), except that a curb return may become tangent to a curb line at a point where such property line extends with the curb line.
- 7-10.1.5** The maximum width of any driveway shall not exceed 24 feet measured at the right-of-way line.
- 7-10.1.6** The sum of the two curb return radius for any curb cut shall not exceed 15 feet.
- 7-10.1.7** When development on sites where existing curb cuts are abandoned and access is no longer afforded due to parking lots, buildings or other permitted structures, the driveway shall be removed, the sidewalk (if existing) shall be replaced, the curb and gutter shall be replaced, fill dirt back filled to its natural state; where it is a piped driveway to a dirt or paved street, said pipe shall be removed, asphalt removed and the shoulders and ditch regraded to its natural pre-existing state.

7-10.2 Commercial and Multi-Family Curb Cuts:

- 7-10.2.1** No more than two combined entrances or exits shall be allowed any parcel or frontage which is less than 300 feet on any one street. On parcels less than 150 feet, only one entrance shall be allowed provided it is a two-way driveway (two one-way driveways shall be allowed in lieu of the one two-way). Additional entrances or exits for parcels of property having a frontage in excess of 300 feet shall be permitted at the rate of one entrance-exit for each additional 150 feet.
- 7-10.2.2** No driveway shall be located closer than 150 feet of an existing driveway on an abutting lot. Existing lots of record less than 150 feet frontage shall be allowed one combined entrance/ exit not to exceed 24 feet at right-of-way line.
- 7-10.2.3** At street intersections (corner lots), no curb cuts shall be located within 70 feet of the

intersection of two curb lines or within 60 feet of the intersection of two property lines where such lines extended whichever is more restrictive. Within the DC (Downtown Commercial) zoning district, Mayor/Council, at their discretion, may grant a variance to this requirement.

- 7-10.2.4** All driveways shall be constructed so as to be at least 12.5 feet from any property line except that a curb return may become tangent to a curb line at a point where the property line extended intersects such curb line.
- 7-10.2.5** Maximum width of any driveway shall not exceed 35 feet measured at the right-of-way line; minimum two-way shall be 24 feet at right-of-way line with a maximum of 12½ foot radius. No two driveways on the same property shall be closer than 25 feet.
- 7-10.2.6** The maximum width of any curb cut in N-C, WLI or HI zone shall not exceed 35 feet.
- 7-10.2.7** The sum of the two curb return radius for any one curb cut shall not be less than 25 feet, nor greater than 40 feet.
- 7-10.2.8** When development on sites where existing curb cuts are abandoned and access is no longer afforded due to parking lots, buildings, or other permitted structures, the driveway shall be removed, the sidewalk (if existing) shall be replaced, the curb and gutter shall be replaced, fill dirt backfilled to its natural state; where it is a piped driveway to a dirt or paved street, said pipe shall be removed, asphalt removed and the shoulders and ditch re-graded to its natural pre-existing state.

7-11 Solid Waste Container Pad. All site plans for apartments and commercial buildings shall include a solid waste container pad that has easy and safe access for the front end loader and must be screened as per Sections 3-17 and 3-18. The number of pads shall be based on the following criteria if apartments: .2 cubic yards per unit; minimum container shall be 4 cubic yards.

SECTION 8

SIGN REGULATIONS

8-1 PURPOSES

It is the purpose of the City of Adel in enacting these regulations to provide standards to safeguard life, public health, property and welfare by regulating the location, size, illumination, erection, maintenance and quality of materials of all signs. More specifically, signs have a powerful impact on the aesthetic environment of the community, and it is the purpose of this Ordinance to encourage an aesthetically attractive environment, allowing sufficient opportunities for communications to serve business, interest groups and the public, while complying with the Federal and State Constitutions and laws. Signs create visual clutter and therefore should be regulated in their size, location, construction and illumination. Signs can detract from the beauty of the neighborhood and lower property values. In seeking to comply with federal and state law, the City has determined the following: large signs are, as the U.S. Supreme Court has recognized, an aesthetic harm; the Georgia Supreme Court has upheld sign regulations on the basis of aesthetics and preserving the beauty of environment; and, the Eleventh Circuit has recognized portable signs are visual clutter and a potential traffic hazard. These holdings show that the City's ordinance is within the law and constitutional, which is a goal of the City. The goal of this Article is to avoid being an impermissible content-based regulation, and instead to be a permissible time, place and manner restriction.

Many signs can also be a hazard and negatively impact traffic safety, by distracting drivers and blocking views of other vehicles and dangers, by making intersections more treacherous, and by making it difficult to see oncoming traffic when entering a roadway. Therefore, it is also the purpose of this Ordinance to prevent those harms by regulating signs to safe locations, safe sizes, with proper and safe illumination and construction. Business owners have **90 days** to remove all signs from closed business or relocated business.

Downtown Development Authority (DDA) sign regulations see Section 8-11.

8-2 JURISDICTION AND APPLICABILITY OF CODE REQUIREMENTS

- 8-2.1** This article shall apply to all properties within the incorporated areas of the City of Adel, Georgia. This article shall not relate to the copy or message on a sign within the City of Adel.
- 8-2.2** All signs and sign structures shall be constructed and maintained in conformance with the building and electrical codes adopted by the City of Adel.
- 8-2.3** If any provisions or requirements of this article are in conflict with any other provision or requirement of this ordinance or any other applicable governmental law, ordinance, resolution, rule, or other governmental regulation of any kind, the more restrictive rule or standard takes precedence.

8-3 VARIANCES

- 8-3.1** Variances from the provisions of this article may be requested. All such variances shall be considered and decided by the Mayor and Council of the City of Adel in accordance with officially adopted procedures and standards contained in the Adel Zoning Ordinance, provided that the decision to grant or deny a variance shall be based upon conditions and factors pertaining to the time, place, and manner of the exhibition and construction of a sign, and not the content of the sign's copy.

8-4 GENERAL PROVISIONS AND DEFINITIONS

- 8-4.1** No sign shall be placed or maintained within the City of Adel except in conformity with this Sign

Ordinance.

8-4.2 Notwithstanding any other restrictions in this Sign Ordinance, any sign, display or device allowed under this Ordinance may contain any commercial or non-commercial message, or any political or non-political message; except that such messages cannot depict obscenity, as defined by O.C.G.A. § 16-12-80, nor can they depict sexual conduct or sexually explicit nudity, as defined in O.C.G.A. § 36-60-3.

8-4.3 Height limitations in this Article control over the general height limitations of this Ordinance, and apply to any structure that contains a sign. For example, a church spire or radio antenna with a sign would be subject to the height limitations of this Article, rather than general height limitations.

8-4.4 **Definitions:** As used in this section, the following words have the following meanings. The general definitions and interpretative rules of the zoning ordinance shall also be used. To the extent those general rules or definitions conflict with these specific definitions, these definitions shall control.

ABANDONED SIGN: A sign and/or sign structure which no longer correctly directs or exhorts any person, or advertises a bona fide business, lessor, owner, product or service.

ANIMATED SIGN: Any sign that all or any part thereof visibly moves or imitates movement in any fashion whatsoever. Any sign that contains or uses for illumination any lights (or lighting devices) that change color, flash or alternate, show movement or motion, or change the appearance of said sign or any part automatically.

AREA OF SIGN (COPY AREA): The area within a continuous perimeter enclosing the limits of writing, representation, emblem, or any figure of similar character together with any frame, or material, open space, or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed.

BANNER: A sign hung either with or without a frame, possessing characters, letters, illustrations, or ornamentation applied to paper, plastic, or fabric of any kind. This definition expressly excludes all fabric signs mounted from one side to a flag pole.

BUILDING SIGN: Any sign attached to any part of a building other than a freestanding sign.

CANOPY: Any permanent roof-like structure, including awnings and marquees, projecting beyond a building or extending along and projecting beyond the wall of a building, generally designed and constructed to provide protection from the weather.

CANOPY SIGN: Any sign attached to, or made a part of the front, side, or top of a canopy. These signs are regulated as wall signs.

COPY: The wording or graphics on a sign surface in either permanent or removable form.

CROWN OF THE ROAD: The highest point of a road, usually the center line of a road.

ERECT: To build, construct, attach, hang, place, suspend, paint or affix.

ESTABLISHMENT: A commercial, industrial, institutional, educational, office, business or financial entity.

FLAG: Any fabric sign, regardless of the message conveyed, mounted to a flag pole on one side only.

FLASHING SIGN: (See Animated Sign)

FREESTANDING SIGN: Any sign which is independent from any building or other structure and is entirely supported by a single or multiple pedestals that are permanently attached at or below ground level.

FRONTAGE, BUILDING: The length of an outside building wall facing a street.

FRONTAGE, STREET: The length of the property line of any one parcel along a street on which it borders.

GROUND SIGN: A sign that is anchored to the ground and is wholly independent of a building for support. Freestanding signs are included in this definition, as are signs on poles, frames, or other mounting structures other than buildings.

ILLUMINATED SIGN: A sign which contains an internal source of light or which is designed or arranged to reflect light from an artificial source.

MANSARD SIGN: Any sign attached to or erected within 12 inches of an actual or simulated mansard of a building, with the sign face parallel to and within the limits of the building, but not exceeding the roof line, and not deemed to be a roof sign. These signs are regulated as wall signs.

MONIPOLE SIGN or UNIPOLE SIGN: A freestanding sign that is erected on a single pedestal attached to the ground for the display of messages irrespective of the number of faces or the configuration of the faces.

MONUMENT SIGN: A permanent sign, other than a freestanding pole sign, placed upon or supported by the ground independent of any other structure and constructed of stone, concrete, masonry, stucco or equal architectural material. These signs are regulated as ground signs.

MOVING SIGN: (See Animated Sign)

PAINTED WALL SIGN: Any sign that is applied with paint or similar substance on the face of a wall.

PARCEL (LOT)-(BUSINESS LOT): Any standard lot or parcel of land, the boundaries of which have been established by a recorded legal instrument and is recognized and intended as a unit for the purpose of transfer of ownership, with said parcel being duly recorded with the Clerk of Superior Court, Cook County.

PERMANENT SIGN: A sign permanently affixed to a building or the ground.

PERSON: Any association, company, corporation, firm, organization, or partnership, singular or plural, of any kind.

PORTABLE SIGN: Any sign supported by its own frame or trailer, with or without wheels, that is designed to move from one place to another.

PRINCIPAL BUILDING: The building with the principal use of the parcel on which it is located. Parcels with multiple principal uses may have multiple principal buildings. However, storage buildings, garages, and other clearly accessory are not considered principal buildings.

PROJECTING SIGN: Any sign affixed to a building or wall, which horizontally extends more than twelve inches beyond the surface of a building or wall.

RESIDENTIAL DISTRICT: Includes all land in R-20, R-15, R-10, R-8, and R-8M.

REVOLVING SIGN: (See Animated Sign)

ROAD: A right-of-way which provides vehicular access to abutting properties.

ROOF SIGN: Any sign erected, constructed, and maintained upon or over the roof of any building and projecting above the roof line.

ROOF SIGN (INTREGRAL): Any sign erected or constructed as an integral part of a normal roof structure of any design. No part of the sign can extend vertically above the highest portion of the roof and no part of the sign can be separated from the rest of the roof by a space of more than six inches.

SETBACK: The distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

SIDEWALK, SANDWICH OR A-FRAME SIGN: A sign which is normally in the shape of an “A” of some variation, which is usually two sided.

SIGN: Any display of words, shapes or images designed to convey a message to the viewer, located on the exterior of any dwelling, building or structure, or located anywhere on a lot upon a dedicated supporting structure or device, including poles, banners, windows and similar devices.

SIGN FACE: The actual message-carrying portion of the sign that can be used to display content, including any area that can display or does display words, pictures or other communicative elements of the sign, including the background color.

SIGN STRUCTURE: This includes all the elements of the sign, including its supporting structure, sign face, base, lights and every portion of the sign.

STREET: Any public or private right-of-way for automobile use. This excludes alleyways, parking lots and driveways.

STREET FRONTAGE: The width in linear feet of a lot or parcel where it abuts the right-of-way of any public street.

UNDER CANOPY SIGN: A sign that is suspended from the underside of a canopy (in awnings and marquees) is perpendicular to the wall surface of a building, and whose copy is not clearly visible from the public right-of-way.

WALL FACE: A measurement of area equal to the height of the structure from the ground to the coping or eave of the roof multiplied by the width of the wall associated with the individual business. The wall face is to be measured for each wall independently.

WALL SIGN: A sign that is fastened directly to or is placed or painted directly upon the exterior wall of a building.

WINDOW SIGN: A sign having its message visible from the exterior of a building that is either located within a building so as to be visible through a window, or affixed directly to the window either inside or outside the building.

8-5 PERMITTED SIGNS

8-5.1 If not otherwise stated, any sign not specifically permitted in a zoning district as provided under this section shall be prohibited. These regulations apply to signs located on any lot or development.

8-5.2 Standard Permitted Signs.

The following signs are permitted in the following zoning districts. A double-sided sign is counted as one sign, but each face counts towards the maximum area permitted. Height is measured from grade to the highest portion of the sign structure. Area is calculated as shown in Sec. 4.5.

Table of Standard Permitted Signs.

Districts /Uses	No. of ground signs	Total area of all ground sign faces	Max area of single ground sign face	Max height of ground signs	Window Signs (number/ maximum total area)	Wall Signs (number/ Max total area)	Max size of single wall sign	FLAGS number and Max total sq. ft.	FLAGS Max height
E-R, R-E	2	64 sq. ft.	32 sq. ft.	10 ft.	2, up to 8 sq. ft. total area	2/200 sq. ft.	200 sq. ft.	3, 100	25
R-20, R15,R10 R8, R8M MHP	3	12 sq. ft.	4 sq. ft.	5 ft.	2, up to 8 sq. ft. total area	None	n/a	3, 50	20
GB	2	192sq. ft.	96 sq. ft.	20 ft.	Can cover 25% of windows	4/96 sq. ft.	96 sq. ft.	3, 200	30
WLI	2	400 sq. ft.	200 sq. ft.	35 ft.	Can cover 25% of windows	4/250 sq. ft.	250 sq. ft.	3, 300	40
H-I	3	600 sq. ft.	300 sq. ft.	35 ft.	Can cover 25% of windows	4/300 sq. ft.	250 sq. ft.	3, 400	50
D-C	2	64 sq.ft.	32 sq.ft.	20 ft.	Can cover 25% of windows	2/32 sq.ft.	32 sq.ft.	2/96	30
R-P	2	64 sq.ft.	32 sq. ft.	20ft.	Can cover 25% of windows	2/32 sq.ft.	32 sq.ft.	2/96	30
N-C	2	64 sq. ft.	32 sq. ft.	20 ft.	25% of windows	2/32 sq.ft.	32 sq.ft.	2/96	30
A-C	2	64 sq ft	32 sq ft	20 ft	25%of windows	2/32 sq ft	32 sq ft	2/96	30

8-5.3 Interstate 75 Corridor.

In addition to the signs permitted elsewhere in this Ordinance, the following additional permitted signs are allowed:

Any sign located in a GB-(General Business), WLI-(Wholesale Light Industrial) or HI- (Heavy Industrial) Zoning District; and within 60 ft. of the nearest edge of the right-of-way of Interstate 75, the following requirements apply:

a)The maximum allowed sign face is 672 sq. ft. per direction, per face up to 35 feet in total height including the supporting structure. A sign height of up to 75 feet is allowed for signs up to 200 sq. ft. per direction, per face. No sign may be erected within 1000 feet of any other ground sign on the same side of the road, whether such sign is on the same lot or another lot.

A) Distances between signs are measured from the closest points of the signs at issue, whether that is the sign base or a portion of the sign structure.

- B) It is the intent of this section to allow more signage along certain higher traffic corridor while at same time protecting the appearance of the City of Adel. Detail in Section 11.1. Whenever the distance requirements of this section would, if applied strictly, result in denying a person all opportunity for additional signage allowed under this section, because of the existence of a sign or signs on the property of another person or entity, a variance may be issued, subject to the procedure provided in the Zoning Ordinance, that both serves the interests of the City in adopting this sign ordinance, and also affords to such person reasonable additional signage. However, no variance shall be granted where the hardship is the result of the property owner or his predecessor-in-title's subdivision of the property.

8-5.4 Highway Signs.

In addition to the signs permitted elsewhere in this Ordinance, in the WLI and H-I Zoning Districts, the following additional permitted signs are allowed:

- A) One additional ground sign of not more than 300 square feet per face, and not more than 35 feet in height, and not more than two-faced (back to back), may be erected on any lot that has road frontage on any U.S. Highway (e.g. 41), or any Georgia Highway (e.g. 7, 37, 76) Such sign must be erected within 50 feet of the right-of-way of said highway. No sign of more than 250 square feet erected under this section may be erected within 2,000 feet of any other ground sign exceeding 250 square feet, whether such sign is on the same lot or another lot. No sign of less than 250 square feet erected under this section may be erected within 500 feet of any other ground sign exceeding 100 square feet, whether such sign is on the same lot or another lot.
- B) Distances between signs are measured from the closest points of the signs at issue, whether that is the sign base or a portion of the sign structure.
- C) No sign erected under this section may be "double stacked"; that is, have two separate signs one higher than the other, both facing the same direction. Double stacked signs are permitted under other provisions of this Article.
- D) It is the intent of this section to allow more signage along certain higher traffic corridors, while at the same time protecting the appearance of the City of Adel. Whenever the distance requirements of this section would, if applied strictly, result in denying a person all opportunity for additional signage allowed under this section, because of the existence of a sign or signs on the property of another person or entity, a variance may be issued, subject to the procedure provided in the Zoning Ordinance, that both serves the interests of the City in adopting this sign ordinance, and also affords to such person reasonable additional signage. However, no variance shall be granted where the hardship is the result of the property owner or his predecessor-in-title's subdivision of the property.

8-5.5 Minor Signs. Any number of minor signs is permitted in addition to all other signs permitted under this ordinance. In residential zoned areas, these signs must be no more than one (1) sq. ft. in area, and no more than four feet in height. In GB, WLI, and HI zoned areas, these signs must be no more than four (4) sq. ft. in area, and no more than four feet in height. However, the area of all such sign faces on a single lot, parcel, residence, development, business or property may not exceed 10 square feet in residential and 20 square feet in general business, wholesale light industrial, or heavy industrial zoned areas.

8-5.6 Internal Signs. Any sign not visible from the outside of a structure or to passing members of the public is not restricted or regulated by this Article.

8-5.7 Sign Support Structures. Signs 300 sq. ft. per face or larger must be constructed with a

monopole -type support system.

8-6 REGULATIONS FOR SIGNS

8-6.1 Location, Height, and Setback

- A) The property owner must give permission for all sign placement on the owner's property, through the issuance of a letter signed by the owner.
- B) All signs must comply with all side and rear setbacks of the underlying zoning ordinance.
- C) Signs can be located in front setback areas, but all signs and sign structures,(in excess of four (4) feet in height from natural grade shall have a minimum clearance of ten (10) feet above natural grade before beginning of copy area in order to maximize traffic safety). No portion of a sign or sign structure shall encroach on or overhang the public right-of-way or any other person's property.
- D) No sign can be erected closer than 10 feet to the right-of-way of Interstate Highway 75.
- E) Distances are measured from the closest portion of the sign (whether that is the base, sign face, or the sign structure) to the right-of-way, curb or pavement.
- F) The height requirements of a sign shall be computed as the length of a straight vertical line from normal grade to the height of the highest attached component of the sign or sign structure. When the sign is constructed within 15 feet of a right-of-way, the normal grade shall be considered the elevation of the crown of the road. When a sign is constructed 15 or more feet from any right-of-way, normal grade shall be considered the lower of (1) existing grade of the site of the sign prior to construction of the sign or (2) the newly established grade at the base of the sign after construction, exclusive of any filling, beaming, mounding or excavating solely for the purpose of locating the sign. Refer to the Table of Standard Permitted Signs for specific height limits and requirements.

8-6.2 Number

For the purpose of determining the number of signs, ground signs shall be equal to the number of sign structures. All other non-ground signs shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit.

8-6.3 Illumination

- A) Ground signs cannot be illuminated in any residential zoning district except for Residential Professional (R-P).
- B) Illumination of any sign in any district shall be positioned and shielded so that the light source does not shine directly into the path of motorists on a public right-of-way or into the windows of adjacent dwellings or businesses without the permission of the owner and resident thereof.
- C) Flashing, blinking or otherwise varying illumination is not permitted. No external or internal illumination that causes confusion with or distraction from any traffic signal or safety device shall be permitted
- D) All illuminated signs shall utilize low wattage luminaries, mounted in fixtures designed to direct the light and eliminate light trespass, such as light shining into residences or other neighboring structures.

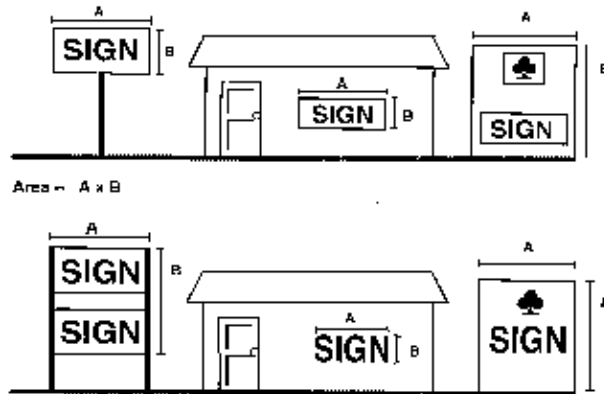
- F) All illuminated signs over ten feet in height shall either be internally illuminated or illuminated by external lighting fixtures not visible to passing motorists.

8-6.4 Variable message boards / LED

- A) Variable message boards will only be permitted in G-B and WLI zoning districts, and only in conjunction with a legally permitted freestanding sign.
- B) Each message will remain fixed for a minimum of ten(10) seconds.
- C) When a message is changed, it shall be accomplished in three (3) seconds or less.
- D) Messages shall not be illuminated by blinking, scrolling, or flashing lights.
- E) Submittal of a complete sign application and receipt of proper permit in accordance with Section 8.9

8-6.5 Calculation of Area

The area of a sign is calculated by determining the area of the smallest square or rectangle which encloses the sign face and the structure surrounding the sign face. For example, the pole or base would not be included, but any frame holding the sign face in place would be counted. See examples:



Examples of Sign Face Area Measurements

8-6.6 Unusual Shaped Signs

Unusual shaped sign are signs that are any shape other than a square or rectangle, and include signs with projecting elements or features, round, oval, and triangular signs, signs with more than four sides, signs in the shape of an animal, object, or device, and so forth. For all such signs, the area is calculated by calculating the area of the smallest rectangle that will completely enclose all elements of the sign face and sign structure supporting the face, not including the base, OR ANY OPEN SPACE.

8-7 SAFETY AND CONSTRUCTION STANDARDS

- 8-7.1** Engineering Approval. All signs in excess of 15 feet in height should be constructed according to plans approved by a Georgia registered professional engineer. The sign owner shall produce such approved plans at the request of City of Adel Building Official.

- 8-7.2** Official Confusion. Signs which contain or are in imitation of an official traffic sign or signal are prohibited.
- 8-7.3** Fire Safety. No sign or sign structure may be erected or maintained which obstructs any fire escape, ventilation, or door; nor shall any sign or sign structure be attached to a fire escape.
- 8-7.4** Corner Visibility. No sign or sign structure above a height of four (4) feet shall be maintained within 15 feet of the intersection of the right-of-way lines of two streets, or of a street intersection with a railroad right-of-way.
- 8-7.5** Traffic Visibility. No sign shall obstruct the view of vehicles entering the roadway (i.e., the view of oncoming traffic by vehicles attempting to enter the road).
- 8-7.6** Good Repair. All signs, together with all their supports, braces, guys, and anchors shall be kept in good repair. Any structure formally used as a sign, but not in use for any other purpose, must be removed by the owner of the property within ten (10) days after written notification from a designated official of the City of Adel or thirty (30) days after its use as a valid sign has ceased, after which time, the City may cause the removal of the sign at the owner's expense. (See Code of City of Adel Section 30-124 thru Section 30-128.)
- 8-7.7** Removal of Unsafe Signs and Safety Hazards. The City may remove a sign in violation of this Ordinance, without giving notice to any party, if said sign is upon the public right-of-way or upon other public property; or said sign poses an immediate safety threat to the life or health of any members of the public.

8-8 PROHIBITED SIGNS

The following types of signs are prohibited:

- 8-8.1** Roof Signs (which means signs mounted above a roof or projecting above the roof-line of a structure).
- 8-8.2** Rotating signs.
- 8-8.3** Signs with more than two sides.
- 8-8.4** Flashing, blinking or signs of varying light intensity. Signs with reflective elements that sparkle in the sunlight or that contain luminous paint that glows in the dark are not allowed, including signs that spell words or create images with numerous small lights or other illumination.
- 8-8.5** A-frame, sandwich type, sidewalk or curb signs.
- 8-8.6** Swinging or projecting signs.
- 8-8.7** Portable signs (mobile, trailer).
- 8-8.8** Mural signs or painting on buildings.

8.9 PROCEDURES

8-9.1 Sign Registration and Building Permits

- A) Except as specifically exempted from the provisions of this article, a person or firm may not legally maintain, post, display, enlarge, erect, move, or substantially change a sign that is larger than four (4) square feet, without first obtaining a permit from the Zoning Administrator or his/her designee. Signs using electrical wiring and connections (i.e. illuminated signs), as well as larger signs, will require additional permits under the City of Adel Building Code or Zoning

Ordinance, and the City of Adel Building Official should be contacted regarding such signs.

- B) All parties are advised to consult with the Zoning Administrator to avoid erecting signs that violate this ordinance. No person shall obtain a vested right to maintain a sign that does not comply with this ordinance at the time it is erected. Signs erected in violation of this ordinance shall be removed or reconstructed in compliance with this ordinance.
- (C) Permit applications for conforming signs shall be filed by the sign owner or his/ her agent with the zoning administrator or his/ her designee upon forms furnished by the City. Signs flown in a manner consistent with the Table of Standard Permitted Signs are excluded from the permit requirement.
 - 1. Applications shall contain the following:
 - i) The type of the sign as defined in this ordinance.
 - (i) The value of the sign.
 - (ii) The street address and zoning designation of the property where the sign is to be located.
 - (iii) A site plan drawn to scale, that shows the location of the sign on the lot, including indicating setbacks from property lines and rights-of-way.
 - (iv) The square foot area per sign and the aggregate square foot area if there is more than one sign face.
 - (v) The name(s) and address(s) of the owner(s) of the real property upon which the sign is to be located, along with written consent of said owner(s).
 - (vi) Engineered construction plans for signs exceeding 15 feet in height, showing they are approved by a registered Georgia professional engineer.
 - (vii) Name, address, phone number and business license number of the sign contractor.
 - 2. Fees. No permit shall be issued until the appropriate application, has been filed with the zoning administrator or his/ her designee and permit fees have been paid as adopted by the Mayor and Council and as amended from time to time.
 - 3. The zoning administrator or his/ her designee shall grant a permit upon receipt of a completed application if the proposed sign meets the requirements of this article.
 - 4. Permit expiration. A permit shall become null and void if construction of the sign has not begun within six (6) months from the date of issuance. Issuance of a permit shall in no way prevent the city from later declaring the sign to be nonconforming or unlawful if, with further review of available information, the sign is found not to comply with the requirements of the ordinance applicable at the time that the complete permit application was filed.
 - 5. A violation of any provisions of this article will be grounds for termination a permit granted by the city for the erection of a sign. Should it be determined that a permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a permit has been erroneously issued in violation of this article, the zoning administrator or his/ her designee shall revoke the permit.

No information shall be required regarding the content of the sign. Any person failing to obtain a permit prior to construction shall be subject to citation and, upon conviction, shall be punished in accordance with the enforcement provisions of the City of Adel Zoning Ordinance and applicable law.

8.10 NON-CONFORMING SIGNS

Signs existing legally at the time of the adoption or amendment of this ordinance, but which do not conform to newly adopted or amended provisions of this ordinance solely because of a change in the ordinance, and not because of a change to the sign, may remain as legal non-conforming signs, subject to the following provisions:

- 1) There must be existing property rights in the sign;
- 2) The right to continue a non-conforming sign is confined to the sign owner or his transferee;
- 3) A non-conforming sign may be restored to its original condition provided that not more than 50% of the sign is destroyed. The 50% is to be determined by 50% of the value of the materials of the sign, inclusive of poles and other structural members, immediately prior to damage;
- 4) A non-conforming sign when relocated or moved shall no longer be considered a non-conforming sign and thereafter shall be subject to all the provisions of law and of these Rules relating to outdoor advertising;
- 5) The sign must remain substantially the same as it was on the effective date of the adoption of this ordinance which rendered the sign non-conforming. Extension, enlargement, replacement, rebuilding, adding lights to a non-illuminated sign or re-erection of the sign will be considered a change in the existing use. The maintenance will be limited to:
 - i) replacement of nuts and bolts;
 - ii) additional nailing, riveting or welding;
 - iii) cleaning and painting;
 - iv) manipulate to level or plumb the device, but not to the extent of adding guys or struts for stabilization of the sign structure;
 - v) a change of the message, including changing faces, as long as similar materials are used and the sign face is not enlarged.
- 6) At no time may changes be made in a non-conforming sign which would increase the value of the sign;
- 7) A non-conforming sign may continue as long as it is not abandoned, destroyed, discontinued, or purchased by any governmental agency. Any sign suffering damage in excess of normal wear cannot be repaired without:
 - i) notifying the zoning administrator in writing of the extent of the damage, the reason the damage is in excess of normal wear, and providing a description of the repair work to be undertaken, *including the value of the sign materials and the cost of the repair*; and,
 - ii) receiving written notice from the zoning administrator authorizing the repair work as described above. If said *repair is authorized by the terms of this ordinance*, the zoning administrator shall mail such notice to the applicant within 30 days of receipt of the information described in (I) above.

8.11 DOWNTOWN DEVELOPMENT AUTHORITY (DDA) AREA

Applicability

The standards and guidelines set forth apply to all properties within the DDA area of the City of Adel as indicated. Norfolk Southern R/R on the West to Parrish Avenue on the East.

Third (3) Street on the North to 6th Street on the South and all properties adjacent thereto.

Applications must be received by the DDA for review and competence with recommendations forwarded to the Zoning Official for final determination within 15 days from the date of filing. More than 15 days the application goes forward to the Zoning Administrator with a recommendation of approval.

- 1) All proposed signs consistent with the guidelines state herein shall require review of the DDA and approval by the Zoning Official as outlines in section 8.9 Procedures.
- 2) Signs not consistent with the guidelines stated herein shall be subject to the review of the Adel DDA.
- 3) Signs may not be changed or installed until the DDA has reviewed and the Zoning Official gives approval.
- 4) Many non-conforming signs will exist within the Commercial core of downtown Adel after the guidelines are implemented. The intent of the DDA is to improve the downtown shopping experience for everyone. Therefore, voluntary compliance with these guidelines is highly encouraged for businesses with existing signage.

Purpose

The intent of the sign design guidelines is to accomplish the following:

- 1) Establish reasonable and improved standards for business identification.
- 2) Assist property owners and business owners in understanding city expectations.
- 3) Reduce the time and fees for processing sign approvals.
- 4) Encourage creative and innovative approaches to signage within an established framework.
- 5) Promote economic vitality in the downtown.
- 6) Enhance overall property values and the visual environment in the city by discouraging signs which contribute to the visual clutter of the streetscape.
- 7) Ensure that commercial signs are designed for the purpose of identifying a business in an attractive and functional manner, rather than to serve primarily as general advertising for business.
- 8) Ensure signs on the façade of a building reinforce the existing character and are integrated into the architectural scheme of the building.
- 9) Promote a quality visual environment by allowing signs that are compatible with their surroundings and which effectively communicate their message.

Permitted Signs

The following sign types are permitted in the Downtown Adel Development Area.

- 1) Awning and Canopy Signs
- 2) Projecting Signs
- 3) Hanging Signs
- 4) Plaque Signs
- 5) Restaurant Menu Signs
- 6) Low Profile and Monument Signs
- 7) Tenant Directory Signs
- 8) Temporary Signs
- 9) Street Light Mounted Flags/Banner

Sign Overview

- 1) All signs should be architecturally integrated with their surroundings in terms of size, shape and lighting so that they are complementary to the overall design of buildings.
- 2) Signs should reflect the character of the building and its use.

- 3) Signs should respect the immediate context of the building's location and the overall character of Downtown.
- 4) Signs should enhance the primary design elements or unique architectural features of buildings.
- 5) Signs should be designed with the purpose of promoting retail and street activity while enhancing the pedestrian experience.
- 6) The size of signs and its letters should be located in logical "sign areas" which relate to the patters of the façade.
- 7) The number of signs per building façade should be limited to the fewest necessary to clearly identify businesses located within.
- 8) Signs are not permitted to cover or obscure architectural features of a building.
- 9) Consider the layout and shape of the architectural features of the building when determining the size and location of a sign.
- 10) Design elements such as window patterns (vertical and horizontal rectangles, arches, squares, etc.) will help determine the sign shape that will suit the building.
- 11) All signs are to be maintained properly such that they are always in clean, working donation and the copy is not obscured or damaged.
- 12) New signs proposed for existing buildings shall provide a compatible appreaance with the existing signage of other tenants. Signs should attempt to unify the business with its nearest neighboring tenants.

Placement

- 1) The architecture of the building often identifies specific locations for signs, and these locations should be used.
- 2) The size of signs shall be in proportion to the size of their location.
- 3) Repetitious signage information on the same building frontage should be avoided regardless of the sign area square frontage allowed in the zoning code.
- 4) To minimize irreversible damage to masonry, all mounting and supports should be inserted into mortar joints and not into the face of the masonry. This technique does not damage the surface and allows for easy removal.
- 5) Signs that are replaced on stucco exteriors can result in unattractive "patched" areas. These p0otential maintenance problems shall be addressed during the approval process for the sign replacement.

Multi-Storied Buildings

- 1) Ground floor tenants should place signs at the storefront level.
- 2) Window signs are permitted on upper portions (see guidelines for qualifying signs)
- 3) Signs on the upper façade of multi-storied buildings may be permitted for ground floor tenants.
- 4) Upper story tenant signs shall use window signs not exceeding 15% of the window area.
- 5) Window signs for upper story tenants are permitted if the tenants has an entrance at the sidewalk and a directory sign is located at the ground floor.

Design & Materials

- 1) Exterior materials, finished, and colors should be the same or similar to those of the building or structures on site.
- 2) Signs should be professionally constructed using high-quality materials such as metal, stone, hardwood, brass-plated, and exposed neon.
- 3) Internally lit plastic letters or plastic box signs are discouraged.
- 4) The colors and lettering styles should compliment the building façade and harmonize with neighboring businesses.
- 5) Excessively bright colors or over-scaled letters shall not be used as a means to attract attention.
- 6) Exposed neon tubing may be used in conjunction with other types of materials to artistically emphasize the business name and/or logo and/or the architectural elements of the building.
- 7) The design and alignments of signs of multiple use buildings should compliment each other such that a unified appearance is achieved.
- 8) Signs should respect the zoning district's dominant characteristics.

Sign Lighting

- 1) Arrange any external spot or flood lighting such that the light source is directed away from passersby. The light source must be directed against the sign such that it does to shine into adjacent property or cause glare for motorists and pedestrians.

- 2) Back-lit, halo-lit illumination, or reverse channel letters with halo-illumination are highly encouraged for lighting purposes. Such signs convey a subtle and attractive appearance and are very legible under moderate ambient lighting conditions.
- 3) Signs that use blinking or flashing lights are not permitted.
- 4) Visible raceways and transformers for individual letters are prohibited. Sign installations details shall indicate the location of the transformer and other mechanical equipment.
- 5) Projecting light fixtures used for externally illuminated signs should be simple and unobtrusive in appearance. They should not obscure the graphics of the sign.

Wall Signs

Are to be mounted flush and fixed securely to a building wall, projecting no more than 12 inches from the face of a building wall, and not extending sideways beyond the building face or above the highest line of the building to which it is attached.

- 1) Wall signs should be located on the upper portion of the storefront, within or just above the enframed storefront opening. The length of the sign should not exceed the width of the enframed storefront.
- 2) Wall signs shall be placed within a clear signable area. Signable areas defined as an architecturally continuous wall surface uninterrupted by doors, window, or architectural detail.
- 3) Wall signs shall not exceed 25% of the building façade (the exterior walls of the building exposed to the public view).
- 4) Wall signs shall be mounted in locations that respect the design of a building, including the arrangement of bays and openings.
- 5) Signs should not obscure windows, grillwork, piers, pilasters, and ornamental features. Typically wall signs should be centered on horizontal surfaces (i.e. over a storefront opening).
- 6) Wall signs shall be designed to be compatible with the storefront in scale, proportions, and color.
- 7) Signs should be designed to create a clearly defined edge, provide shadow relief, and a substantial appearance. This effect is generally difficult to achieve by painting the sign directly on the building. For this reason, painted signs are discouraged.

Awnings and Canopy Signs

Are signs that are printed on, painted on, or attached to an awning or canopy above a business floor or window. They generally serve to bring color to the shopping environment and are oriented toward pedestrians from the opposite side of the street.

- 1) Sign lettering and/or logo shall comprise no more than 30% of the total exterior surface of an awning or canopy.
- 2) Awnings and canopies must be permanently attached to buildings.
- 3) The minimum height of awnings shall be 8 feet from the lowest point to the sidewalk.
- 4) Open-ended awnings are preferred.
- 5) Awnings and canopies shall be mounted in the horizontal framing element separating the storefront window from the transom (a crosspiece separating a doorway from a window).
- 6) Awnings shall be mounted on the wood or metal framing within a door or window opening, not on the wall surrounding the opening.
- 7) Awnings with back-lit graphics or other kinds of interior illumination are not permitted.
- 8) Matte finish canvas, glass, or metal are appropriate materials for awning or canopies.
- 9) Awnings with solid colors are preferred. Striped awnings may be appropriate for some buildings without ornamental facades. Striped awnings with highly contrasting bright colors may be visually blaring and inappropriate.

Projecting Signs

Are affixed to the face of a building or structure and project in a perpendicular manner more than 12 inches from the wall surface of that portion of the building or structure to which it is mounted. Projecting signs are strongly encouraged and should be carefully designed to reflect the character of each building and business as well as fitting comfortably with other adjacent signage.

- 1) Projecting signs should not be mounted above the second floor window-sill in multi-storied buildings.
- 2) The design of the sign should consider visually interesting elements such as square or rectangular shapes with painted or applied letter, two or three dimensional symbols or icons, irregular outlines, and/or internal cut-outs.
- 3) Projecting signs shall be small in scale and provide a vertical clearance of 8 feet along pedestrian areas.
- 4) Projecting signs shall be oriented to pedestrians passing on the sidewalk in front of the buildings rather than to automobiles or pedestrians on the far side of the street. This can be achieved by providing a minimum clearance of 12 inches between the building face and sign and maintaining a projection of 36 inches.
- 5) Projecting signs should fit within an imaginary rectangle with a maximum area of 5 square feet.
- 6) Mounting hardware should be an attractive and integral part of the sign design. Simple round pipe brackets with plugged ends or added decorative end elements are generally appropriate for signs. However, metal brackets of a more decorative and complex shape are encouraged where appropriate to add to the character of the building.

Marquee Signs

- 1) Marquee signs are projecting signs attached to or supported by a permanent canopy often made of metal or glass. Marquee signs are to be installed only on buildings occupied by theaters, cinemas, performing arts facilities, or parking structures.
- 2) The sign copy of marquee signs shall be limited to include only the facility's name, and changeable copy related to current and future attractions.
- 3) The facility name portion of the sign shall not exceed 40% of the total sign area and the changeable copy portions of the sign shall not exceed 80% of the total sign area.

Hanging Signs

Are similar to projecting signs except that they are suspended below a marquee or under a canopy. Hanging signs are generally smaller than projecting signs due to their lower mounting height.

- 1) Hanging signs shall be used only at ground floor locations except for upper floor businesses with covered entry porches and balconies.
- 2) Hanging signs shall be treated similar to but smaller than projecting signs.
- 3) Hanging signs, excluding supporting rods, chains or similar hangers, shall fit within an imaginary rectangle with a maximum area of 4 square feet.
- 4) Signs shall be oriented toward the pedestrian and impart a sense of creativity in its design.

Window Signs

Are signs that are painted, posted, displayed or etched on an interior translucent or transparent surface, including windows or doors. This type of signage generally contains only text but in some circumstances can express a special business personality through graphic logos or images combined with color.

- 1) Window signs shall not exceed 15% of the window area so that visibility in and out of the window is not obscured.
- 2) Sign copy shall not exceed 8 inches in height.
- 3) Window sign copy shall be applied directly to glazed area.
- 4) Window signs should be created from high-quality materials such as paint, gold-leaf, or neon. Appropriate techniques for window signs include sandblasting or etched glass.
- 5) Window signs should be applied directly to the interior face of the glazing or hung inside the window thereby concealing all mounting hardware and equipment.
- 6) Well-designed window graphics shall be used in the construction of the sign to attract attention but still allow pedestrians to view store interiors.

Plaque Signs

Are small versions of wall signs that are attached to surfaces adjacent to shop front entries.

- 1) Plaque signs are to be located only on wall surfaces adjacent to tenant entries.
- 2) Plaque signs are to fit within an imaginary rectangle with a maximum area of 2 square feet.
- 3) Limit plaque sign projections from wall surfaces to a maximum of 2 inches.

- 4) Signs are to include the business name and a business logo.
- 5) Plaque signs are encouraged to include unique designs or other visually stimulating decorations and may be irregular in outline and shape.

Restaurant Menu Signs

Are signs that incorporate a menu containing a listing of products and prices offered by the business. Such signs facilitate the customer in locating a restaurant in which to patronize. Therefore, prominently displayed menus with prices and other important information can help the customer in making this decision.

- 1) Restaurant menu signs should be located in a permanently mounted display case on the surface of the building adjacent to the entry. Taping a menu to a box is not an appropriate menu sign.
- 2) For special circumstances in which restaurants occupy a considerable amount window space, menus are to be decoratively displayed in the window adjacent to the entry.
- 3) High quality materials and artistic designs shall be used in the construction of menu signs.
- 4) Restaurant menu signs are not included in the calculation of maximum sign area.
- 5) The allowable are for restaurant menu signs shall be a maximum of 4 square feet.
- 6) Restaurant menu signs shall be appropriate in size, location, and design to the character and architectural detail of the building as well as to the character of the restaurant.

Low Profile or Monument Signs

Are free-standing signs with a lower height configuration. Such signs are usually used for building complexes that are separated from adjacent streets by substantial setbacks.

- 1) Low profile or monument signs do not overhand public property and are supported by two columns, uprights, or have a solid footing in or upon the ground.
- 2) Low profile signs should be constructed out of materials that compliment the building structure and its use.
- 3) Architectural lines which compliment that of the building shall be incorporated, especially with respect to the top of the sign.
- 4) The design of the sign structure and the text should express high quality construction.
- 5) Low profile or monument signs shall be composed of individual lettering that is consistent with the image of the business and the surrounding architectural style.
- 6) Letter heights should not exceed 12 inches.
- 7) Low profile signs must be illuminated wither by external fixtures designed to compliment the appearance of the sign or halo-lit illumination.
- 8) Internal illumination may be permitted and shall be designed such that only text and logos illuminate. Opaque backgrounds are required and shall of a non-reflective material.
- 9) The maximum sign height, including the sign base is not to exceed 6 feet in the downtown development area.
- 10) Low profile or monument signs should only be used when all other alternative types of signage would not provide adequate identification.

Tenant Directory Signs

Are used to identify multi-tenant buildings and businesses that do not have direct frontage on a public street. Tenant directory shall be constructed and oriented to the pedestrian.

- 1) Tenant directory signs shall be mounted flat against a solid wall or incorporated into a freestanding sign located on the property on which the tenants are located.
- 2) The maximum sign height, including the sign base, is not to exceed 6 feet in the downtown development area.
- 3) The sign copy may include the following: building or project name, project logo, address, business tenant names, and suites numbers or letters.
- 4) The letter size of the building name, project name, or logo shall not exceed 4 inches in height. All other copy shall not exceed 2 inches in height.
- 5) Tenant directory signs should be constructed out of materials that compliment both the building structure and its use.

Temporary Signs

Can take the form of banners, window graphics, or as cards integrated with a window display. Temporary signs may contain written messages and should use a simple font that is easy to read.

- 1) Temporary signs shall not cover more than 10% of the total window and door sign area visible from the exterior.
- 2) Temporary signs are to be allowed on the exterior of the business establishment only.
- 3) Temporary signs are permitted to contain no more than 5 square feet of text and should not exceed 10 square feet in size.
- 4) Temporary signs should be made of durable materials and shall not incorporate fluorescent or intensely bright colors.
- 5) Temporary signs are to be displayed for no more than thirty days in a calendar year.

SECTION 9

NONCONFORMANCES

9-1 Nonconforming Lots. Any lot for which a plat or legal description has been recorded in the Office of Superior Court of Cook County at the time of passage of this ordinance which fails to comply with the dimensional requirements for the district in which it is located may, if vacant, be used for any of the uses permitted within the district by this ordinance or, if occupied by a structure containing a conforming use, may have the structure improved, enlarged, or extended; provided that in either case:

- 1) Minimum requirements of the district for front, side, and rear yard setbacks, height, and floor area shall be complied with.
- 2) The lot may be used for duplexes or multi-family dwellings when allowed within the district only if the lot meets the minimum lot area requirements for those uses in the district.
- 3) The requirements of Section 3-22 are met.

9-2 Nonconforming Open Uses of Land. Nonconforming uses consisting of lots used for storage yards, used car lots, auto wrecking, junk yards, golf driving ranges, miniature golf and similar open uses where the only buildings on the lot are incidental and accessory to the open use of the lot and where such use of the land is not permitted to be established hereafter under this ordinance in the district in which it is located, shall be governed by the following restrictions in addition to the other requirements in this ordinance:

- 1) When a nonconforming open use of land has been changed to a conforming use, it shall not thereafter be used for any nonconforming use.
- 2) A nonconforming open use of land shall not be enlarged to cover more land than was occupied by that use when it became nonconforming.
- 3) When any nonconforming open use of land is discontinued for a period in excess of 6 months, any future use of the land shall be limited to those uses permitted in that district under the provisions of this ordinance. Vacancy and/or non-use of the land, regardless of the intent of the owner or tenant, shall constitute discontinuance under this provision.

9-3 Nonconforming Use of Structures. Nonconforming uses consisting of structures used, at the time of passage of this ordinance, for purposes not permitted in the district in which they are located shall in addition to the other requirements of this ordinance be governed by the following restrictions:

- 1) Any existing nonconforming use of a structure shall not be changed to another nonconforming use that generates more automobile or truck traffic, creates more noise, vibration, smoke, dust or fumes, is a more intensive use of structures than the existing nonconforming use, and is in any way a greater nuisance to the adjoining properties than the existing nonconforming use.
- 2) A nonconforming use of a structure shall not be extended or enlarged except into portions of the structure which at the time the use became nonconforming were already erected and arranged or designed for such nonconforming use. No structural alterations shall be made in any structure occupied by a nonconforming use, which would in any way increase the floor space, area, or volume of space occupied by the use, except that the Mayor/Council may, after a public hearing and review of the proposed plan, grant approval if it is determined that said use will not be detrimental to the neighboring properties and is non-contrary to the intent of this ordinance.
- 3) When any nonconforming use of a structure is discontinued for a period in excess of one year, any future use of the structure shall be limited to those uses permitted in that district under the provisions of this ordinance. Vacancy and/or non-use of the building, regardless of the intent of the owner or tenant, shall constitute discontinuance under this provision.

9-4 Nonconforming Signs. (*Refer to Section 8*)

9-5 Reconstruction of Nonconforming Structures. When a nonconforming structure or a structure containing a nonconforming use or nonconforming sign is razed or damaged by fire, flood, wind, or act of God, such structure or sign may be reconstructed as a nonconforming use only if the damage totals less than 50% of the assessed tax value of the structure. Structures which do not conform to the yard requirements of this ordinance shall also be governed by this provision.

9-6 Changes in Zoning. Any nonconformances created by a change in district boundaries or ordinance regulations after the date of passage of this ordinance shall also be governed by the provisions of this section.

9-7 Non-conforming Manufactured Housing. This ordinance prohibits the installation or relocation of manufactured home dwellings that are greater than ten years of age. All manufactured homes greater than ten years of age installed in the City of Adel as of the effective date of this ordinance, and any manufactured homes which are installed in the City of Adel and subsequently become greater than ten years of age, shall be considered valid non-conforming uses provided that they shall be subject to the same restrictions as other non-conforming structures, and shall not be relocated within the City of Adel.

SECTION 10**ADMINISTRATION, ENFORCEMENT, AND PENALTIES**

10-1 Zoning Enforcement Officer. The Building Official is hereby appointed as the Zoning Administrator and it shall be his/her duty to administer and to enforce this ordinance. The Zoning Administrator is authorized to issue building permits, construction permits, certificates of occupancy and any duly authorized legal document or order that affects the use or development of property within the jurisdictional or administrative boundaries of the City of Adel. He is also authorized to issue citations answerable to the Municipal Court of the City of Adel when he detects a violation of the ordinance. He is also authorized to issue subpoenas and take out warrants answerable to the Municipal Court of the City of Adel.

10-2 Building Permit Required. A building permit, or a sign permit in case of a sign, issued by the Zoning Administrator, is required in advance of the initiation of construction, erection, moving, or alteration of any building or structure, including manufactured housing, or sign. No building permit or sign permit shall be issued except in conformity with the provisions of this ordinance; however, a building permit issued before the adoption of this ordinance shall remain valid with the same qualifications as issued under this ordinance.

10-3 Application for Building/Development Permit. All applications for building/development permits, shall be accompanied by two (2) site plans drawn to scale showing the actual dimensions of the lot to be built upon, the size and location of the lot, the number of dwelling units the building is designed to accommodate, the setback lines of the building on the "permit lot", the various easements on the lot and such other information as may be essential for determining whether the provisions of this ordinance are being observed. Applications shall also include construction documents (building plans) along with any other documentation required by the Building/Zoning Administrator. The following is required on the site plan before the site plan is considered by the Zoning Administrator and any permits are approved (single-family residential, duplexes and agricultural buildings, and their accessory uses are excluded from the following items except number 3 below):

1. Topography (MSL) existing and proposed
2. Drainage plans
3. Location and size of ingress/egress
4. Water and sewer mains and services, both existing and proposed
5. Water services as well as fire hydrants in the lot and the specific meter size and location.

Any building/development permit shall become void if the work involved has not begun within six (6) months after the date of issuance of the permit or if the work or development authorized by such permit is suspended or abandoned for a period of six (6) months after the work or development is commenced; provided that extensions of time and periods not exceeding six (6) months each may be allowed in writing by the Zoning Administrator. Any unapproved deviation from the site plan shall cause the Zoning Administrator to not issue a Certificate of Occupancy.

Toilet facilities shall be provided for construction workers, and such facilities shall be maintained in a sanitary condition, that conforms to ANSI Z43.

Building sites and/or work sites must have a dumpster on site (either city furnished, at owner's expense, or by private company), and the site must be maintained in a clean manner.

The applicant for a building permit shall submit a certificate with his application which certifies that the lot which he proposes to develop is a lot of record. When the lot in question does not meet the lot width and lot area requirements of this ordinance, then the applicant shall certify that such lot was a lot of record prior to the adoption of this ordinance or is a lot which has been created through governmental taking of property. In such case, the applicant shall file a copy of the recorded deed showing the date that the property was transferred and the deed recorded, or, in the case of condemnation, the easement or order of taking and survey showing the date and scope of the taking. All applications for a building/development permit shall be closely coordinated with City of Adel's Soil and Sedimentation and Erosion Control Ordinance.

10-4 Sign Permits. The Zoning Administrator shall receive applications for the construction of signs, as required by this ordinance. Such applications shall follow the same forms as required for building permits, and shall contain information required by this ordinance in Section 8. The Zoning Administrator shall process such sign applications and shall issue sign permits and sign permit numbers for proposed signs which comply with the requirements of this ordinance.

10-5 Penalties for Violation. In case any building or structure is erected, constructed, reconstructed, demolished, altered, repaired, moved, converted, or maintained in violation of this ordinance, the offender shall be guilty upon conviction and shall be punished as provided in Section 1-5 of the Code of Ordinances of the City of Adel for each separate offense.

10-6 Remedies. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this ordinance, the Zoning Administrator or any other appropriate authority, or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceedings to prevent the violation in the case of such building, structure, or land.

10-7 Stop Work Order. A demolition, building, or sign permit shall be stopped by the Zoning Administrator when the method of demolition, construction, or use violates any provision contained in these regulations, or any state or local ordinance or resolution. Upon such work stoppage, any further work upon the demolition, construction, alteration, or repair on said building or structure, and any further use of said building or structure or land, shall be deemed a violation. Each and every day such unlawful demolition, construction, alteration, or repair on said building or structure, or further use of said building or structure or land continues shall be deemed a separate offense.

10-8 Certificate of Occupancy. Certificate of occupancy shall be issued by the Zoning Administrator in accordance with the following provisions:

10-8.1 Certificate of Occupancy Required: A certificate of occupancy issued by the Zoning Administrator is required in advance of occupancy or use of:

- 1) A building hereafter erected.
- 2) A building hereafter altered so as to affect height, the side, front or rear yard.
- 3) Any building or premises where a change in the type of occupancy or use will occur.

10-8.2 Issuance of Certificate of Occupancy: Upon payment of any required fees, and completion of the application for Certificate of Occupancy, the Zoning Administrator shall sign and issue a Certificate of Occupancy if the proposed use of land or building as stated on the Certificate of Occupancy is signed thereto by the owner or his/her appointed agent and is found to conform to the applicable provisions of this ordinance and if the building and site plan, as finally constructed complies with the plans submitted and approved for the building permit. One copy of the Certificate of Occupancy issued which contains a statement for the intended use of the applicable property, floor loads, and other pertinent information, signed by the occupant or his/her agent shall be kept on file in the office of the Zoning Administrator; a second copy shall be posted in a conspicuous public place on the premises.

10-8.3 Denial of Certificate of Occupancy: A Certificate of Occupancy shall not be issued unless the proposed use of a building or land conforms to the applicable provisions of this ordinance, and the structure conforms with the applicable provisions of the building code and complies with the sketches or plans submitted for obtaining the building permit.

10-9 House Numbering. It shall be duty of the Building Officials to assign a proper street number (an interim number system if applicable) at the time of the building permit issuance and/or to each house or building within the city and said number shall be posted prior to a residential acceptance or issuance of Certificate of Occupancy. A temporary building number for construction purposes shall be installed in a conspicuous place; where apartments or multi-units are involved, those numbers shall also be posted. It shall be unlawful and a violation of this code for any property owner, after being notified of such number assigned to his/her property by the Building Officials pursuant to this chapter, to have posted or displayed upon his/her property a number different from the number so assigned said

property. If numbers are placed on the residential structure, they must be 4 inches in size or if on a mailbox, they must be three inches in size, and both must be reflective.

10-10 Coordination with Development of Regional Impact Requirements. The Georgia Department of Community Affairs, pursuant to the Georgia Planning Act, has established criteria for the identification of certain large-scale developments, which have the potential to cause land use impacts beyond the boundaries of the respective local government where a project might be proposed. These developments known as Developments of Regional Impact (DRIs) shall be submitted, based on established DCA standards, procedures, and format, to the South Georgia Regional Development Center (SGRDC) for review and recommendation prior to issuance of any local building or development permit, utility tap, or rezoning, whichever occurs first. As such, these requirements establish an official delay in the local permitting and/or review process to allow for compliance with these requirements.

SECTION 11

APPEALS

11-1 Who May Appeal: Appeals to the Mayor/Council may be taken by any person aggrieved or by an officer, department, Mayor/Council, or bureau of the governing authority affected by any decision of the Zoning Administrator. Such appeals shall be filed no later than 30 days after the date of notification of the decision appealed from by filing with the Zoning Administrator and with the Mayor/Council a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Mayor/Council all the papers constituting the record upon which the action appealed from was taken.

11-2 Legal Proceedings Stayed: An appeal stays all legal proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Mayor/Council after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his/her opinion, cause imminent peril to life and property. In such a case, proceedings shall not be stayed otherwise than by restraining order which may be granted by the Mayor/Council or by a court of record on application, on notice to the Zoning Administrator, and on due cause shown.

11-3 Presentation of Evidence: The appellant, and any public agency or private individual shall be entitled to present evidence on matters before the Mayor/Council and said Mayor/Council may request technical service, advice, data or factual evidence from the Planning Commission and the governing authority for assistance in reaching decisions.

11-4 Extent of Mayor/Council' Power: The Mayor/Council may, in conformity with the provisions of these regulations, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination of the Zoning Administrator. The Mayor/Council may direct the issuance of a permit. It shall be the duty of the Zoning Administrator to carry out the decisions of the Mayor/Council.

11-5 Public Hearing.

11-5.1 Notice of Hearing Shall Be Given: Before making its decision on any appeal, request for a variance, or any other matter within the Mayor/Council's purview, said Council shall hold a public hearing thereon. At least 15 days notice of the time and place of such hearing shall be published for two consecutive issues of official legal organ of City of Adel, notice of such meeting shall be sent by Zoning Administrator. At least 15 days notice of the time and place of such meeting shall be sent to the appellant or petitioner by US Mail to his/her last known address, and to the owners of all properties either adjoining the property with which the hearing is concerned or situated directly across a public right-of-way from said property. Such notice shall contain the name of the appellant or petitioner, the date, time, and place set for the hearing, and a brief statement of the nature of the hearing. In addition, the Zoning Administrator shall erect a sign on the subject property. Such sign shall be erected within 10 feet of whatever boundary lines of such land abuts the most traveled road; and if no public road abuts thereon, then such sign shall be erected to face in such a manner as may be most readily seen by the public. The sign shall contain the following information:

- 1) Application number
- 2) Nature of request
- 3) Time, place and date of hearing

11-5.2 Who May Appear: Any party may appear at the public hearing in person or by agent or attorney.

11-5.3 Time Limit on Mayor/Council's Decision: The Mayor/Council shall reach a decision following a public hearing within 30 days.

11-6 Powers and Duties.

11-6.1 Appeals from Actions of the Zoning Administrator: The Mayor/Council shall hear and decide upon appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of these regulations.

11-6.2 Request for a Variance: The Mayor/Council may authorize upon appeal in specific cases such variance

from the terms of these regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations will, in an individual case, result in practical difficulty or unnecessary hardship, so that the spirit of these regulations shall be observed, public safety and welfare secured, and substantial justice done; provided, however, that a variance shall not be granted for a use of land or building or structure that is prohibited by this ordinance in the district in question. Such variance may be granted in an individual case upon a finding by the Council that the following exists:

- 1) there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography and,
- 2) the application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and
- 3) such conditions are peculiar to the particular piece of property involved; and
- 4) relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance; and
- 5) a literal interpretation of this ordinance would deprive the applicant of any rights that others in the same district are allowed; and
- 6) provided that the Mayor/Council may impose or require such additional restrictions and standards as may be necessary to protect the health and safety of workers and residents in the community, and to protect the value and use of property in the general neighborhood; and provided, that wherever the Mayor/Council shall find, in the case of any permit granted pursuant to the provisions of these regulations that any of the terms, conditions, or restrictions upon which such permit was granted are not being complied with, said Council shall rescind and revoke such permit after giving due notice to all parties concerned and granting full opportunity for a public hearing.

11-6.3 Continuance of Nonconforming Use: The Mayor/Council may allow a nonconforming use to be reestablished after discontinuance for 12 consecutive months where it is deemed by the Mayor/Council that:

- 1) The design, construction, and character of the building is not suitable for uses permitted in a district in which nonconforming use is situated; and
- 2) undue hardships to the property owner would result in not allowing the building to be reopened for a nonconforming use; and
- 3) adjacent property would not be unduly damaged by such use of the building; and
- 4) the use is to be identical to the prior nonconforming use of the building.

11-7 Forms. Appeals shall be made on forms provided by the Zoning Administrator, and all information required on said forms shall be provided by the appellant. Forms shall be filed with the Mayor/Council, and the appellant shall pay the Mayor/Council for expenses incidental to the appeal. No form shall be accepted by the Mayor/Council unless it contains all pertinent information and accompanied by a fee necessary to defray expenses. The fee covers all advertising and administrative costs.

SECTION 12

ZONING AND TEXT AMENDMENTS

12-1 General Conditions. These regulations, including the zoning map may be amended by the Adel Mayor/Council (1) on its own motion, (2) on petition, (3) or on recommendation of the Planning Commission but no amendment shall become effective unless it shall have been proposed by or shall first have been submitted to the Planning Commission for review and recommendation. Before creating an amendment to these regulations, the governing authority shall give public notice and hold a public hearing thereon as set forth in this Section.

12-2 Application for Amendment.

12-2.1 General: Applications for amendment of this ordinance may be made in the form of proposals for amendments of the text of this ordinance or proposals for amendment of the zoning map. Applications for amendment shall be on forms provided by the Zoning Administrator, shall be submitted to the Zoning Administrator and shall include a fee set by the Zoning Administrator payable to the city, to defray expenses. A pre-application meeting shall be held with development review staff prior to submittal of the application and these must be scheduled at least four working days in advance. Applications shall be submitted by the 15th day of each month, as an established submittal deadline, in order for the application to be reviewed by the Planning Commission the following month, and advertised and then considered at a public hearing during a subsequent month. Only complete applications will be accepted by the established submittal deadline. No application for a zoning change affecting the same parcel of property or part thereof shall be accepted by the Zoning Administrator until the expiration of at least six (6) months immediately following the defeat of the rezoning request by the Adel Mayor/Council.

12-2.2 Signature of Applicant Required: All applications shall be signed by the applicant or authorized agent, and shall state his/her name and address.

12-2.3 Application for Text Amendment: In the case of a text amendment, the application shall set forth the new text to be added and the existing text to be deleted.

12-2.4 Application for Map Amendment: Applications shall include but not be limited to the following and is the responsibility of the applicant to supply:

- 1) A legal survey plat of the lot in question, with the following data listed:
 - a. Scale of drawing should be 1" = 100' or other more appropriate scale.
 - b. Include a location map on drawing showing landmarks.
 - c. Indicate present zoning of all contiguous property.
 - d. All utility and other easements.
 - e. Depict base flood lines or note that property is not within a flood zone.
 - f. Include north arrow and a graphic scale.
 - g. The distance to the nearest fire hydrant.
 - h. The location and size of existing water and sewer facilities.
 - i. Existing and proposed zoning.
- 2) A conceptual site plan with the following information:
 - a. All existing and proposed site improvements, including all buildings with usages, roadways with names, and all other site improvements relative to the development, whether required or not.
 - b. Name of the applicant.
 - c. The date of the drawing and revision dates as applicable.
 - d. Existing and proposed natural features, including streams and other water resources.

- e. Any additional information as necessary to allow an understanding of the proposed use and development of the property.
- 3) A legal description by metes and bounds of the area proposed for rezoning.
- 4) The area in which the lot proposed to be reclassified is located, the street address, the tax Map/Parcel number(s), and the location with respect to the nearby public streets; and
- 5) The name and address of the owners of the land; and
- 6) The area of land proposed to be reclassified, stated in square feet of less than one (1) acre, and in acres if one (1) acre or more; and
- 7) The application file number, date of application, and action taken on all prior applications filed for the reclassification of the whole or part of the land proposed to be reclassified .
- 8) A list of all current owners of record for properties located immediately adjacent to or directly across a public street or railroad right-of-way from the subject property. The list shall include the current names, mailing addresses, and tax Map-Parcel numbers as reflected on the current tax roll of Cook County.
- 9) Letter of intent which states the nature of the request and the reasons thereof.
- 10) Letter of authorization if the applicant is not the current owner or is one of multiple owners. This shall be notarized and signed by the owner(s) authorizing the applicant to submit and be responsible for the application.

12-2.5 Application for Special Exception Approval: An application for a Special Exception approval shall include the following:

- 1) The community or area in which is located the land proposed to be reclassified and the street number, if any, or if none, the location with respect to the nearby public roads in common use;
- 2) A plat of the land in question, and a description by metes and bounds, bearings, and distances of the land, or if the boundaries conform to the lot boundaries within a subdivision for which a plat is recorded in the land records of the County; then the lot, block, and subdivision designations with appropriate plat reference; or the map and parcel number according to the current tax mapping system of Cook County;
- 3) The present zoning classification and the proposed Special Exception usage proposed for the subject property;
- 4) The names and address of the owners of the land, and the names and addresses of abutting property owners;
- 5) The area of the land proposed to be reclassified stated in square feet if less than one (1) acre, and in acres if one (1) or more;
- 6) The application number, date of application, and action taken on all prior applications filed for the rezoning or Special Exception use of the whole or part of the land proposed for Special Exception use.

12-2.6 Referral to Planning Commission: By the 10th working day of each month, the Zoning Administrator shall transmit a copy of the completed application and accompanying materials to the Planning Commission staff, and other applicable local staff members, for review and recommendation. The Planning Commission staff shall then coordinate the review among applicable staff, and prepare a cumulative report and recommendation to the Planning Commission members. The Planning Commission shall review each application request and shall make a recommendation to Mayor/Council

for either approval or denial.

12-2.7 Notice of Public Hearing

- 1) **Posting of Property:** Not less than 15 days prior to the date set for the public hearing on the application for a map amendment, and pursuant to Chapter 66 O.C.G.A., the Zoning Administrator shall erect at least one notification sign on the land proposed to be reclassified showing the application file number, the present zoning classification, the scheduled date, time and place of the public hearing, and the telephone number to call for more information. Said sign(s) shall be located within 10 feet of whatever boundary line of such land that abuts the street of the advertised address and readily visible to the public. The sign shall remain on the property in the proper location until the public hearing has been held and the governing body has either approved or denied the application. If the land sought to be reclassified lies within more than one block as shown on a plat recorded in the land records of Cook County, then a sign shall be erected on the land in each such block. In the case of two intersecting street frontages (corner lot), a single sign may be placed at or near the corner of the intersection at the Zoning Administrator's discretion. In the case of two or more non-intersecting street frontages, a notification sign shall be placed along each non-intersecting street frontage.
- 2) **Notification of Adjacent Property Owners.** In the case of a map amendment, the Zoning Administrator shall prepare a "notice of public hearing" letter and send a copy by certified mail to each adjacent property owner as described above. The notice shall include the application file number, a map depicting the location of the subject property, the present zoning classification, the proposed zoning classification, the scheduled date, time, and place of public hearing, and the telephone number to call for further information. These notices shall be postmarked not less than 15 days prior to the scheduled date of public hearing. The application shall include an additional fee to defray the expense of preparing and mailing these notices. The accuracy and completeness of the list of property owners shall be the responsibility of the applicant.
- 3) **Newspaper Advertisement.** Not less than 15 days prior to the scheduled date of public hearing, and pursuant to Chapter 66 O.C.G.A., a notice of public hearing shall be published for at least two consecutive issues in a newspaper of general circulation within the City of Adel. Such notice shall state the application file number; and shall contain a summary of the proposed amendment in the case of a text amendment; and the location of the property, its area, owner, or tax assessors map and parcel numbers, the current zoning classification; and the proposed classification in the case of a map amendment.

12-2.8 Public Hearing Process

- 1) **Notice to Interested Parties.** A notice of the date, time and place of the hearing shall be given by the Zoning Administrator to the applicant and the Planning Commission. All application files shall be placed in the custody of the Zoning Administrator, and shall be open to public inspection during regular office hours
- 2) **Hearing Procedure:** All public hearings on zoning matters shall be placed on the Mayor/Council agenda under a section entitled "Public Hearings". After an initial staff presentation of a specific zoning and/or annexation/zoning request by the Mayor/Council or their designated staff, citizens' comments will be heard in an orderly fashion. The Mayor, Mayor Pro-tem or designated council member will ask for those citizens speaking against the request first, followed by those in favor of the issue. All speakers will be asked to provide his or her name and address for the public record. Citizens are requested to keep their comments as brief as possible so that all who wish to be heard will have adequate time. When there are a large number of citizens wishing to testify at a given hearing, the presiding officer may invoke time limitations on speakers. In such cases, these time limits shall apply to both sides of the issue equally, and shall be a minimum of 10 minutes per side. Citizens may address their comments to the Mayor/Council as a whole. Individual attacks or cross examination of Council members, city employees, or other citizens will be ruled out of order. After all citizen comments have been

received, all further discussion of the specific application is reserved for the Mayor/Council. The Council retains the privilege to ask any questions of staff or any citizen present for clarification. The Mayor/Council will then vote on the application.

When in the opinion of the Mayor/Council, the official public hearing has brought forth substantial new evidence not available to the Planning Commission at the time of their hearing, or should the Mayor/Council desire to request further study by the Planning Commission of a particular aspect of an application request, it is the policy of the Mayor/Council to table the matter and request the Planning Commission to restudy the request and affirm or amend its recommendation, which action shall be reported to the Mayor/Council prior to making a final decision.

12-2.9 Standards for Exercise of Zoning Powers: In order to promote the public health, safety, morality and general welfare of the City of Adel against the unrestricted use of property, the recommendation of the Planning Commission, the following standards, and any other factors relevant to balancing the above stated public interest, will be considered by the Mayor/Council in making any zoning decision:

- 1) The existing land use pattern;
- 2) the possible creation of an isolated district unrelated to adjacent and nearby districts;
- 3) the existing population density pattern and the possible increase of the load on public facilities;
- 4) whether changed or changing conditions make the passage of the proposed amendment reasonable;
- 5) whether the proposed change will adversely influence existing conditions in the neighborhood or the community at large;
- 6) potential impacts on the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplains, air quality, and water quality and quantity;
- 7) the costs required of the public in providing, improving, increasing or maintaining public utilities, schools, streets and public safety necessities when considering the proposed change;
- 8) whether the proposed change will be a deterrent to the value or improvement of development of adjacent or nearby property in accordance with existing regulations;
- 9) whether the proposed change is out of scale with the needs of the neighborhood or the City of Adel.
- 10) whether the proposed change will constitute a grant of special privilege to the individual owner as contrasted with the adjacent or nearby neighborhood or with the general public; and
- 11) the extent to which the zoning decision is consistent with the adopted local Comprehensive Plan as determined by the Planning Commission.

12-2.10 Standards for Special Exception Review: In addition to the standards enumerated in subsection (e) above, the following additional standards shall be considered for Special Exception requests:

- 1) Is the type of street providing access to the use adequate to serve the proposed Special Exception use?
- 2) Is access into and out of the property adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and to allow access by emergency vehicles?

- 3) Are public facilities such as schools, water, sewer or other public utilities and police and fire protection adequate to serve the proposed Special Exception use?
- 4) Are refuse, service parking and loading areas on the property located or screened to protect other properties in the area from such adverse effects as noise, light, glare and other negative impacts?
- 5) Will the hours and manner of operation of the Special Exception use have no adverse impacts on other properties in the area?
- 6) Will the height, size or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?
- 7) Provided that the Mayor/Council may impose or require such additional restrictions and standards as may be necessary to protect the health and safety of workers and residents in the community, and to protect the value and use of property in the general neighborhoods.

12-2.11 Public Hearings Records Standards: The City Clerk shall mechanically record the proceedings of all zoning public hearings. If requested by any party, copies of mechanical or electronic recordings, not written verbatim transcripts, can be prepared, but only if requested and purchased in advance by the requesting party. The record of the public hearing and all evidence (e.g., maps, drawings, traffic studies, etc.) submitted at the public hearing shall be noted as such and shall become a permanent part of the particular zoning amendment's file.

12-3 Conditional Zoning: In certain cases where it is deemed that a proposed use is compatible with the surrounding neighborhood but the required zoning would allow uses that are too intensive to mix compatibly with the surrounding area, the Mayor and Council of the City of Adel may, upon recommendation by the Planning Staff and/or the Planning Commission, or on its own initiative, apply certain conditions to a rezoning request in order to allow the proposed use while preserving the purpose and intent of this ordinance. In such cases where conditional zoning is approved, the approval shall be noted as follows: R-20(c), N-C(c), G-B(c), etc. Any uses would be subject to the conditions applied to the rezoning.

12-4 Administrative Map Corrections: In the event that an error is discovered with the Official Zoning Map, the Planning Director, Zoning Administrator, or their representative, may correct the error administratively, provided that the error can be proven and documented. A file must be created including all evidence and documentation as well as a map depicting the zoning prior to and after the correction. Such error correction shall not be considered an amendment.

SECTION 13

LEGAL STATUS PROVISIONS

13-1 Conflict with Other Laws. All previous zoning ordinances of the City of Adel are hereby repealed. All other ordinances or parts of ordinances not specifically in conflict herewith are hereby continued in force and effect, but all such ordinances or parts of ordinances in conflict herewith are hereby repealed. Whenever other ordinances or parts of ordinances require greater restrictions than those required by this ordinance, such ordinances or parts of ordinances shall govern. Whenever other ordinances or parts of ordinances require lesser restrictions, the requirements here within shall govern.

13-2 Separability. If any portion or provision of this ordinance is found unconstitutional, such invalidity shall not affect any other portion of this ordinance.

13-3 Effective Date. This ordinance shall take effect and be enforced from and after its adoption and passage by the Mayor and Council.

Date of Adoption

S/ _____
Mayor, City of Adel, Cook County, Georgia

S/ _____
Clerk, City of Adel, Cook County, Georgia

(SEAL)