

Chapter 18

ZONING ORDINANCE

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**ZONING ORDINANCE
CITY OF COOLIDGE
PREAMBLE**

An Ordinance of the City of Coolidge, Georgia, to regulate the use of land and buildings by dividing the City of Coolidge into districts; defining certain terms used therein; imposing regulations, prohibitions and restrictions governing the erection, construction and reconstruction of structures and buildings and the use of lands for business, industry, residence, social and other specified purposes; regulating and limiting the density of population; limiting congestion on the public street; providing for the gradual elimination of non-conforming uses of land, buildings and structure; establishing the boundaries of districts; and providing the means of enforcing said Ordinance and providing a penalty for violation of said Ordinance, and repeal conflicting ordinances.

ARTICLE I. INTRODUCTION.

Section 18.01 Short Title.

This Ordinance shall be known and may be cited as the “Zoning Ordinance of the City of Coolidge, Georgia”.

Section 18.02 Jurisdiction.

This Ordinance shall apply to all land and structures within the incorporated City of Coolidge, Georgia.

Section 18.03 Authority for Enactment and Purpose.

The Mayor and Council of the City of Coolidge enact this Ordinance under the exercise of powers conferred upon it by the Georgia State Constitution, Section 2-6102 of the Code of Georgia, Article IX, Section II, Paragraph IV.

Section 18.04 Purpose.

The purpose of said Zoning Ordinance is 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 facilitate the public requirements; to conserve the value of buildings and encourage the most appropriate use of land throughout the corporate area, all in accordance with a comprehensive plan, there is hereby adopted and established an Official Zoning Ordinance for the City of Coolidge.

Section 18.05-18.10 Reserved.

ARTICLE II. DEFINITIONS.

For the purpose of this ordinance, certain terms and words are hereby defined. Words used in the present tense include the future; the singular number includes the plural, and the plural the singular; the word "building" includes "structures", the word "may" is permissive and the word "shall" is mandatory.

Accessory Building: A subordinate building or structure on the same lot, or part of the main building, occupied by or devoted exclusively to an accessory use: Accessory buildings shall include storage buildings, tool houses, party houses, bath houses, etc.

Accessory Use: A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

Adult Care Facility: Personal care and supervision in a protective setting for adults outside their own home for which a fee is charged. The program may include the provisions of daily medical supervision, nursing and other health care support, psycho-social assistance, or appropriate socialization stimuli or a combination of these. Adult care is available for those persons who, because of physical and/or mental disability, are not capable of full time independent living.

Adult Entertainment Businesses: Any business such as motion pictures, theaters, mini-motion theaters, erotic dancing, escort services, book stores, etc. characterized by an emphasis on sexual activities.

Agriculture: The commercial cultivation or growth, from or on land, of horticultural or floricultural products.

Alternative tower structure: means clock towers, bell towers, church steeples, light/power poles, electric transmission towers, manmade trees (without accessory buildings/structures), and similar natural or manmade alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Animal Hospital: An establishment for the care, observation and treatment of all domestic animals and livestock. Animal Hospitals may include facilities for both the long term convalescent care of animals and/or commercial boarding of animals.

Antique Mall: A permanently established retail business that not only buys and sells second hand collectable items, but also rents tables, booths, or spaces within the store, which are subject to sales tax and business licenses, to other persons who want to buy and/or sell second hand collectable items.

Antique Store: A retail business that buys and sells second hand items that are generally

considered of value due to the age of the item.

Apartment House: A residential structure containing three (3) or more apartments (independent dwelling units).

Apartment Unit: One or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit in building containing three (3) or more dwelling units.

Automobile Sales and Service Establishment: New and used car, truck, tractor, trailer, boat, recreational vehicle, camper, motorcycle, and other motorized vehicle sales; agricultural implement and equipment; automotive services such as rental car facilities, top and body, paint, automotive glass, transmission, and tire repair shops; car washes, including automated and staffed facilities; and oil change and lubrication facilities.

Bed and Breakfasts: Overnight accommodations and a morning meal in dwelling unit provided to transients for compensation. **Comment:** Bed and breakfasts (B&B) accommodations, differ from rooming and boarding houses in that they are truly transient accommodations, with guests rarely staying more than a few days. In addition, the owner almost always lives in the facility. The impact of a B&B should not be much greater than that of a private home with frequent house guests, with the exception of parking demand.

Boarding House: A dwelling where meals or lodging and meals, are provided for compensation to three or more persons by pre-arrangement for definite periods. A boarding house is to be distinguished from a hotel, motel or a nursing home.

Buffer: A natural or enhanced vegetated area usually intended to screen and separate incompatible uses.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

Building Height: The vertical distance measured from the curb level to the highest point of the roof surface, if a flat roof; to the deck line of mansard roofs; and to the man height level between eaves and ridge of gable, hip, and gambrel roofs.

Building, Principal: A building in which is conducted the primary or predominant use of any lot.

Caretaker or Employee Residence: An accessory residence located inside or addition to the principal structure or use of a parcel of land. Said residence must be occupied by a bona fide caretaker or the owner himself/herself as necessary to the property's orderly operation of safety. Industrialized buildings (modular homes/units) are allowed to serve as a caretaker's residence as long

as the industrialized building (modular home/unit) meets the Southern Building Code Standards.

Carport: A roofed structure providing space for parking or storage of motor vehicles and enclosed on not more than three (3) sides.

Cemetery: A cemetery is an area of land set apart for the sole purpose of the burial of bodies of dead person or animals and for the erection of customary markers, monuments, and mausoleums.

Church: A building or structure or groups of buildings or structures that by design and construction are primarily intended for conducting organized religious services, including temples, synagogues, and other places of worship and their associated accessory uses including but not limited to: schools, meeting halls, indoor and outdoor recreational facilities, day care, counseling, homeless shelters, and kitchens.

Clinic: A professional office where the services of more than one practitioner can be obtained and where patients are examined and/or treated on an out-patient basis and where no over-night accommodations are provided.

Club or Lodge: Buildings and facilities owned or operated by a corporation, association or other established group of person for religious, social, educational or recreational or other like activities on a regular basis for the benefit of its members and not the general public.

Cluster Development: A development design technique that concentrates buildings on a part of the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

Cluster Subdivision: A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under a conventional subdivision or increase in the overall density of development, and the remaining land area is devoted to open space, active recreation, preservation of environmentally sensitive areas, or agriculture.

Collation: The use of a wireless telecommunications facility by more than one wireless telecommunications provider.

Commercial Kennel: Any place where dogs or cats are kept for commercial purposes, including dog breeding business, boarding kennel, profit or non-profit dog and cat adoption agency, profit or non-profit animal sanctuary, profit or non-profit rescue organization; provided however, a commercial kennel shall not include any City animal control shelter, a licensed veterinary hospital, licensed agricultural or non-commercial residential kennel.

Commercial Use: Any activity involving the sale of goods or services carried out for profit.

Conditional Use: A use which with in certain districts specified by this ordinance is not

permitted as a matter of right but may be permitted within these districts by the City Council after the City Council has (1) reviewed that 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 its desirability or undesirability; (2) has found the proposal not be contrary to the intent of this ordinance; and (3) has recommended the use as specified after a public hearing (see Section 18.175, Conditional Uses).

Conditional Zoning: A zoning action by Mayor and Council where special restrictions, limitations and or conditions are placed on a zoning proposal in the interest of public health, safety or general welfare.

Condominium Home: A form of ownership of less than the whole of a building or system of buildings under a statute which provides the mechanics and facilities for formal filing and recording of divided interest in real property, whether the division is vertical or horizontal.

Convalescent Home: A home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders, wherein two or more persons are cared for. Said home shall conform and qualify for license under State laws.

Convenience Store (no gasoline sales): A retail business with primary emphasis placed on providing the public with a convenient location to quickly purchase a wide array of consumable products and services. Generally, the business will: (1) have a building size less than 5,000 sq. feet; (2) provide off street parking and/or convenient pedestrian access; and (3) provide the public with extended hours of operations, many being open 24 hours, seven (7) days per week.

Day Care Facility: There are three (3) types of day care:

a. Family Day Care Homes - means a private residence operated by any person who receives therein for pay for supervision and care fewer than twenty-four (24) hours per day, without transfer of legal custody, three (3) but not more than six (6) children under eighteen (18) years of age who are not related to such persons and whose parents or guardians are not residents in the same private residence.

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

c. Day Care Centers - means any place operated by a person, society, agency, corporation, institution or group wherein are received for pay for group care, for fewer than twenty-four (24) hours per day without transfer of legal custody, nineteen (19) or more children under eighteen (18) years of age, and which is required to be licensed or commissioned by the Department

of Human Resources.

Density: The number of dwelling units developed on an acre of land. As used in this Ordinance, all densities are stated in dwelling units per gross acre. **NOTE:** Gross density includes all the area within the boundaries of the particular area, excluding nothing.

Domestic Pets: An animal is deemed a domestic pet if it can be kept and maintained within the confines of a household dwelling without significant modification to the dwelling and without becoming a nuisance to adjacent land uses.

Drive-In Establishments: An establishment which by design, physical facilities, service or by packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicle.

Drive-In Restaurant: A drive-in restaurant or other drive-in establishment serving food and/or drink so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle.

Dwelling, Duplex: A building either designed, constructed, altered or used for two adjoining dwelling units that are connected by a common walls and/or of two stories by a common floor.

Dwelling Multiple: A building or portion thereof used or designed as a residence for three or more families living independently of each other. This definition includes three-family houses, four-family houses, and apartment houses, but does not include hotels or motels.

Dwelling, Single Family: A building or portion thereof used or designed for use as a residence for a single family.

Family: One or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, or hotel or fraternity or sorority house.

Flea Market: A market at which new and used items are temporarily displayed and sold on rented tables. A flea market may be open or enclosed.

Fowl: For the purposes of this ordinance, "fowl" is defined as follows: ducks; quail; chickens; turkeys; pigeons; and pheasants, etc...

Garage, Repair: Any building, premises, and land in which or upon which a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles is conducted or rendered.

Gas Station/Mini-Mart: Any building or other premises, or portion thereof, used for a combination automobile service station and retail sales of food and other items excluding any

automotive service or repair areas; including but not limited to the sales of consumable products, rental of video tapes, use of self service hot and cold beverage facilities and microwave ovens by customers for purchased food items.

Group Home: A facility or dwelling unit housing persons operating as a group family household. A group care facility may include half-way houses; recovery homes; and homes for orphans, foster children, the elderly, battered children and women. It also could include a specialized treatment facility providing less than primary health care.

Guest House: A building or portion thereof used or designed for uses as a residence, specifically as an accessory use to be the principal building.

Height: When referring to a tower or other structure, means the distance measured from ground level to the highest point on the tower structure or appurtenance.

Historic District: A district or zone designated by a local authority, state, or federal government within which the buildings, structures, and places are of vital importance because of their unique architectural style and history.

Home Occupation: Any use conducted entirely within the dwelling and carried on by the immediate family members thereof, which use is incidental and secondary to the use of the dwelling and does not change the character thereof. (See Section 18.30, Home Occupations)

Impervious Surface: Any material such as asphalt, concrete, etc. which reduces and prevents absorption of storm water into the ground.

Industrialized Building (Modular Home/Unit): A structure or component which is wholly or in substantial part made, fabricated, formed or assembled in or at manufacturing facilities and delivered to a building site for fabrication and installation in such assemblies that all parts or processes cannot be inspected except by disassembly, by the City Building Official but in lieu of such inspection bears an insignia, label or decal issued by the Georgia Department of Community Affairs to certify the unit as to construction and safety standards. **NOTE:** Industrialized buildings do not include manufactured housing.

Ingress: Access or entry.

Junk: Any scrap, waste, reclaimable material, or debris, whether or not stored, for sale or in the process of being dismantled, processed, salvaged, stored, baled, disposed or other use or disposition.

Junk shall include vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood, and lumber.

Junk Yard: Any area, lot, land, parcel, building or structure or part thereof used for the storage, collection, processing, purchase, sale or abandonment of wastepaper, rags, scrap metal or other scrap or discarded goods, materials, machinery or two (2) or more unregistered, inoperable motor vehicles or other type of junk. **NOTE:** Buffers are required for junk yards. (See Article III, Section 18.26 Protective Screenings).

Kennel: Any lot or premises on which three (3) or more dogs, cats, or other animals, four (4) months or more old, are kept either permanently or temporarily for care, breeding or training.

Lattice tower: A support structure constructed of vertical metal struts and cross braces forming a triangular or square structure which often tapers from the foundation to the top.

Livestock: For the purposes of this ordinance, “livestock” is defined as follows: cows; ponies; donkeys; and the like—except horses. Likewise, all animals unable to meet the definition of domestic pets, except horses, are considered livestock.

Loft Dwellings: Loft dwellings are defined as residential dwelling units located on any floor within existing commercial buildings. (See Section 18.94)

Lot Depth: The average distance measured from the front lot line to the rear lot line.

Lot of Record: A lot or parcel of land which has been lawfully recorded by subdivision plat or deed on the public records of the City of Coolidge on or before the date of adoption of this ordinance.

Lot Line: A line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.

Lot Width: The distance between the side lot lines measured at the front lot line.

Manufactured Home: A detached single family dwelling unit, designed for long-term occupancy, which has been prefabricated and then transported to its site or to a sales lot and requires only minor work before occupancy such as connection to utilities or to a foundation. Such units are usually fully equipped and furnished. The manufactured home shall bear an insignia issued by the U.S. Department of Housing and Urban Development (HUD) Certifying that the unit is constructed in conformance with the Federal Manufactured Home Construction and Safety Standard which came into effect on June 15, 1976.

Manufactured Home Parks: Shall mean a licensed business operation which leases spaces for permanent or for temporary occupancy for periods exceeding thirty (30) days for manufactured homes and, under some conditions, travel trailers.

Manufactured Home Subdivision: At least a five (5) acre site which has been primarily

designed for the subdivision of individual lots for manufactured home development.

Mini-Warehouse: A building(s) that contains varying sizes or individual, compartmentalized and control-access stalls or lockers for storing the excess personal property of an individual or family. No business activities other than the rental of storage units shall be conducted on the premises.

Mobile Home: A structure, transportable in one or more sections which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length; when erected on site is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, haring, air-conditioning, and electrical systems contained therein; and which has NOT been inspected and approved as meeting the requirements of the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401-5445). Mobile homes were manufactured prior to June 15, 1976 and do not met current building codes. In order to protect the health, safety and welfare of the citizens, mobile homes as herein defined shall not be place in the city of Coolidge unless they can be proven to meet current building and safety codes.

Modular Home: A factory-fabricated single family dwelling which is contracted in one or more sections. These unites are manufactured in accordance with the Georgia Industrialized Building Act and the rules of the Department of Community Affairs issued pursuant thereof. Each unit must bear a seal of approval issued by the Commission of DCA.

Monopole: A support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.

Non-Conforming Structure or Building: Any structure, including an accessory structure legally existing prior to the effective date of this Ordinance which does not conform to the requirements of this Ordinance. A structure or building, the size, dimensions, or location of which was lawful prior to the adoption, revision, or amendment to the Zoning Ordinance but that fail by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district (see Article XIII).

Non-Conforming Use: A use or activity that was lawful prior to the adoption, revision or amendment of the Zoning Ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district (see Article XIII).

Nursing Homes: A facility that admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision. It maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be responsible for the general medical and dental supervision of the home. It otherwise complies with the rules and regulations contained in Chapter 290-5-8: Nursing

Homes (Rules of the Georgia Department of Human resources) as same hereafter may be amended.

Open Air Business Uses: Open air business uses shall include the following:

- a. Retail sale of trees, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment.
- b. Retail sale of fruit and vegetables.
- c. Miniature golf, golf driving range, children's amusement park or similar recreation uses.
- d. Bicycle, trailer, motor vehicles, boats or home equipment sales, service or rental services.
- e. Outdoor display and sale of garages, swimming pools and similar use.
- f. Outdoor display and sale of items not suitable for indoor sales.

Open Space: Land devoted to conservation or recreational purposes and/or land designated by a municipality to remain undeveloped (may be specified on a zoning map).

Permitted Use: Those uses specifically listed in a district which are permitted by right, not to include the non-conforming use or conditional use and subject to the restrictions applicable to that zoning district.

Personal Service: Establishments primarily engaged in providing services involving the care of a person or his or her apparel, for example, laundry, photographic studios, beauty shops, shoe repair, health clubs, clothing rental, etc.

Planned Unit Development: A Planned Unit Development is a single parcel of land within which a number of buildings are located or intended to be located in accordance with an overall plan of design and not in relation to a prearranged pattern of land subdivision. Examples of a Planned Unit Development (P.U.D.) include a complex of apartment buildings or a commercial shopping center. A comprehensive development plan for such a project shall be submitted to the Mayor and Council for their review and approval.

Plat, Sketch: A concept, informal map of a proposed subdivision or site plan of sufficient accuracy to be used for the purpose of discussion and classification.

Pre-existing towers and antennas: means structures as set forth in Section 18.207.

Principal Use: The primary or predominant use of any lot or parcel.

Property Line: A line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.

Quick-Service Food Store (QSR): Any building which is used for the retail sale of food or food and other items. This may be the combination of the gas station/mini-mart as well as the addition of fast food restaurants.

Residential Industrial Buildings: An industrialized building that is a dwelling unit designed and constructed in compliance with the Georgia State Minimum Standard One and Two Family Dwelling Code which is wholly or in substantial part, made, fabricated, formed, or assembled in a manufacturing facility and cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. Any such structure shall not contain a permanent metal chassis and shall be affixed to permanent load-bearing foundation. The term shall not include manufactured homes as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

Right-of-Way: A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, and/or other similar uses.

Service Station: Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of vehicular fuels; minor servicing and repair of automobiles, aircraft or boats, and including the customary space and facilities for the installation of such commodities on or in such vehicles; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar other operating commodities and accessories for motor vehicles. **NOTE:** Temporary storage of vehicles shall not exceed 48 hours.

Setback: The minimum horizontal distance between the street property line, rear or side property lines of the lot, and the front, rear or side lines of a building. The term required setback means a line beyond which a building is not permitted to extend under the provisions of this ordinance establishing the minimum depths and widths of yards.

Sign: Any surface, fabric or device bearing lettered, pictorial or sculptured matter designed to convey information visually and exposed to public view; or any structure including billboard or poster panel designed to carry the above visual information. The following is a description of different signs that can be used:

Site Plan: The development plan for one (1) or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, flood plains, wetlands, and waterways; landscaping and open spaces; walkways; means of ingress and egress; circulation; utility services; structures and buildings; signs and lighting; berms, buffers, and screening devices;

surrounding development; and any other information that reasonably may be required in order that an informed decision can be made by approving authority.

Spot Zoning: Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and that does not further the comprehensive land use plan.

Street: A public right-of-way dedicated for vehicular traffic by the general public whether designated as a highway, street, road, avenue, lane or circle.

Structure: Anything constructed or erected, the use which requires more or less permanent location on the ground, or which is attached to something having more or less permanent location on the ground.

Subject Property: The property for which an applicant makes and application under these regulations.

Telecommunication: The technology which enables information to be exchanged through the transmission of voice, video, or data signals by means of electrical or electromagnetic systems.

Thrift Store: A retail business that operates from the resale of used household items that are donated or purchased at a very low rate. These items may be new or used.

Townhouse: One (1) of a group of two (2) or more attached single family residences. Each townhouse unit is separated from the adjoining unit or units by an approved fire wall or walls. Fire walls shall be located on the lot line. The town house is located on its own approved, recorded "lot".

Travel Trailer: A motorized camper, converted bus, tent-trailer or other similar vehicular or portable structure used or designed for temporary portable housing or occupancy while on vacation, recreation or other trips which provide sleeping accommodations.

Travel Trailer Parks: Travel trailer park where the principal use is for overnight tourists, or for vacationers whose stay will not exceed 140 days.

Undue Hardship: A condition which shall be considered to exist only when one (1) or more of the following apply to a particular piece of property, and such condition has not been created by action of the property owner.

- a. The owner cannot comply with the provisions of this ordinance without violating some other ordinance or sections of this ordinance.
- b. The provisions of this ordinance create for the property owner a peculiar condition not common to other nearby property owners.

c. A conforming use or requirement is incongruous with the remainder of the area in which the property is located.

d. The topography of the land or shape of a particular lot precludes a conforming use.

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 particular property and not the result of any action of the applicant, a literal enforcement of this Ordinance's requirements would result in unnecessary and undue hardship (See Section 18.176).

Veterinary Clinic: A commercial facility for the diagnosis, medical treatment and/or short-term hospitalization of pet animals. Commercial boarding is possible provided that offsite impacts are strictly mitigated to the satisfaction of both Planning and Zoning and City Councilors.

Visual quality: means the appropriate design, arrangement and location of tower structures in relation to the built or natural environment to avoid abrupt or severe differences.

Wireless telecommunications antenna: The physical device through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.

Wireless telecommunications equipment shelter: The structure in which the electronic receiving and relay equipment for a wireless telecommunications facility is housed.

Wireless telecommunications facility: A facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.

Wireless telecommunications tower: A structure intended to support equipment used to transmit and/or receive telecommunications signals including monopoles, guyed and lattice construction steel structures. This term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telecommunication towers, manmade trees (with accessory buildings/structures) and other similar structures.

Zero Lot Line: The location of a building on a lot in such a manner that one (1) or more of the building's sides rest directly on a lot line.

Zoning Administrator: The Administrative Officer designated by the City to administer the Zoning Ordinance.

ARTICLE III. GENERAL PROVISIONS.

In addition to the other requirements, the use of land shall be subjected to the following general provisions:

Section 18.11 **Conflicting Regulations.**

Whenever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, the provision of this Ordinance shall govern.

Section 18.12 **Scope.**

No building or structure or part thereof, shall hereinafter be erected, constructed, reconstructed, or altered and maintained, and no new use or change shall be made or maintained of any building, structure or land, or part thereof, except in conformity with the provisions of this Ordinance.

Section 18.13 **Street, Alleys, and Railroad Right-of-Ways.**

All streets, alleys and railroad right-of-ways, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting such streets, alleys or railroad right-of-ways. Where the center line of a street or alley serves as a district boundary, the zoning of such street or alley, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

Section 18.14 **Permitted Uses.**

No building or structure shall be erected, converted, enlarged or structurally altered; nor shall any building, structure or land be used, designed or arranged for any purpose other than is permitted in the zoning district in which the building or land is located.

Section 18.15 **Permitted Area.**

No building or structure shall be erected, converted, enlarged, reconstructed or structurally altered, except in conformity with the area regulations of the district in which the building is located.

Section 18.16 **Permitted Height.**

No building or structure shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit hereinafter established for the district in which the building or structure is located, except that penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building and fire

or parapet walls, skylights, towers, steeples, stage lofts and screens, flag poles, chimneys, smokestacks, individual domestic radio and television aerials and wireless masts, water tanks or similar structures may be erected above the height limits herein prescribed. No such structure may be erected to exceed by more than fifteen (15) feet the height limits of the districts in which it is located; nor shall such structure have a total area greater than twenty-five (25%) percent of the roof area of the building; nor shall such structure be used for any residential purpose or any commercial or industrial purpose, other than a use incidental to the main use of the building. The erection of radio and television transmitting, relay or other types of antenna towers, where permitted, shall abide by the regulations set forth in Sections 18.27 or 18.34.

Section 18.17 **Only One Dwelling Per Lot.**

Only one (1) dwelling and its customary accessory structures shall hereafter be placed or erected on any residential lot, except within the PUD zoning districts. Within the PUDs and R-2 districts site development plans will be reviewed by the Mayor and Council and approved by the Mayor and City Council.

Section 18.18 **Substandard Lots.**

Any residentially zoned lot which was of record at the time of the adoption of this Ordinance that does not meet the requirements of this Ordinance for yards or other area or open space, may be utilized for single residence purposes, provided the area for such yard or court in width, depth, or open space is not less than seventy-five (75%) percent of that required by the terms of this Ordinance, excepting that vacant lots having in the aggregate a continuous frontage of one hundred twenty (120) feet or more shall not be subject to this exception. The purpose is to permit utilization of recorded lots which lack adequate width or depth as long as reasonable living standards can be provided.

Section 18.19 **Frontage.**

Every principal residential dwelling shall front a public street, except that in the case of the planned unit developments in the R-PUD multiple residential zone.

Section 18.20 **Site Distance at Intersections.**

In all Zoning Districts, other than the C-2 Central Business District, no fence, wall, hedge or shrub planting which obstructs the site lines at elevations between two (2) and twelve (12) feet above the roadways shall be placed on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines (some uses maybe grand fathered).

Section 18.21 **Reduction of Lot Area Prohibited.**

No lot shall be reduced in size so that lot width, yard requirements, lot area per dwelling unit, or other requirements of this Ordinance are not maintained.

Section 18.22 **Accessory Buildings.**

Accessory buildings, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

- a. Where the accessory building is structurally attached to a main building, it shall be subject to and must conform to all regulations of this Ordinance applicable to main or principal buildings.
- b. Accessory buildings, except garages, shall be erected in any required yard except a front yard, providing further that in no instance shall such a building be nearer than three (3) feet to any adjoining side lot line or rear lot line.
- c. An accessory building shall not exceed the height of the primary structure.
- d. In the case of double frontage lots, accessory buildings shall observe front yard requirements on both street frontages wherever there are any principal buildings fronting on said streets in the same block or adjacent blocks.
- e. When an accessory building is to be located on a corner lot, said building shall not project beyond the front yard line required on the lot of such corner lot.
- f. Garages/Carports. In any residence zone, no garage or carport shall be erected closer to the side lot line than the permitted distance for the dwelling, unless the garage or carport shall be completely to the rear of the dwelling in which event, the garage or carport may be erected three (3) feet from the side and rear lot line.

Section 18.23 **Animals in Residential Districts.**

- 1. PERMITTED USES
 - (a) Domestic Pets: Domestic pets, as defined in Article II, may be kept in all residential districts provided they are not kept for commercial or breeding purposes or in such a manner that creates a nuisance.
- 2. CONDITIONAL USES
 - (a) Horses: Horses may be kept in the Agricultural District upon approval

of the Mayor and Council of the City of Coolidge. The standards for keeping horses in the Agricultural District are as follows:

- (1) Residents within the Ag District may keep one horse for every two acres of property;
- (2) Horses kept in the Ag District shall be for personal use and enjoyment only--commercial sale or breeding is prohibited; and
- (3) Horses may be kept no closer than seventy five (75) feet from any adjoining property line or one hundred (100) feet from an adjoining dwelling.

~~***No fowl or livestock may be kept or maintained in any residential district except as allowed in Chapter 4 of this code.***~~

Section 18.24 Prohibited Uses in all Residential Districts.

- a. It shall be prohibited use in all residentially zoned districts including manufactured home parks to park or store wrecked or junked vehicles, power driven construction equipment, used lumber or metal, or any other miscellaneous scrap or salvageable material in large quantities that exceed those needed for the homeowner use.
- b. Tractor-trailer combinations, tractors, trailers or buses shall not be placed or stored in residentially zoned districts.
- c. Commercial Kennels.
- d. Commercial ingress and egress will not be permitted in any residentially zoned districts.

Section 18.25 Service Stations (Public Garages), Gas Stations/Mini-Marts, and Quick Service Food Stores (QSRs).

In order to regulate and control the problems of noise, odor, light, fumes, vibrations, dust, danger of fire and explosion, and traffic congestion which result from the unrestricted and unregulated construction and operation of service stations, gas stations/mini-marts, and QSRs and to regulate and control the adverse effects which these and other problems incidental may exercise upon adjacent and surrounding areas, the following regulations and requirements are provided herein for service stations, gas stations/mini-marts, and QSRs located in any zone. No service station, gas station/mini-marts, or QSRs existing on the effective date of this Ordinance shall be structurally altered so as to provide a lesser degree of conformity with the provisions of this section than existed

on the effective date of this Ordinance.

a. A service station, gas station/mini-mart, or QSR shall be located on a lot having a frontage along the principal street of not less than one hundred fifty (150) feet, and having a minimum area of not less than fifteen thousand (15,000) square feet.

b. A service station building housing an office and/or facilities for servicing, greasing and/or washing motor vehicles shall be located not less than forty (40) feet from any street lot line, and not less than ten (10) feet from any other lot line.

c. For commercial driveways when one or more driveway serves a given frontage, no single approach shall exceed (50'). When a commercial establishment controls (75') or more of street frontage, the number of driveways shall be limited to two for the first (75') or part thereof and not more than one additional driveway for each additional (75'). No portion of a driveway shall be less than (10') away from the property line not located at an intersection. When only one lane of traffic is provided in a single driveway, the width of a driveway approach shall not exceed (20').

d. A raised curb six (6) inches in height shall be erected along all street lot lines, except for driveway openings.

e. The entire lot, excluding the area occupied by a building, shall be hard surfaced with concrete or a plant-mixed asphalt material or if any part of the lots is not so surfaced, then that area shall be landscaped and separated from all surface areas by a low barrier or curb.

f. All lubrication equipment, motor vehicle washing equipment, hydraulic hoists and pits shall be enclosed entirely within a building. All gasoline pumps shall be located not less than fifteen (15) feet from any lot line, and shall be arranged so that motor vehicles shall not be supplied with gasoline or services while parked upon or overhanging any public sidewalk, street or right-of-way.

g. A service station, gas station/mini-mart or QSR located on a lot having an area of fifteen thousand (15,000) square feet shall include not more than eight (8) dispensing nozzles and service stations may include up to two (2) enclosed stalls for servicing, lubricating, greasing and/or washing motor vehicles. An additional two (2) dispensing nozzles for service stations, gas stations/mini-marts, and QSRs and one (1) enclosed stall for service stations may be included with the provision of each additional two thousand (2,000) square feet of lot area. Such operations must incorporate such runoff mitigation and drainage as determined by the City Engineer or designee.

h. Where a service station, gas station/mini-mart, or QSR adjoins any property located in any residentially zoned districts, or is separated from any such property by a public alley only, a landscaped greenbelt, fencing, or wall shall be provided and maintained by owners of said service station, gas station/mini-mart or QSR as spelled out in Section 18.26, Protective Screenings.

- i. All exterior lighting, including illuminated signs, shall be erected and hooded or shielded so as to be deflected away from adjacent public and private property.

Section 18.26 Protective Screening (Applicable to new construction).

All planting plans shall be submitted to the Zoning Administrator for approval as to suitability of planting materials and arrangement thereof in accordance with the provisions of this Ordinance.

A. RESIDENTIAL BUFFERS.

In order to provide adequate protective screening for residential areas adjacent to or near non-residential areas, the following regulations shall apply:

Adjacent Residential Property. Where an Industrial or Commercial District abuts directly upon a residentially zoned district, a landscaped greenbelt, fencing, or wall shall be provided and maintained by owners of said manufacturing or commercial properties as deemed appropriate by and approved by the Zoning Administrator. The following regulations and specifications for Protective Screening shall apply:

1. Landscaped Greenbelt - Such greenbelt shall not be less than six (6) feet wide and shall be planted with deciduous trees, evergreens, flowering trees or ornamental trees.
2. Fencing - The fencing shall be opaque and made of any of the following types of materials: Clear heart redwood, heart cypress, red cedar, or treated Southern yellow pine or other suitable like materials. Such fencing shall be at least six (6) feet in height.
3. Wall - The wall shall consist of brick, stone or other suitable-like materials and shall be at least six (6) feet in height.

B. JUNKYARD BUFFERS.

1. No junk yard shall be permitted closer than four hundred (400) feet to any R-1, R-2, R-PUD, district or within one thousand (1000) feet of a religious establishment and,
2. A fence or wall, not less than eight (8) feet, shall be provided around the perimeter of said junk yard. Such fencing or wall shall be opaque and constructed of wood (as defined in Section 18.26, Part A, Number 2) or masonry. Such fencing or wall shall be used to shield contents of said junk yard from view of public streets or adjacent

areas. Fences or walls shall be property maintained at all times; and,

3. No operations shall be conducted within junk yards which may cause a nuisance or endanger the public health; and,
4. There shall be no temporary or permanent storage at a junk yard of vehicles or junk outside of the fence or wall required (See Section 18.26, Part B. Number 2), nor shall there be any cars of junk piled higher than seven (7) feet in height.
5. All junk yards which are in existence on the effective date of this Ordinance, shall be required to meet all the conditions set forth in Section 18.26, Part B, Numbers (2), (3), and (4) above within one (1) year from the effective date of this Ordinance.

Where the development of manufactured commercial property or the establishment of a junk yard requires a buffer zone to protect the surrounding properties, said buffer zone should be depicted on plat and/or recorded on deed of said property.

Section 18.27 **Radio, Television Stations.**

All commercial radio, television and other transmitting or relay stations shall be allowed as either a permitted or conditional use in any commercial (except C-1) or industrial district.

Section 18.28 **Zoning of Annexed Areas.**

The Mayor and City Council shall make a study of any property proposed for annexing into the City of Coolidge.

If the annexation is requested by anyone other than the City of Coolidge, the applicant will pay the appropriate fees for a zoning petition.

1. Zoning of property to be annexed may begin after the jurisdiction currently governing the property is notified in writing of the proposed annexation.
 - (a) A zoning public hearing must be conducted prior to the annexation of the subject property into the City.
 - (b) A notice of the zoning public hearing must be published in a newspaper of general circulation and a sign shall also be placed on the property to be annexed and zoned in accordance

to Article XVI, Section 18.174.

2. The zoning classification approved by the City following the required public hearing shall become effective on the later of the following two (2) dates:
 - (a) The date the zoning is approved by the City; or
 - (b) The date the annexation becomes effective pursuant to Code Section 36-36-2.

Section 18.29 **Storm Water Control.**

The Zoning Administrator shall review and approve a storm water drainage plan for all classes of construction and property development prior to the issuance of any permits. The plan must include the following as a minimum:

1. Provisions for storm water retention, if required by the terms of this ordinance.
2. Plans for the controlled release of retained storm water into the Coolidge storm water drainage system, (The rate of release cannot exceed predevelopment flow rates from the property being developed.)
3. A topographic map of the property or sufficient spot elevations on the plan at critical points to confirm direction of storm water flow before and after development. Finished floor elevations must be shown.
4. The approximate limits of any flood zone encroaching onto the property or a written statement that no part of the property is in a flood zone.
5. Sizes of all existing and proposed storm water facilities on or near the property which will be used to drain the property. Calculations to support the sizing of all drainage structures shall be submitted simultaneously with the drainage plan.
6. If the property to be developed is contiguous to a State route or proposes to use a State Department of Transportation (DOT) drainage system for storm water disposal, written evidence of coordination with DOT and copies of all DOT permits must be provided with the storm water plan.

The above notwithstanding, a storm water plan shall not be required on:

- (a) A single family residential lot of one (1) acre or less unless that lot is contiguous to a larger tract, which in the opinion of the Mayor and City Council is likely to be developed in the near future. In this latter case, the Mayor and City Council, at their discretion, may require a drainage plan for the entire tract.
- (b) New construction, where the total area to be paved and/or to be covered by roof is less than 6,000 square feet. If, however, the property abuts a state right-of-way, written evidence of coordination with DOT will be required.

The developer must bear all costs associated with management of storm water on the property to be developed.

Section 18.30 **Home Occupations.**

The following regulations shall apply for home occupations:

- 1. No internal or external alterations or construction features, equipment, machinery, or outdoor storage not customary in residential uses.
- 2. No article or service is sold or offered for sale on the premises, except such as is produced by such occupation.
- 3. Barber shops, beauty parlors, tanning bed salons, and other similar uses as interpreted by the Mayor and City Council shall not deemed as home occupations.
- 4. Any violations of aforementioned regulations shall be cause for revocation of home occupation permit after giving due notice to all parties concerned and granting full opportunity for a hearing.

Section 18.31 **Property Divided by a Zoning District.**

Where a zoning district divides a lot, tract or parcel of land at the time such district boundary is established, the use classification of the less-restricted district may be extended to the property line, but shall not be extended more than a distance of one hundred (100) feet without the permission of the Mayor and City Council.

Section 18.32 **Development of Regional Impact Threshold Review.**

Developments of Regional Impact are large development projects that are likely to create impacts in other local jurisdictions. The City of Coolidge will comply with State intergovernmental review procedures relating to new developments proposed within the City which meet or exceed the minimum thresholds identified in the Department of Community Affairs' Procedures and Guidelines for the Review of Development of Regional Impact (DRI).

Section 18.33 **Modular Office Units.**

Modular office units will be permitted uses only in the C-2 and I Zoning Districts with the following restrictions:

- a. All modular office units will be placed on a permanent foundation; and,
- b. All modular office units will be oriented to parallel the public streets on which the office fronts; and,
- c. Required to meet the International Building Codes.

*Mobile homes may not be used as an office except when used for the sale of manufactured housing by a manufactured home dealer.

Section 18.34 **Telecommunication Antennas and Towers.**

The purpose of this section is to establish standards and regulations for the siting of antennas and towers.

- a. All siting of antennas and towers will be required to submit site plans to the Mayor and City Council.
- b. Each applicant for an antenna and/or tower shall provide an inventory of existing towers that are either within the City limits of Coolidge or within one-quarter mile of the border thereof, including specific information about the location, height, and design of each tower. Applicants are strongly encouraged to co-locate on existing towers. In cases where antenna/or towers already exist within the proposed service area, applicants must document and submit to the governing body evidence of their inability to co-locate on existing towers.
- c. The following shall govern the location of all towers and the installation of all antennas. If, in the opinion of Mayor and City Council, these requirements would serve no good purpose, the Mayor and Council may waive such requirements.

- 1. Towers shall either maintain a galvanized steel finish or, subject to any

applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness.

2. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend with the tower facilities to the natural setting and built environment.
3. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
4. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.

d. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within ninety (90) days of receipt of notice from the governing authority notifying the owner of such abandonment. If such antenna or tower is not removed within said ninety (90) days, the governing authority may, in the manner provided in Sections 41-2-8 through 41-2-17 of the Official Code of Georgia, remove such antenna or tower at the owner's expense. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

Section 18.35 **Conditional Zoning.**

The City Council may change, modify or otherwise impose specific conditions on any approved zoning decision which said conditions would be in the interest of public health, safety or general welfare.

Section 18.36 **Swimming Pools.**

All swimming pools within the City of Coolidge shall comply with the following:

a. Construction Plans. Applications for a permit to construct a swimming pool shall be submitted to the Zoning Administrator.

b. Pool Locations. A swimming pool shall not be constructed within the required front yard of any lot that is located in a residential district. A swimming pool shall not be located closer

than ten (10) feet to the rear lot line or to an interior side lot line. Swimming pools may be placed within a required side yard as long as appropriate set-backs are maintained.

c. In commercial zoning districts, swimming pools may be located within any required yard, but shall have a setback of ten (10) feet from the front lot line or from any lot line abutting a residential zoning district.

d. Accessory Building. Pool houses shall comply with all of the requirements given for “accessory buildings” in Section 18.22.

e. Fencing. Inground swimming pools shall be enclosed by a fence that is at least four (4) feet in height. The fencing shall be located in such a manner that it does not obstruct visibility at road intersections.

f. Exemptions. The Mayor and City Council may on a case by case basis, exempt “portable swimming pools” from the requirements of this Ordinance.

Section 18.37 Residential Industrial Buildings.

a. **Definitions.** As used herein, the term Residential Industrial Building shall have the meaning as set forth in O.C.G.A. § 8-2-111 and any amendment thereto, as follows: any dwelling unit designed and constructed in compliance with the Georgia State Minimum Standard One and Two Family Dwelling Code which is wholly or in substantial part made, fabricated, formed, or assembled in a manufacturing facility and cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. Any such structure shall not contain a permanent metal chassis and shall be affixed to a permanent load-bearing foundation. The term shall not include manufactured homes as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et. Seq. All other terms contained herein shall have the definition contained within O.C.G.A. § 8-2-111, to the extent defined therein.

b. Applicability. To the extent required by O.C.G.A. § 8-2-112, and notwithstanding any other provision contained within this Zoning Ordinance, Residential Industrial Buildings shall not be excluded from any residential district solely because the building is a residential industrialized building or otherwise meets the definition contained herein.

Section 18.38 - 18.40 Reserved.

ARTICLE IV. LIST OF ZONING DISTRICTS.

Section 18.41 **Districts.**

The City of Coolidge is hereby divided into eight (8) classes of zoning districts known as follows:

R-1	Single Family Residential District
R-2	One, two, and Multi-Family Residential District
R-PUD	Residential Planned Unit Development District
C-1	Neighborhood Commercial District
C-2	Central Business District
I	Industrial District
MHP	Manufactured Home Park District
AG	Agricultural District

Section 18.42 **Limited Use (L.U.) Provision.**

The City of Coolidge establishes the “Limited Use” Provision for the purpose of allowing an applicant to request that a certain property be classified as a limited use. In some areas of the City, a particular land use activity selected out of a general zoning classification may have less community impact than some of the other uses within that classification. For this reason, an applicant may request a rezoning permit to limit the use of a proposed property to a specified use only (i.e., C-1-LU.). To wit: Neighborhood Commercial District limited to a “Beauty Shop”. The limited use must be among the uses permitted in the zoning district for which the limited use is taken. In the event that the conditions are violated for which limited use zoning was granted, the Mayor and City Council shall temporarily rescind and revoke the limited use zoning designation. Furthermore, the Mayor and City Council shall call a hearing, according to the standards of Article XVI, Section 16.13, for the purpose of rezoning the subject property.

Section 18.43 **Official Zoning Map.**

The boundaries of these districts are shown on the map which is designated as the Official Zoning Map of the City of Coolidge. The official Zoning Map is on file at the office of the Zoning Administrator and all notations, references and other information shown thereon are a part of this Ordinance and have the same force and effects as if said Zoning Map and all such notations, references and other information shown there were fully set forth or described herein.

Except where reference on said Zoning Map to a street or other designated line is made by dimensions shown on said Map, the district boundary lines follow lot lines of the center lines or the streets or alleys, or such lines extended and the corporate limits of the City of Coolidge as they existed at the time of adoption of this Ordinance. Where uncertainty exists with respect to the boundaries of any zoning district as shown on the Zoning Map, the Mayor and City Council shall

rule on such boundaries.

Sections 18.44 - 18.50

Reserved.

ARTICLE V. R-1, SINGLE FAMILY RESIDENTIAL DISTRICT.

Section 18.51 **Statement of Purpose.**

This Single Family Residential District is established as a district in which the principal use of land is for low density single family dwelling units. For the R-1 single family residential district, the specific intent is:

- a. To encourage the construction of and the continued use of the land for low density single family residential development within the City.
- b. To discourage land uses which would generate traffic on minor or local streets, other than normal traffic to serve the residences on those streets.

Section 18.52 **Permitted Uses.**

- a. Single family detached dwellings.
- b. Industrialized buildings (modular homes/units).
- c. Accessory buildings or uses customarily incidental to any of the permitted uses, when located on the same lot and not involving any business, profession, trade or occupation.

Section 18.53 **Conditional Uses.**

- a. Churches, provided that a complete site development sketch is submitted with the application and provision is made for off-street parking.
- b. Cemeteries, provided that a complete site development sketch is submitted with the application.
- c. Clubs and lodges not operating for profit provided that:
 1. The buildings are not placed closer than fifty (50) feet to any property lines; and
 2. There is a planted buffer strip at least ten (10) feet wide along the side and rear lot lines.
- d. Public buildings, structures or other public land uses.
- e. Hospitals and clinics.

- f. Home Occupations - Home occupations as limited and defined in Article II.
- g. Day Care facilities (family day care facilities as limited and defined in Article II) provided that no play equipment be located in the front yard and that signage be compatible to the neighborhood and not larger than regulated for home occupations. All State licensing requirements and regulations shall also apply.
- h. Bed and breakfasts—Bed and breakfasts as limited and defined in Article II.
- i. All radio, cellular phone, or similar transmission/receiving antennas.
- j. Other uses similar to the above and compatible with the particular neighborhood and environment as approved by the Mayor and City Council.

Section 18.54 **Area and Placement Requirements.**

(In accordance with the Schedule of Regulations, Article XV.)

Sections 18.55 - 18.60 **Reserved.**

**ARTICLE VI. R-2, ONE, TWO-FAMILY AND MULTIPLE -FAMILY
RESIDENTIAL DISTRICT.**

Section 18.61 Statement of Purpose.

The intent of the R-2 Residential District is to provide for medium to high density residential development; to provide for variety in the City's housing stock, to encourage neighborhood maintenance and preservation by allowing the conversion of large and older single-family homes to two-family and apartment use; and to provide suitable areas for new multi-family development.

Section 18.62 Permitted Uses.

- a. Any use permitted in the R-1 and residential districts.
- b. Two-family (Duplex) residential dwellings.
- c. Multi-family (apartments and condominiums)*
- d. Manufactured homes. Must meet Compatibility Standards (See Article XI).

Section 18.63 Conditional Uses.

- a. Any use listed under Section 18.53 of the R-1 zoning district.
- b. Nursing homes.
- c. Boarding homes.
- d. Professional offices.
- e. Public building, structures and other public land uses.
- f. Group Day Care Homes (group day care homes as limited and defined in Article II) provided that no play equipment be located in the front yard and that signage be compatible to the neighborhood and not larger than regulated for home occupations. All state licensing requirements and regulations shall also apply.
- g. Manufactured home and travel trailer parks (See Article XI).
- h. Other uses similar to the above and compatible with the particular neighborhood and environment as approved by the Mayor and Council.

Section 18.64 **Area, Height and Set-Back Requirements.**

(In accordance with the Schedule of Regulations, Article XV).

*For development of apartment units of only one (1) apartment building on a given site. The R-PUD development standards Article VII, will apply to apartments of more than one (1) building on a given parcel or lot.

Sections 18.65 - 18.70 **Reserved.**

ARTICLE VII. R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT

Section 18.71 Statement of Purpose.

It is the intention of this section to provide areas of sufficient size and allowing reasonable flexibility in design and orientation for the establishment of a group of structures, **which includes multiple dwellings designed in a planned unit development of more than one (1) building on a given development site.** This includes but is not limited to cluster developments and zero lot line developments.

Therefore, the Zoning Ordinance regulations relative to area, height, bulk and placement may, in the Planned Unit Development District, be modified by the Mayor and City Council, in the case of a plan for a large scale development which, in the judgement of the Mayor and City Council, provides adequate open space and improvements for circulation, recreation, light, air and service needs of the tract when fully developed, provided that in no case may the density of the proposed planned unit development exceed thirteen (13) dwelling units per acre and provided further that the minimum site size for the residential planned unit development is two (2) acres.

Section 18.72 General Procedures for PUD Approval (R-PUD or C-PUD).

Any proposed property for PUD development must first be zoned to the R-PUD or C-PUD zoning classification. The PUD zoning procedure will generally follow the same procedures as other zoning requests. However, the applicant for PUD zoning shall submit a **preliminary site development plan** of the proposed development at the same time a petition for PUD zoning is made.

No rezoning for PUD will be granted to a petitioner until **the preliminary site plan is reviewed and approved by the Mayor and City Council**, respecting other property rezoning criteria established by the City.

Section 18.73 Permitted Uses.

In all R-PUD Districts, no building or land, except as otherwise provided in this Ordinance, shall be erected or used except for one or more of the following specified uses:

- a. Single family detached dwellings, **except manufactured and mobile homes.**
- b. Duplexes.
- c. Multi-family dwellings.
- d. Condominiums.
- e. Industrialized Buildings (modular homes/units).

Section 18.74 **Conditional Uses.**

Any use listed under Section 18.63 of the R-2 zoning district.

Section 18.75 **Preliminary Review.**

Preliminary review is recommended as an aid to both the developer and to the City. Under this procedure, a developer provides the information which is described below and the Mayor and Council then acts on the information provided. This review is intended to serve as a guide for the immediate inspection of the Mayor and Council, subject to a thorough study and analysis. Changes and additions which may have to be made before a mutual agreement is reached can be made at such time without excessive engineering or other costs to the developer.

Section 18.76 **Procedure for Preliminary Approval.**

An application shall be submitted to the Mayor and Council by the owner or his/her authorized representative for approval of a preliminary site plan of any proposed development anticipated under the Residential Planned Unit Development (R-PUD) district provision of this Ordinance. Appropriate copies of the Preliminary Site Plan at a scale not more than one hundred (100) feet to the inch, showing the following, shall be submitted with the application.

- a. The title under which the proposed development is to be recorded and the name of the present owner.
- b. Names of owners of adjacent property.
- c. A topographic map showing the general location of existing property lines, streets, alleys, buildings, easements, swamps, water courses and other physical site features which relate to the development.
- d. The proposed method of water supply, sewage disposal and storm drainage.
- e. All proposed uses of the property to be developed shall be appropriately indicated on the plan.
- f. Date, North point, and graphic scale.
- g. Other information required by the Mayor and Council to insure compliance with the provisions of this Ordinance.

The developer shall furnish to the Mayor and Council a statement indicating the proposed use to which the development will be put, along with a description of the type of residential building and number of units contemplated. Upon receiving approval of the Preliminary Site Plan, the developer may proceed to develop the Final Plan. No building permit shall be issued until approval

of the Final Plan is given.

Section 18.77 **Procedure for Final Plan Approval.**

An application in writing shall be submitted to the Mayor and Council by the owner or his/her authorized representative for approval of the Final Plan for any proposed development anticipated under the Residential Planned Unit Development District of this Ordinance. Appropriate copies of the Final Plan, at a scale of not more than one hundred (100) feet to the inch, showing the following information shall be submitted with the application.

- a. The title under which the proposed development is to be recorded, the legal description of the land to be developed, the name of the present owner, and the name and address of the technical author of the plan.
- b. Names and owners of adjacent property and general information as to boundaries thereof as well as the existing zoning of such tracts.
- c. A map showing the location of existing property lines, the adjoining streets, alleys, buildings, drains, easements, water courses and other physical site features which relate to the development.
- d. The proposed method of water supply, sewage disposal and storm drains, and other engineering data required by the Mayor and Council to clearly indicate the general design of said utility services. It shall be mandatory that the development use the City water and sewer services and that all streets in the development be paved in accordance with City standards.
- e. The size and capacity of existing sewer, water, storm drains and thoroughfares in the area.
- f. The location and dimensions to the nearest foot of lots, building lines, alleys, easements, parks and other public properties on the property to be developed. All lots in a preliminary plan shall be designated by consecutive numbers beginning with number one (1).
- g. All proposed uses of the property to be developed shall be indicated on the plan.
- h. Date, North point, and graphic scale.
- i. Proposed development restrictions and/or protective covenants to be imposed upon the property after development.
- j. Bearings and distances of all courses of the exterior boundary of the proposed development and its area in acres to the third decimal place.
- k. The developer shall furnish to the Mayor and Council a statement indicating the

proposed use to which the development will be put, along with a description of the type of residential buildings and number of units contemplated, so as to reveal the effect of the development on traffic, fire hazards or congestion of population.

Section 18.78 **Area, Height and Set-Back Requirements.**

(In accordance with the Schedule of Regulations, Article XVIII).

Sections 18.79 - 18.80 **Reserved.**

ARTICLE VIII
C-1, NEIGHBORHOOD COMMERCIAL DISTRICT

Section 18.81 **Statement of Purpose.**

The Neighborhood Commercial District is intended to permit retail business and service uses which are needed to serve nearby residential areas. In order to promote such business development uses are prohibited which would create hazards, offensive and loud noises, vibration, smoke, glare, heavy truck traffic, or late hours of operation. The intent of this district is also to encourage the concentration of local business areas in locations which poses the mutual advantages of both the consumers and merchants, and thereby promotes the best use of land at certain strategic locations.

Section 18.82 **Permitted Uses.**

- a. Antique Stores.
- b. Barber shops/beauty shops and other personal service establishments.
- c. Clubs and Lodges. (See Section 18.53c)
- d. Day Care Centers (Day care centers are limited and defined in Article II) provided that no play equipment be located in the front yard and that signage be compatible to the neighborhood and not larger than regulated for home occupations. All state licensing requirements and regulations shall also apply.
- e. Laundry or dry cleaning establishments.
- f. Professional offices.
- g. Repairs, electrical or other household appliances, locks, radios, television and the like.
- h. Restaurants, in existing structures with no more than 2000 square feet of floor space devoted to such use.
- h. **Small retail businesses** selling convenience goods and serving the adjacent residential neighborhoods such as drug, food, bakery and tailor shops.
- i. Small retail businesses selling convenience goods and serving the adjacent residential neighborhoods such as drug, food, bakery and tailor shops.
- j. Thrift stores.
- k. Bed and Breakfasts.

l. Churches, or other religious institutions, provided that a complete site development sketch is submitted with the application and provision is made for off-street parking.

m. Other uses similar to the above and compatible with the particular neighborhood and environment as approved by the Mayor and Council.

Section 18.83 Conditional Uses.

a. Service stations.

b. Convenience stores.

c. Antique mall.

d. Adult Care Facilities.

e. Other uses similar to the above and compatible with the particular neighborhood and environment as approved by the Mayor and City Council.

Section 18.84 Protective Screening.

Protective screening for C-1 Districts adjacent to residential districts shall be in compliance with the regulations set forth in Section 18.26, Protective Screening of this Ordinance.

Section 18.85 Area, Height and Set-Back Requirements.

(In accordance with the Schedule of Regulations, Article XV).

Sections 18.86 - 18.90 Reserved.

ARTICLE IX. C-2, CENTRAL BUSINESS DISTRICT

Section 18.91 **Statement of Purpose.**

The C-2 Central Business District is intended to protect and promote suitable areas for business and commercial uses which benefit from proximity to each other, to encourage the eventual elimination of uses inappropriate to a central business area and to encourage the intensive development of a centralized business center within the City of Coolidge.

Section 18.92 **Permitted Uses.**

- a. Any use listed under Section 18.82 of the C-1 zoning district.
- b. Retail business and service establishments.
- c. Financial institutions.
- d. Commercial Planned Unit Developments in accordance with provisions of Article XV.
- e. Hotels/Motels.
- f. Professional offices.
- g. Loft dwellings—See Section 18.94.
- f. Other uses similar to the above and compatible with the particular neighborhood and environment as approved by the Mayor and Council.

Section 18.93 **Conditional Uses.**

- a. Clinics and nursing homes.
- b. Publicly buildings, structures or other public land uses.
- c. Multiple family residential dwellings, boarding or rooming houses.
- d. All radio, cellular phone, or similar transmission/receiving antennas and/or towers.
- e. Quick-service food stores—as limited and defined in Article II.
- f. Other uses similar to the above and compatible with the particular neighborhood and environment as approved by the Mayor and City Council.

Section 18.94

Permitted Residences in the Central Business District (CBD).

Loft dwelling residential uses are permitted in existing multi-story commercial buildings so long as their plans are submitted and approved by the City of Coolidge Mayor and City Council. The following minimum requirements shall be met prior to approval:

1. Minimum Floor Space Requirements and Maximum Number of Occupants shall comply with the Building Codes.
2. Building Codes: All loft dwelling residential renovations shall comply with all existing Commercial Building Codes and Fire codes with fire walls.
3. Restrictions:
 - (a) All window treatment must be off white colors with no signs, drawings or photographs incorporated therein. Nothing shall hang from the outside of the windows.
 - (b) No outside mailboxes shall be permitted; inside mail boxes or mail slots shall be used.
 - (c) No outside television or radio antennas or satellite reception dishes shall be permitted unless they are less than 36 inches and are located on roof or such a way as not to be visible from street; cable connections shall be permitted and located at the rear of the establishment.
 - (d) No daily or weekly boarding rooms shall be permitted, only complete dwelling units as defined herein.
 - (e) Outside building identification numbers shall not exceed six (6) inches in height.
 - (f) No drying of clothes shall be permitted on the outside of the building.
 - (g) Entry to the unit or to a hallway serving one (1) or more units shall be provided by a stairway opening directly to the outside at street level. All stairways shall be enclosed. No unit shall occupy street level frontage.
 - (h) All window air-conditioning units shall not be visible from any public street.
 - (i) No washing or waxing of vehicles shall be permitted.

(j) No recreation, entertainment, public gathering or placement of furniture shall be allowed on the sidewalks unless permitted by Mayor and City Council.

(k) No sales of the type commonly known as garage sales, yard sales, or estate sales shall be allowed.

4. Parking:

(a) Each residential unit shall have its own off-street parking space direct access to a public alley or street between the hours of 8 a.m. - 6 p.m. (Monday through Friday). Public parking may only be used to meet this requirement with prior approval of the Mayor and City Council.

Section 18.95 **Protective Screening.**

Protective screening for requirements of C-2, Central Business District adjacent to or near residential districts shall be in compliance with the Regulations set forth in Section 18.26.

Section 18.96 **Area and Placement Requirements.**

(In accordance with the Schedule of Regulations, Article XV).

Sections 18.97 - 18.100 **Reserved.**

ARTICLE X. I-INDUSTRIAL DISTRICT

Section 18.101 **Statement of Purpose.**

The intent of the industrial district is to provide suitable areas for wholesaling, warehousing, storage, manufacturing, processing, repair services and sale lots in addition to other retail and service establishments; to expand or extend existing districts only where there is adequate and direct access to appropriate transportation facilities and where there is minimum conflict with residential districts.

Section 18.102 **Permitted Uses.***

- a. Any use permitted in the commercial zone districts, except loft dwellings.
- b. Manufacturing.
- c. Warehousing, wholesaling, shipping and receiving.
- d. Agriculture.
- e. Animal Hospital.

Section 18.103 **Conditional Uses.**

- a. Petroleum bulk plant.
- b. Junkyards, automobile salvage yards or scrap metal processors. (Site plan approval, including protective screenings, see Section 18.20).
- c. Asphalt plants.
- d. Cement, lime gypsum, or plaster of paris manufacturing.
- e. Fat rendering and fertilizer manufacturing.
- f. Paper and pulp manufacturing.
- g. Corrosive acid and alkali manufacturing, explosives.
- h. Public buildings, structures or other public land uses.
- i. Tire reclamation facilities.
- j. Cemeteries, provided that a complete site development sketch is submitted with the

application.

- k. Chemical plants.
- l. Solid waste collection, treatment and disposal facilities.
- m. Extraction or removal of sand, gravel, top soil or other natural resources.
- n. Solid waste recycling operations.
- o. Grain elevators.
- p. Hazardous waste facilities.
- q. Lumber yards, planing and sawmills.
- r. Petroleum refining and storage.
- s. Septic tank cleaning services.
- t. Commercial incinerators.
- u. Rifle, pistol and skeet ranges.
- v. All radio, cellular phone or similar transmission/receiving antennas and/or towers.
- w. Other uses similar to the above and compatible with the particular neighborhood and environment as approved by the Mayor and City Council.

Section 18.104 Area and Placement Requirements.

(In accordance with the Schedule of Regulations, Article XV).

*Within the Industrial Zoning District, the following special regulations will apply to all permitted uses:

1. All open portions of any lot shall be suitable graded and, except when paved or similarly improved, they shall as a minimum, be seeded and maintained in grass. Preferably, such open spaces may be further landscaped with trees, shrubs, and ground cover.
2. All service drives and access roads and parking areas shall be paved.
3. All storage operations shall be fully enclosed.

4. Provisions shall be made for the adequate lighting of all parking areas and service drives.
5. Satisfactory provisions shall be made for storm drainage, sanitary sewerage and water supply. As much as possible, all power and telephone lines shall be provided for by easements along rear and side lot lines.

Sections 18.105 - 18.110

Reserved.

ARTICLE XI. AG, AGRICULTURAL DISTRICT.

Section 18.111 **Ag-Agricultural District.**

The Agricultural District is established as a district in which the principal use of land is for farming, forestry operations and other agricultural related activities. For the Agricultural District in promoting the general purpose of these regulations, the specific intent of this Article is:

- a. To protect land, especially prime farm land, needed and used for agricultural pursuits from encroachment by untimely and unplanned residential, commercial, or industrial development and;
- b. To allow the continuation of existing agricultural pursuits in areas where, in accordance with the recommendations of the Land Use Plan, future residential, commercial or industrial development is anticipated but where the present application of zoning controls for future, more intensive land uses would be unreasonable and premature.
- c. Subdivision (5 or more lots) proposals planned for residential uses within the City's agricultural zoning districts must be rezoned to the appropriate residential zoning classification. This must be done prior to approval of the subdivision application.

Section 18.112 **Permitted Uses.**

- a. Residences:
 1. Single-family;
- b. Accessory residential uses including, but not limited to, a private garage, detached home workshop, swimming pool, greenhouse, all of which shall be incidental to the use of the property as a residence.
- c. Sale of products or commodities grown on premises provided no structure shall be closer than 30' to any property line. All structures and displays will be removed at the end of sale (must have adequate parking).
- d. Agricultural, forestry or horticulture uses.

Section 18.113 **Conditional Uses Permitted.**

After Special Review by the Planning Commission and Approved by the County Commission. (Article XVI, Section 18.175)

- a. Airfields.

- b. Customary Home Occupations (Article III),
- c. Hunting, fishing lodges and cabins.
- d. Fraternal organizations or private clubs.
- e. Nursery school or kindergarten, day care center.
- f. Recreational and/or cultural uses of a commercial nature.
- g. Two-family, Group homes, Personal care homes, and halfway homes.
- h. Churches.
- j. Public, parochial and private elementary, intermediate, and/or high schools.
- k. Publicly owned and operated buildings, libraries, parks, and recreational facilities.
- l. Public and private hospitals provided that the hospital is adjacent to a major thoroughfare.
- m. Bed and Breakfast.
- n. Commercial Kennels.

Section 18.114 Area, Height, and Setback Requirements.

In accordance with the Schedule of Regulations, (Article XV).

Sections 18.115 -18.120 Reserved.

ARTICLE XII. MANUFACTURED HOMES, MANUFACTURED HOME PARKS

Section 18.121 **Manufactured Home Parks and Manufactured Homes.**

All manufactured homes located within and outside of manufactured home parks and all manufactured home parks shall be governed by the regulations within this Ordinance.

Section 18.122 **Location of Manufactured Homes and Manufactured Home Parks.**

Manufactured homes and manufactured home parks within the City shall be located only in the appropriate districts.

Section 18.123 **Foundations.**

All main buildings may be placed on a properly engineered, permanent foundation which meets the manufacturer's installation requirements and applicable state and local requirements.

Section 18.124 **Skirting.**

All manufactured homes shall have exterior skirting materials consisting of brick, masonry, finished concrete or siding (of like or similar character to the manufactured home) that completely encloses the perimeter of the undercarriage except for proper ventilation and access openings. The exterior siding material shall extend to ground level, except that when a solid concrete or masonry perimeter foundation is used, the siding material need not extend below the top of the foundation. (This provision shall be complied with within 30 days of installation).

Section 18.125 **Requirements for Safety Tie Downs.**

All manufactured homes shall be provided with safety tie-downs.

Section 18.126 **Site Development Plan.**

Complete site development plans of the proposed manufactured home park must be submitted to the Planning Commission, Site development plans shall include at least the following items:

- a. A site plan at a scale no smaller than one inch is equal to 50 feet.
- b. The title under which the development is to be recorded, the legal description of the land to be developed, the name of the present owner and the name and address of the technical author of the plan.
- c. All property lines and dimensions; the location and dimensions of each building and

unit.

d. The layout and location of off-street parking, total number of spaces, ingress and egress lanes, pedestrian ways, sidewalks and curb limits.

e. The proposed method of water supply, sewage disposal and storm drainage and other data as may be required by the Planning Commission to clearly indicate the general design of said utility services.

f. All proposed uses of the property and buildings to be developed shall be indicated on the plan.

g. Date, north arrow and graphic scale.

Section 18.127 **Expansion of Existing Manufactured Home Parks.**

A person, firm or corporation desiring to expand an existing manufactured home park to include more homes or manufactured park sites that are accommodated within such a park at the time this regulation is adopted shall submit plans and specifications for such improvements to the Planning Commission/City Council for approval prior to initiating construction and improvements.

Section 18.128 **Non-Conforming Manufactured Home Parks.**

Any non-conforming manufactured home park in Coolidge which becomes vacant and remains unoccupied due to abandonment or discontinuance per a period of six months shall not begin new operations until the park is brought into full compliance with these regulations.

Section 18.129 **Technical Codes: Compliance Required: Adopted by Reference; Evidence of Compliance.**

No mobile home shall be admitted to any manufactured home park or allowed to be placed within the city of Coolidge for a period exceeding 48 hours unless it can be demonstrated that it meets the requirements of the HUD Federal requirements for building construction.

Section 18.130 **Health; Water and Sewer System; Regulations Adopted.**

Prior to the allowance of permanent occupancy of a manufactured home site within the city of Coolidge, such manufactured home shall be connected with an approved water source and an approved sewage disposal system in such a manner as to comply with the Georgia Department of Public Health and the Georgia Water Quality Control Board Regulations.

Section 18.131 **Storage of Manufactured Homes.**

The storage of any manufactured home on a private lot, exclusive of a sales or manufacturer's

lot, shall not exceed 60 days. The stored manufactured unit shall be affixed with a permit provided by the City Clerk. The owner or agent of said manufactured home shall complete and file an affidavit with the City Clerk indicating this knowledge of the terms of this regulation and his affirmation that said manufactured home is not permanently occupied by himself, member of his family or other persons.

Section 18.132 **Permits Required for Accessory Structures.**

Cabanas and other accessory structures shall require a building permit.

Section 18.133 **General Development Requirements for Manufactured Home Parks.**

Manufactured home parks shall conform to the following general requirements.

a. **Minimum Area.** A manufactured home park shall have a minimum size two acres and shall have a minimum of 200 feet of property frontage upon a highway or public street. The manufactured home park shall; have a minimum lot width of 200 feet throughout the entire depth of the developed portion of the property.

b. **Minimum number of spaces.** A manufactured home park shall have as a minimum four spaces prepared with all utilities in place prior to its approval for occupancy.

1. **Setback.** The manufactured home parks shall be designed so that manufactured homes (and travel trailers if permitted) and their accessory structures shall be a minimum distance of 15 feet from adjoining property lines, 20 feet from internal park streets and at least 30 feet from any publicly dedicated street.

2. **Access.** The manufactured home park shall front upon at least one publicly dedicated street. Each manufactured home site and its parking area shall have direct access to the internal street system of the park.

3. **Streets.** Streets within a manufactured home park shall be either paved or graveled and shall be privately owned, constructed and maintained. Such private streets shall be well drained, with a minimum width surface of 14 feet for one-way and 24 feet for two-way streets.

4. **Parking.** Each manufactured home stand shall be provided with a minimum of one off-street parking space. The front yard space for manufactured homes may be used for the parking of motor vehicles, however, the side yard and rear yard space may not be used for parking areas. On-way interior roads shall be designated "no parking".

4a. **Guest Parking.** In addition to on-site parking, guest parking spaces shall

be provided as part of the development, at a ratio of one parking space per each six manufactured home spaces. Parks of fewer than six units must provide one guest parking space. Guest parking spaces shall be grouped and distributed evenly throughout the manufactured home park.

5. Density. A maximum of 4 manufactured home stands per gross acre of 12 recreational vehicle stands per acre is allowed (if allowed by the Health Department).
6. Compatibility Standards. All units within a manufactured home park shall meet Compatibility Standard.

Section 18.134 **Improvements Required for Manufactured home Stands.**

a. Interior street access. Each stand shall be provided with access frontage of at least 26 feet for single-wide and 45 feet for double-wide.

b. Utilities. All manufactured home parks, and each manufactured home space within the park, shall be served by approved public water and public sanitary sewer or community sewerage system, and electricity. All utilities shall be installed underground with above ground connections. Each stand shall be provided with a property grounded water=proofed electrical receptacle with a minimum rated capacity of 150 amperes. A property sized over current devise shall be installed as a part of each power outlet.

c. Refuse Collection. Each manufactured home park shall provide refuse collection pads at locations convenient to each manufactured home space.

d. Stand identification. A property and street number designation of other appropriate numbering device properly identifying each manufactured home stand shall be placed at the interior side lot line at a point 10 to 15 feet from the interior road system of the park. Such device shall be minimum of six inches in height.

e. Stands. Each manufactured home space shall be provided with a concrete pad of sufficient size to accommodate the typical manufactured home to be located within that space, and the pad should be large enough to accommodate a patio of at least 180 square feet and also provide for the anchoring of the home to secure it against movement; provided, however, that any individual stand shall be no less than 14 feet by 60 feet and spaces intended t serve double-wide homes shall be at least 24 feet by 60 feet.

f. Use of Spaces. No more than one manufactured home or recreational vehicle shall occupy any individual space. Accessory uses and structures on individual spaces may be permitted, subject to compliance with the development standards provided in this Resolution.

g. Park Rules. The property owner or manager shall submit operating rules and regulations governing the park to the Land Use Officer prior to occupancy.

Section 18.135 **Manufactured Home Compatibility Standards.**

The purpose of this Section is to ensure the manufactured homes are installed on a site according to applicable federal and manufacturer's requirements. This section is also intended to ensure architectural compatibility of manufactured homes with adjacent single-family residences and other land uses through the application of architectural compatibility standards.

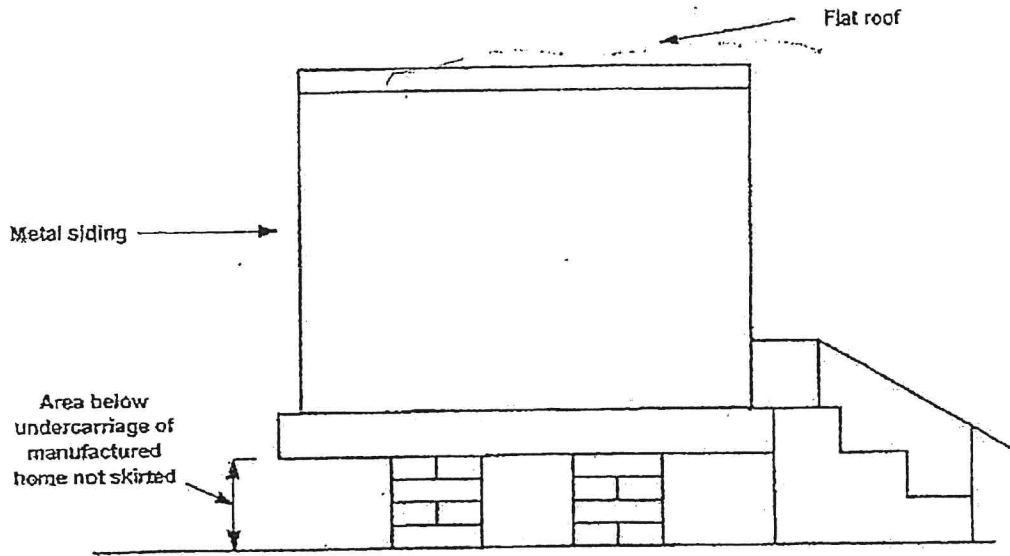
a. Basic Installation Requirements.

1. Foundation. Each manufactured home must be set on an appropriate, permanent foundation.
2. Hauling Mechanisms Removed. The transportation mechanisms, including wheels, axles, and hitch, must be removed prior to occupancy.
3. Installation Regulations. The manufactured home shall be installed in accordance with the installation instructions from the manufacturer, as appropriate.
4. Approved Septic System. Each manufactured home shall be connected to a public sanitary sewer system, community sewerage system, or on site septic system with capacity available as approved by the health officer.

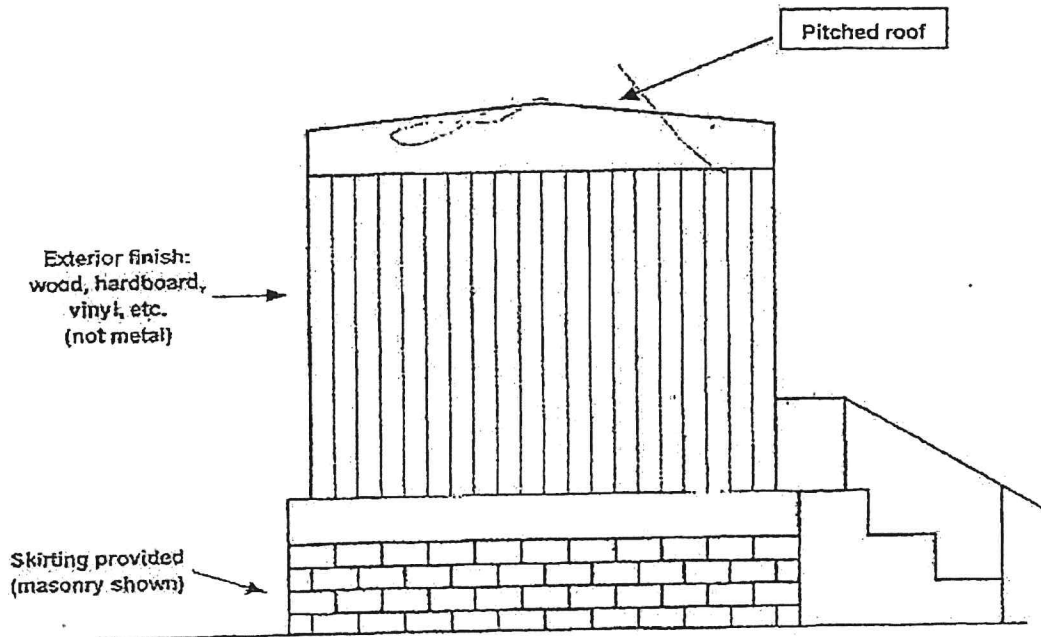
b. Compatibility Standards.

1. Skirting. The entire perimeter area between the bottom of the structure of each manufactured home and the ground, including stairways, shall be underpinned with skirting that completely encloses the perimeter of the undercarriage including stairways except for proper ventilation and access openings.
2. Exterior Finish. The exterior siding of the manufactured home shall consist of wood, hardboard (cement fiber), or vinyl siding material.
3. Roof Pitch and Materials. The manufactured home shall have a pitched roof. Roof materials shall be wood shake, tile, metal, time or asphalt material.

Sections 18.136-18.140 **Reserved.**



Unrestricted Manufactured Home Installation



**Manufactured Home
Compatibility Standard**

ARTICLE XIII. NON-CONFORMING BUILDINGS, STRUCTURES AND USES.

Any lawful use of the land, buildings, or structures existing at the date of passage of this Ordinance and located in a district in which it would not be permitted as a new use under the regulations of this Ordinance is hereby declared to be a “non-conforming use” and not in violation of this Ordinance at the date of adoption of this Ordinance; provided, however, that a non-conforming use shall be subject to, and the owner shall comply with, the following regulations:

Section 18.141 Non-Conforming Use, Continuation of Use.

The non-conforming use of land, building or structure which exists when this Ordinance becomes effective, may be continued provided that:

- a. No such non-conforming use of land shall in any way be expanded or extended.
- b. If such non-conforming use or any portion thereof is discontinued for twelve (12) months or changed, any future use of such use shall be in conformity with the provisions of this Ordinance.

Section 18.142 Restoration.

No building or structure which houses a non-conforming use which has been destroyed or damaged by fire, explosion, Act of God, or by public enemy to the extent of fifty (50%) percent of its market value - exclusive of the foundation at the time such damage occurred - shall thereafter be made to conform with the provisions of this Ordinance. If such damage is less than fifty (50%) percent of its market value before said damage occurred, exclusive of the foundation, then such building or structure may be restored to the same non-conforming use as existed before such damage, provided, however, that a building permit to initiate restoration must be obtained within six (6) months of the occurrence of damage; otherwise the provisions of Section 18.143 will apply.

Section 18.143 Discontinuance or Abandonment.

Any non-conforming use of land, building, or structure which has become vacant or remains unoccupied, due to abandonment or discontinuance for a period of twelve (12) months, shall thereafter conform to the provisions of this Ordinance.

Section 18.144 Change of Tenancy or Ownership.

There may be a change in tenancy, ownership, or management of an existing non-conforming use, provided there is no change in the nature or character of such non-conforming use.

Section 18.145 **Change of Use.**

A non-conforming use shall not be changed to another non-conforming use.

Sections 18.146 - 18.150 **Reserved.**

ARTICLE XIV. SIGN REGULATIONS.

Section 18.151 Signs Shall Meet Requirements of this Section.

All signs within Coolidge shall be erected, constructed, or maintained in accordance with the provision of the sections below and applicable sections of the City of Coolidge Building Code and only those signs that are permitted by these Regulations shall be erected within the City.

Section 18.152 No Signs Shall Hamper Traffic Safety.

No sign shall be erected or continued that:

- a. Obstructs the sight distance along a public right-of-way.
- b. Would tend by its location, color, or nature, to be confused with or obstruct the view of traffic signs or signals, or be confused with a flashing light of an emergency vehicle.
- c. Would by its nature or moving parts tend to confuse traffic or create any potential hazard to traffic.
- d. Uses admonitions such as “stop”, “go”, “slow”, “danger”, or as interpreted by the Planning Council and approved by the City Council, which might be confused with traffic directional signals.

Section 18.153 Locations Prohibited.

No sign shall be attached to or painted on any telephone pole, light pole, telegraph pole, or any tree, rock, or other natural object. No signs other than those signs erected by public governmental agencies or signs required by law, shall be placed so as to be in or overhang any portion of public right-of-way or other public properties.

Section 18.154 Illumination Not to be a Nuisance.

Illumination devices such as, but not limited to, flood or spot lights shall be so placed and so shielded as to prevent the rays or illumination there from being cast into neighboring dwellings and/or approaching vehicles.

Section 18.155 Signs Not Requiring a Permit.

The following signs shall not require a permit:

- a. Signs to regulate traffic.

- b. Signs required to be posted by law.
- c. Warning signs and no trespassing signs.
- d. Signs established by governmental agencies.
- e. Signs indicating bus stops, taxi stands, and similar transportation facilities.
- f. Signs not exceeding 10 square feet in area giving information concerning the location of use of accessory off street parking facilities or loading and unloading facilities.
- g. Signs on a residentially zoned piece of property shall be limited to a maximum of 10 square feet, and temporary real estate signs in any zones other than residential should be maximum of 32 square feet.
- h. Any sign not exceeding 10 square fee in area other than Advertising, Separate Use, or signs requiring electrical wiring.
- i. Temporary signs on private land involved in campaigns of religious, charitable, civic, fraternal, political, and similar organizations.

Section 18.156 **Maximum Area of Signs.**

- a. The maximum area of a sign shall be 150 square feet; except in RE, R-1, R-2, R-3 and C-1 Zones, where all signs (except identification sign and signs as identified in Section 18.190) shall be no larger than 10 square feet in an area and shall not be illuminated directly or indirectly.
- b. The maximum area of an off-site advertising sign (billboard shall be 750 square feet, exclusive of any border or trim.
- c. The maximum area of a portable sign shall be 40 square feet.
- d. A temporary sign for non-conforming business shall not exceed a maximum of 32 square feet.
- e. Construction signs and temporary subdivision signs should not exceed a maximum of 50 square feet.

Section 18.157 **Standards for Billboards.**

- a. Location where allowed: billboards shall be allowed only in all zoning districts adjacent to primary highways only, i.e. Highway 319.

b. Billboard Requirements:

1. Sign Surface Area:

Maximum - 750 square feet per face.

2. Maximum Number of Signs: 2 signs per sign structure which may be single or double-faced, provided that each side shall have no more than 750 square feet.
3. Height: Maximum – 35 feet.
4. Minimum clearance required under sign will be 10 feet.
5. Minimum Setback: 5 feet from the nearest right-of-way line, and 10 feet from the right-of-way line intersection point measured at any angle.
6. Minimum Spacing: 300 feet on the same side of the road from another off-site sign.

c. Priority of Signs: Where the location of two or more billboard signs conflicts under the requirements of this Ordinance, the sign meeting the requirements of this Ordinance, and having the earliest dated permit for its erection shall have priority over other signs in conflict herewith.

d. Billboard shall not be established at any location having principal frontage on any street within 100 feet of any church, school, cemetery, public park, public playground, or residential districts.

e. Signs cannot be illuminated in the Residential Zoning Districts with the exception of subdivision entry signs. Signs may be illuminated in all other districts, subject to the following provisions.

f. No revolving or rotating beam or beacon of light that resembles or simulates any emergency light device shall be permitted as part of any sign. Illuminated signs which indicate customary public information, such as time, date, temperature or other similar information shall be permitted. Within 30 days from the effective date of this Ordinance this provision must be complied with.

g. External lighting, such as floodlights, thin line and goose neck reflectors, are permitted, provided the light source is directed on the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the thoroughfare. No sign shall give off light, which glares, blinds, or has any other adverse effect on traffic or adjacent properties. Within 30 days from the effective date of this Ordinance this provision must be complied with.

h. The illumination of any sign within one hundred feet of an AG, R-1, R-2, R-PUD or C-1 zone lot line shall be defused or indirect in design to prevent direct rays of light from shining into those adjoining zones. Within 30 days from the effective date of this Ordinance this provision must be complied with.

i. The total number of billboards within Coolidge shall be limited to the number of billboards that exist at the time of the adoption of this ordinance.

j. Flashing, blinking or electronically illuminated (light Emitting Diode or L.E.D.) billboard are not permitted.

Section 18.158 **Issuance of Permits, Administration, and Filing Procedure.**

a. Issuance of Permits: No sign, except those listed in Section 18.190 shall be erected, hung, or placed or structurally altered without a permit from the Zoning Administrator.

b. Filing Procedure: Application for permits to erect, and, or lace a sign shall be submitted on forms obtainable from the Zoning Administrator. Each application shall be accompanied by plans showing the areas of the sign, size, and character and the method of illumination, if any, the exact location proposed for such sign and in the case of a projecting sign, the proposed method of fastening said sign to the building structure, the vertical distance between such sign and the finished grade, and the horizontal distance between such sign and the street right-of-way line.

c. Additional Information: Each applicant shall, upon the request of the Zoning Administrator, submit any additional information deemed necessary by said Administrator.

**ARTICLE XV
SCHEDULE OF ZONING DISTRICT REGULATIONS**

Zoning Districts	Minimum Lot Area ^^^ (Sq. Ft.)	Minimum Lot Width/Lot Frontage (Feet)	Minimum Front Yard Setback (Feet)	Minimum Side Yard (Feet)	Minimum Rear Yard (Feet)	Maximum Height (Feet)
R-1	12,000	100	30	10	30	35
R-2	7,000	70	20	10	20	35
R-PUD*	2 acres	-	-	-	-	35
R-I	-	60	30	10	30	35
C-1	-	60	25	10 or 0(a)	10 or 0(a)	35
C-2	-	60	-	10 or 0(a)	10 or 0(a)	35
I	-	100	35	20	30	50
AG	15,000	100	40	10	30	55

REFERENCES:

Refer to Article VII*

(a) property line/zero lot line development

^^^The minimum lot area standards specified above are for lots with public water and public sewerage. For minimum lot standards in areas where public water and public sewerage do not coexist, see the Thomas County Health Department.

ARTICLE XVI. ADMINISTRATION AND ENFORCEMENT

Section 18.161 **Administration.**

In order to administer the provisions of this ordinance the following provides an outline of how the system should work and creates administrative authorities to carry out its intent. All Zoning/Rezoning actions shall first be reviewed/heard by the Zoning Board which shall make recommendation to mayor and council.

Section 18.162 **Planning Commission/Zoning Board.**

The City Council of Coolidge shall act as the Zoning Board of the City of Coolidge and shall have such powers and duties as established by law O.C.G.A. 36-66-1 et seq., and this code section. It shall be the duty of the Mayor and Council to hear all requests for zoning changes, conditions use. Provisions of the Georgia Zoning Procedures law, O.C.G.A. 36-66-1 et seq., shall govern procedures. Any Council member shall be disqualified to act upon a matter with respect to property in which the member has an interest.

Section 18.163 **Compensation.**

The board members shall receive such compensation for their service as may be determined by the appointing authority.

Section 18.164 **Rules and Procedures.**

The board shall elect one (1) of its members as chairman, who shall serve for one (1) year or until he is re-elected or his successor is elected. The board shall appoint a secretary from among their numbers. The board shall have authority to adopt rules of procedure. Meetings of the board shall be held at the call of the chairman, or in his absence the acting chairman. The chairman or acting chairman may administer oaths and compel the attendance of witnesses by subpoena. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of said board and shall be a public record.

Section 18.165 **Who May File.**

Applications to the board will be filed with the Zoning Administrator and may be made by any person or by any officer, department, board, or bureau of the governing authority. The zoning administrator shall forthwith transmit to the board all the papers constituting the record upon which the application is based.

Section 18.166 **Planning Commission/Zoning Appeals Board.**

The City Council of Coolidge shall serve as the City's Zoning Appeals Board. Any Council member shall be disqualified to act upon a matter before the board with respect to property in which the member has in interest. It shall be the duty of the City Council to hear and render decisions concerning applications for variances.

Section 18.167 **Enforcement.**

The Zoning Administrator shall enforce this Ordinance, and is hereby given the authority and responsibility to enforce all provisions of this Ordinance under the direction of the Mayor which includes but is not limited to the following duties:

- a. To serve as a liaison between the Mayor and City Council keeping each body advised of pending actions pertaining to zoning.
- b. To provide technical assistance in matters relating to zoning requests to the Mayor and Council.
- c. To maintain in a timely and current manner the Official Zoning Map reflecting thereon any and all rezoning amendments approved by Mayor and Council. Amendments of the Official Zoning Map will be recorded by the Zoning Administrator within seven (7) calendar days following approval of such action by Mayor and City Council.
- d. To perform any other zoning duties as directed by the Mayor and City Council.

Section 18.168 **Permits.**

The following shall apply in the issuance of permits:

- a. **Permits Required.** It shall be unlawful for any person to commence excavation for, or construction of any building structure, or moving of any existing building without first obtaining a building permit from the Building Inspector. No permit shall be issued for the construction, alteration or remodeling of any building or structure until an application has been submitted in accordance with the provisions of this Ordinance, showing that the construction proposed is in compliance with the provisions of this Ordinance and with the Building Codes.

No plumbing, electrical, drainage or other permit shall be issued until the Building Inspector has determined that the plans and designated use indicate that the structure and premises, if constructed as planned and proposed, will conform to the provisions of this Ordinance.

Section 18.169 **Certificates of Occupancy.**

It shall be unlawful to use or permit the use of any land, building or structure for which a

building permit is required, and to use or permit to be used any building or structure hereafter altered, extended, erected, repaired, or moved, until the Building Inspector has issued a Certificate of Occupancy stating that the provisions of this Ordinance have been complied with.

a. **Certificates Validity.** The Certificate of Occupancy as required for new construction of, or renovations to existing buildings and structures, in the Building Code, shall also constitute Certificates Of Occupancy as required by this Ordinance.

b. **Certificates for Existing Buildings.** Certificates of Occupancy shall be issued for existing buildings, structures or parts thereof, or such use of land, are in conformity with the provisions of this Ordinance.

c. **Temporary Certificates.** Temporary Certificates of Occupancy may be issued for a part of a building or structure prior to the occupation of the entire building or structure, provided that such Temporary Certificate of Occupancy shall not remain in force more than six (6) months, nor more than five (5) days after the building or structure is fully completed and ready for occupancy and, provided further, that such portions of the building or structure are in conformity with the provisions of this Ordinance.

d. **Records of Certificates.** A record of all Certificates of Occupancy shall be kept in the office of the Building Inspector, and copies of such Certificates of Occupancy shall be furnished upon request to a person or persons having a proprietary or tenancy interest in the property involved.

e. **Certificates for Accessory Buildings or Dwellings.** Accessory buildings or structures to dwellings shall not require a separate Certificate of Occupancy, but rather may be included in the Certificate of Occupancy for the principal dwelling, building or structure on the same lot when such accessory buildings or structures are completed at the same time as the principal use.

f. **Application for Certificates.** Certificates of Occupancy shall be applied for coincident with the application for a building permit and shall be issued within ten (10) days after the erection or alteration of such building shall have been completed in conformity with the provisions and requirements of this Ordinance. If such Certificate is refused for cause, the applicant therefore shall be notified of such refusal and the cause thereof within ten (10) days.

Section 18.170 Fees.

Fees for inspections and the issuance of permits or certificates or copies thereof required or issued under the provisions of this Ordinance shall be collected by the Building Inspector in advance of the issuance of such permits or certificates.

The amount of such fees shall be established by the Mayor and City Council, from time to time, and shall cover the cost of inspection and supervision resulting from the enforcement of this Ordinance. The fees shall be deposited with the Zoning Administrator.

Section 18.171 **Amendments.**

The Mayor and City Council of the City of Coolidge may amend, supplement or change the regulations of the district boundaries of this Ordinance as established herein. The procedure for submitting a request for an amendment to the Zoning Ordinance text or district boundaries of the official Zoning Map shall be as follows:

- a. The applicant shall complete and submit to the Zoning Administrator a rezoning application not less than thirty (30) days prior to the next scheduled Mayor and Council meeting.
- b. At the time of application submittal, the applicant shall deposit the appropriate fee amount with the Zoning Administrator to cover the cost of processing the application.

Section 18.172 **Zoning Policies and Procedures.**

The following policies and procedures are herein established to provide guidelines for the following zoning activities:

- a. The adoption of a new City Zoning Ordinance;
- b. The adoption of an Amendment to the Zoning Ordinance which changes the text of the Zoning Ordinance (Text Amendment);
- c. The adoption of an Amendment to a Zoning Ordinance (Map Amendment) which rezones property from one zoning classification to another.
- d. The procedural requirements for Zoning Amendments sponsored by the City of Coolidge.
- e. The procedural requirements for Zoning Amendments sponsored by a private citizen or property owner;
- f. The adoption of an amendment to a zoning ordinance by the City which zones property to be annexed into the municipality; or
- g. The grant of a permit relating to a special use of property.

Section 18.173 **Policies and Procedures for City Initiated Zoning Activities.**

- a. In the case of developing an initial zoning plan (map and text), or updating or amending an existing zoning plan, the Mayor and City Council will where appropriate, utilize any new or existing land use studies, land use plans or other relevant documents as a resource for ordinance development or ordinance amendment.

b. Upon the completion of the review of preliminary zoning document(s) by the Planning Commission, public hearings will be scheduled. Notice of the **official public hearing** (*where a final decision will be made*) will be given no less than fifteen (15) days nor more than 45 days prior to the hearing date.

c. Public hearing notices will be published in the local paper. The public notice will state the time, place, and purposes of the hearing.

d. When the boundary lines of an established zoning district are proposed for change, (rezoning) the City Council shall prepare an evaluation of each such proposed rezoning considering each of the following factors:

ZONING CRITERIA

1. Existing uses and zoning of nearby property.
2. The extent to which property values are diminished by the present zoning restrictions.
3. The extent to which the destruction of property values, resulting from existing zoning of specific parcels promotes the health, safety, morals or general welfare of the public.
4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner by the proposed zoning classification.
5. The suitability of the subject property for the zoning purposes as proposed.
6. The length of time the property has been vacant under the present zoning classification, considered in the context of land development in the area in the vicinity of the property.
7. Conformity with or divergence from the City's Land Use Plan. (Comprehensive Plan).

e. The public hearings will be convened at the advertised time and place and will be presided over by the appropriate officials.

f. The Presider of the public hearing will review for those present, the following operating procedures for the public hearing:

1. In order for a person in attendance to speak, the Chair must recognize him/her. The person recognized will identify himself/herself. The Chair may

also request that the person furnish a home or business street address, as appropriate.

2. A **minimum** of ten minutes per side (proponents and opponents) will be allowed for discussion. The applicant or an authorized representative of the applicant will be given the option of speaking first at the hearing.
3. Additional persons will be recognized per the above procedure for the purpose of addressing additional concerns of the revisions or to make additional points with regard to elements already addressed, but not to rehash points already made.
4. Appropriate notes or minutes will be recorded by the Mayor and City Council.

Section 18.174 **Procedures for Rezoning Request Made by a Private Citizen/Property Owner.**

a. An application for rezoning must be filed with the Zoning Administrator at City Hall on a prescribed form and fees paid as set by the Mayor and City Council. An agent of the property owner may execute a rezoning petition on behalf of the owner. The owner must certify on the rezoning application form that he/she concurs in the rezoning request and that the applicant is acting as agent for the owner.

b. All applications for rezoning requests will be accompanied by a plat of the parcel in question or a legal description. If the parcel's boundaries conform to the lot boundaries within an existing subdivision for which a plat is recorded in the land records of the County, then the lot block, and subdivision designation with appropriate plat references and a copy of the deed to the land so described as required above. In addition to a plat or legal description, all applications for rezonings shall be required to submit a conceptual site plan showing the following items:

1. Property lines and dimensions;
2. Location and uses of existing and proposed structures;
3. Curb cuts;
4. Easements;
5. Required setbacks;
6. Watercourses and fences;
7. Parking areas;
8. Street and alley names and right-of-way lines;
9. North arrow;
10. Required buffers;
11. Proposed signage (dimensions and locations); and
12. Other information as it may affect the application.

*** Conceptual site plans must be between 1" equals 10 feet and 1" equals 100 feet. In every case, the scale chosen must facilitate the review of the proposed project according to the standards of this ordinance.*

c. The Zoning Administrator will inform applicant of the public hearing date. The public hearing will be held by the Mayor and City Council and public notice will appear no less than fifteen (15) days nor more than forty five (45) days of the hearing.

d. The public hearing notice will name the applicant, the location of property to be affected, the present zoning classification, the proposed zoning class and the date, time and place of the public hearing held by the Mayor and City Council.

e. The Zoning Administrator shall have erected upon the property for which rezoning is to be considered a sign of no less than 17" x 24" announcing the public hearings, stipulating the dates, times, and places for the two (2) hearings, the present zoning classification and the proposed zoning classification. The sign shall be clearly visible from a public street. It shall be erected not less than fifteen (15) days before the public hearing date.

f. Any application for rezoning of a particular parcel of property which is denied by the Mayor and City Council may not again be considered for rezoning until the expiration of at least twelve (12) months immediately following the defeat of the rezoning request.

Section 18.175 **Conditional Uses.**

Before a building permit or certificate of occupancy shall be issued for a conditional use, application shall be made to the City Council, who, after careful review of any applicable section of this Ordinance, a conditional use shall be approved on a finding by the Mayor and Council that:

An application to establish a conditional use shall be approved on finding by the Mayor and City Council that:

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 not 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 generation of fumes, or type of physical activity.

d. The proposed use will not be affected adversely by the existing uses; 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.

f. Provided, that the City 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 City Council shall find, in the case of any permit granted pursuant to the provisions of these regulations that any term, 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 hearing.

Section 18.176 **Variances.**

The Mayor and Council shall have the power to authorize upon appeal such variance from the terms of this ordinance as will not be contrary to the public interest, where a literal enforcement of the zoning requirements would result in undue hardship.

1. Procedure: Applications for variance shall be filed with the City Clerk; such applications must be filed thirty (30) days before the date of the following Mayor and Council meeting in order that the required public notice may be given before the next scheduled meeting. Each application shall be accompanied by a simple sketch of the site, showing the following:
 - (a) General location of the existing structures and property lines; and,
 - (b) Location of the proposed buildings and land uses; and
 - (c) Setbacks if applicable to the request.
2. Public hearing: A public hearing shall be held by the Mayor and Council for the review of an application for a variance. Notice of time and place of such hearing shall be published at least fifteen (15) days before the hearing in a newspaper of general circulation in the City of Coolidge.
3. Fee: Each application for a variance shall be accompanied by an application fee set by the Mayor and City Council to partially defray administrative costs.
4. Conditions and limitations: The Mayor and Council shall include any condition, requirement, or limitation which may be necessary to protect adjacent properties and to carry out the provisions of this ordinance.

Section 18.177

Criteria for the Consideration of Variance Requests.

The following criteria shall be utilized when considering specific cases where the variance from the terms of the Ordinance will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the ordinance will, in an individual case, result in unnecessary hardship so that the spirit of this ordinance shall be observed, public safety and welfare secured and substantial justice done. Such a variance may be granted in such individual cases of necessary hardship upon the finding of the Mayor and Council that:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question and because of its size, shape or topography; and,
2. The application of this Ordinance to this particular piece of property would create an undue hardship; and
- 3.- Such conditions are particular to the particular piece of property involved and not the making of the applicant; and,
4. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this Ordinance, 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. The proposed use will be of such location, size, and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood; and,
6. The proposed use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved; and,
7. The location, size, intensity, site layout and period of operation of any such proposed use will be designed to eliminate any possible nuisance emanating from the use which might be noxious to the occupants of any other nearby permitted uses whether by reason of dust, noises, fumes, vibration, smoke, or lights; and,
8. The location and height of buildings or structures and the location, nature and height of walls and fences will be such that the proposed use will not interfere with or discourage appropriate development and the use of adjacent land and buildings or unreasonable affect their value.

Section 18.178 **Appeals of Zoning Decisions.**

An appeal by a person, firm, or corporation, or by any officer, department, board or bureau may be taken to the Mayor and Council where it is alleged that there is an error in any order, requirement, decision or determination made by the Office of the Zoning Administrator or other administrative official in the enforcement and interpretation of this Ordinance. The appeal shall be filed with the Coolidge City Clerk.

The City Clerk shall transmit to the Mayor and Council all of the papers constituting the record upon which the action appealed was taken. The appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the Appeals Board that after the Notice of Appeals has been filed, that by reason of the facts stated in the Notice, a stay would in the Zoning Administrator's opinion, cause immediate peril to life or property, in which case the proceedings shall not be stayed, other than by a restraining order, which may be granted by a court of record.

The Mayor and Council shall fix a reasonable amount of time for the hearing of an appeal and shall give due notice to the parties concerned including all landowners within three hundred (300) feet of the premises in question. Such notice shall be delivered personally or by mail addressed to the respective owners at the address given on the last assessment roll. At the hearing, any party may appear in person or agent.

In the event that the petitioner for an appeals remains discontented with the decision on an appeal application, the petitioner shall have thirty (30) days to appeal the action to the superior court system.

Section 18.179 **Fees for Rezoning, Variance, and/or Conditional Use Requests.**

Fees for the administration, inspections, submittal of rezoning, variance or conditional use applications and the issuance of permits or copies thereof required or issued under the provisions of this Ordinance shall be collected by the Zoning Administrator in advance of the issuance of such permits.

The fee for a rezoning, variance or conditional use application shall be established and adjusted by the Mayor and City Council to cover the cost of the administration, inspection, and supervision resulting from the enforcement of this Ordinance.

Section 18.180 - 18.185 **Reserved.**

ARTICLE XVII. OFF-STREET PARKING AND LOADING REQUIREMENTS

Section 18.186 Scope of Provisions.

Except as provided in this Section, no application for a building permit shall be approved unless there is included with the plan for such building, improvements, or use, a plot 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.

Section 18.187 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.

Section 18.188 Drainage, Construction and Maintenance.

All off-street parking, loading and service areas shall be constructed of concrete or asphalt, or a pervious surface may be permitted as deemed appropriate by the Mayor and Council. All such areas shall be at all times maintained at the expense of the owners thereof, in a clean, orderly and dust-free condition.

Section 18.189 Separation From Walkways, Sidewalks And Streets.

All off-street parking, loading and service areas shall be separated from walkways, sidewalks and streets by curbing or other suitable protective device. Curbing and other protection devices must be set back a minimum of three feet to prevent vehicle overhang.

Section 18.190 Parking Area Design.

Parking stalls shall have a minimum width of nine (9) feet and length of eighteen (18) 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 twenty-four (24) feet wide where used with ninety (90) degree angle parking, at least eighteen (18) feet wide where used with sixty (60) degree angle parking, at least thirteen (13) feet wide where used with forty-five (45) degree parking, and at least twelve (12) feet wide where used with parallel parking, or where there is no parking, interior driveways shall be at least ten (10) feet wide for one-way traffic movement and at least twenty (20) feet wide for two-way traffic movement.

Section 18.191 Joint Parking Facilities.

Two (2) or more neighboring uses, of the same or different types may provide joint facilities provided the number of off-street parking spaces are not less than the sum of the individual

requirements.

Section 18.192 **Pavement Markings and Signs.**

Each off-street parking space shall be clearly marked, and pavement directional arrows or signs shall be provided in each travel way wherever necessary. Markers, directional arrows and signs shall be properly maintained so as to ensure their maximum efficiency.

Section 18.193 **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 only upon the new addition even if the existing use is deficient.

Section 18.194 **Street Parking Requirements.**

In all zoning districts, off-street parking spaces for the storage and parking of self-propelled motor vehicles for the use of occupants, employees and patrons of the buildings hereafter erected, or enlarged after the effective date of this Ordinance, shall be provided as herein prescribed.

Required parking spaces shall be maintained and shall not be encroached upon as long as said main building or structure remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Ordinance. The owner or owners of a building structure or other land use requiring off-street parking spaces must show, to the satisfaction of the Mayor and City Council, that he/she is the record title holder of the property devoted to said principal land use and of the property proposed for off-street parking use, or that he/she is the lessee of such property.

Section 18.195 **Planted Areas.**

Any off-street parking facility of ten (10) cars or more shall also provide the equivalent of one (1) parking space per each ten (10) cars and each fraction thereof, to be planted with at least one (1) tree with a minimum diameter (measured at the location of its greatest width) of 1 ½ inches, and grass and/or ground cover. The exact location within the parking facility is optional with each design, but the planted area herein referred to shall be in addition to perimeter buffer strips and to other landscaping on the property outside the parking facility.

The purpose of this requirement is to aid in providing visual definition, oxygenation, shade, wind modulation, drainage absorption and relief from other problems as may result from total coverage paving.

Section 18.196**Location of Parking Space for Other Land Uses.**

The off-street parking facilities required for all other uses shall be located on the lot or within one thousand (1000) feet of the permitted use requiring such off-street parking, such distance to be measured along lines of public access to the property between the nearest point of the parking facility to the buildings to be served.

Section 18.197**Off-Street Parking Standards.**

USE	NUMBER OF PARKING SPACES REQUIRED
1. Apartment and Multi-family dwelling	Two spaces for each dwelling family dwelling unit plus 1 space for each 10 units for travel trailers, boats, and other vehicles.
2. Apartments for the Elderly	One (1) space for each dwelling unit.
3. Appliance Store	One (1) space for each four hundred (400) square feet of gross floor area.
4. Auditorium, stadium assembly hall, gymnasium, theater, community recreation center.	(a) one (1) space per three (3) fixed seats in largest assembly room or area, or (b) or (1) space for each forty (40) square feet of floor area available for the accommodation of movable seats in the largest assembly room or combination of fixed and moveable sets; or (c) one (1) space per each one hundred fifty (150) square feet of gross floor area; whichever is greatest.
5. Automobile Service Stations	(1) space (in addition to service area) for each pump and grease rack and one (1) space for each two (2) employees during period of greatest employment but not less than four (4) spaces.
6. Automobile Parts and Accessories	One (1) space for each four hundred (400) square feet of gross floor area.
7. Automobile sales and repair, service stations and auto washeterias	Same as Use 5 above plus one (1) space for each five hundred (500) square feet of gross floor area of the shop or washerteria.
8. Automotive Repair Services and Garages	One (1) space for each four hundred (400) square feet of retail area plus two (2) spaces for each service bay.

9. Bowling Alley	Four (4) spaces per alley plus requirements for any other use associated with the establishment such as a restaurant, etc.
10. Club or Lodge	One (1) space for each two (2) employees plus one (1) space for each two hundred (200) square feet of gross floor area within the main assembly area plus additional spaces for other uses permitted within the premises.
11. Church	One (1) space per four (4) seats in main place of assembly.
12. Combined Uses	Parking spaces shall be the total of the spaces required for each separate use established by this schedule.
13. Dance School	One (1) space for each employee plus one (1) space per one hundred fifty (150) square feet of gross floor area plus safe and convenient loading and unloading of students.
14. Duplex Dwelling Unit	One (1) unpaved space per each unit. Residential driveways will satisfy this need.
15. Financial Institution	One (1) space for each two hundred fifty (250) square feet of gross floor area and two (2) waiting spaces for each drive-thru window.
16. Furniture Store	One (1) space for each four hundred (400) square feet of gross floor area.
17. Grocery Store (including small convenience type food store)	One (1) space for every two hundred fifty (250) square feet of gross floor area.
18. Group Home	See "Nursing Home".
19. High Schools, Schools	One (1) space per each teacher, employee, and administrative personnel plus safe and convenient loading of students plus (5) spaces for each classroom.
20. Hospital	One (1) space for each bed plus one (1) space for each employee (nurse, attendant, etc.) per shift plus one (1) space for each staff or visiting doctor.
21. Hotel	One (1) space for each guest room suite, or unit plus one (1) space for each two (2) employees.

22. Indoor and outdoor recreation areas (commercial)	(a) one (1) space for each one hundred fifty (150) square feet of gross floor, building, ground area or combination devoted to such use; or (b) one (1) space per each four (4) seats or facilities available for patron use, whichever is greater.
23. Industrial or manufacturing establishment or warehouse	Two (2) spaces for each three (3) employees on shift of greatest employment, plus one (1) space for each vehicle used directly in the conduct of the business.
24. Kindergarten, nursery schools, and day care	One (1) space for each employee plus safe and convenient loading of children.
25. Motel	One (1) space for each unit plus one (1) space for each two (2) employees.
26. Nursing Home	One (1) space for each two (2) beds plus one (1) space for each employee on shift of greatest employment.
27. Office, professional building, or similar use	One (1) space for each three hundred fifty (350) square feet of the gross floor area or one (1) space for each two (2) employees, whichever is greater.
28. Personal service establishment	One (1) space for every three hundred fifty (350) square feet of the gross floor area, or one (1) space for each two (2) employees, whichever is greater.
29. Repair Shop	One (1) space for every three hundred (300) square feet of gross floor area plus one (1) space for each employee.
30. Restaurant or place dispensing food, drink, or refreshments to be consumed on the premises	One (1) space for each one hundred (100) square feet of gross floor area with a minimum of ten (10) parking spaces.
31. Restaurant or place dispensing food, drink or refreshments for carry out only (and having outdoor seat area)	One (1) space for each one hundred fifty (150) square feet of gross floor area (with a minimum of ten (10) spaces for this); plus one (1) additional space for each three (3) outdoor seats provided.
32. Restaurant or place dispensing food, drink or refreshments for carry out (no seating provided).	One (1) space for each one hundred fifty (150) square feet of gross floor area; within a minimum of ten (10) parking spaces.

33. Restaurant or place dispensing food, drink or refreshments to be consumed on the premises and also having a drive-thru service	One (1) space for each one hundred (100) square feet of gross floor area; within a minimum of ten (10) parking spaces and providing an adequate land for thru traffic which will not obstruct the required parking and drive-way for the restaurant.
34. Schools, elementary	One (1) space for each teacher, one (1) space for each two (2) employees and administrative personnel, and one (1) for each classroom, plus safe and convenient loading and unloading of students.
35. Senior Citizen Homes	One (1) space for each two (2) beds, plus one (1) space for each employee on shift of greatest employment.
36. Shopping Center (if over 35,000 square feet of gross floor area).	One (1) space for every three hundred fifty(350) square feet of gross floor area.
37. Shopping Center (if 35,000 square feet or less of gross floor area)	One (1) space for every three hundred fifty (350) square feet of gross floor area.
38. Swimming Pool	One (1) space for each two hundred (200) square feet of water surface area plus requirements for additional uses in association with the establishment such as a restaurant, etc.
39. Trailer Park	One (1) space for each trailer stall plus one (1) space for each two (2) employees.
40. Retail stores	One (1) space for each 200 square feet of gross floor area.

Section 18.198 Off-Street Loading Requirements.

On the same premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, warehouse, truck freight terminal, goods display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot of adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets and alleys.

Such loading and unloading space, unless otherwise adequately provided for, shall be an area ten (10) feet by fifty (50) feet, with fifteen (15) foot height clearance, and shall be provided according to the following schedule:

0-10,000	None
10,001-100,000	One (1) space for the first 10,001 square feet plus one (1) additional space for each additional 40,000 square feet in excess of 100,001 square feet.
Over 50,000	Seven (7) spaces for the first 500,001 square feet plus one (1) space for each additional 100,000 square feet in excess of 500,001 square feet.

Section 18.199 Minimum Number of Loading Spaces Required.

Industrial, wholesale and retail operations shall provide space as follows:

- a. Off street loading spaces shall be provided as appropriate to the functions and scope of operation of individual or groups of buildings and uses.
- b. Off street loading spaces shall be designed and constructed so that all maneuvering to park and unpack 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 right-of-way.

Section 18.200 Americans With Disabilities Act (ADA) General Parking Standards.

- a. The City encourages the placement of handicap parking spaces at each off-street parking lot and at selected on street parking locations. Any business shall install the appropriate sign(s) and painted spaces.
- b. Each parking space reserved for the disabled shall be painted and have a sign as per the requirements set out in the “Manual on Uniform Traffic Control Devices”.
- c. For all buildings considered “public”, at least one (1) accessible walk having no steps or abrupt changes in level, and complying with all criteria specified within this ordinance, shall be provided from the parking spaces for disabled people into each accessible primary building entrance. Accessible walks shall also be provided between buildings on a common site. Doors swinging onto or away from walks shall have level areas. Walk surfaces shall be stable, firm, and of sufficient texture to resist slippage.

Section 18.201 Parking Spaces and Passenger Loading Zones for Disabled Persons.

a. A safe place, located either on or off the street, shall be designated for handicapped passengers to get into and out of cars. It shall be:

1. As near as possible to the building entrance provided for the handicapped.
2. Zoned to prohibit parking.
3. Provided with a ramp to the sidewalk level, if located at a curbside.

PARKING SPACES AND PASSENGER LOADING ZONES FOR HANDICAPPED

TOTAL SPACES OR ZONES	REQUIRED NUMBER TO BE RESERVED FOR HANDICAPPED
UP TO 25	1
26 TO 50	2
51 TO 75	3
76 TO 100	4
101 TO 150	5
151 TO 200	6
201 TO 300	7
301 TO 400	8
401 TO 500	9
501 TO 1000	2% OF TOTAL
OVER 1000	20 PLUS 1 FOR EACH 100 OVER 1000

Section 18.202 Disabled Parking for Places of Assembly.

DISABLED PARKING FOR PLACES OF ASSEMBLY

TOTAL SPACES	REQUIRED NUMBER TO BE HANDICAPPED
0 TO 500	3
501 TO 750	5
751 TO 1000	8 PLUS 2 FOR EACH 500 OVER 1000

Spaces shall be:

- a. As near as possible to the building entrance provided for the handicapped with a maximum travel distance of 200 feet.
- b. Identified (wheelchair symbol) and controlled for use by individuals with physical disabilities.

c. A minimum of nine (9) feet in width, with a four (4) foot wide pedestrian access aisle on one side of the space.

d. Spaces shall be substantially level (1/8 inch per foot slope for drainage), suitable for wheeling and walking, and accessible to the building by a clear, level or ramped path of travel.

(Note: Spaces parallel to a curb (four (4) inches high maximum) on the building side of the parking area are desirable. If perpendicular parking is necessary, four (4) foot wide access aisles between every other bay will be required.

Sections 18.203 - 18.205 **Reserved.**

ARTICLE XVIII. WIRELESS TELECOMMUNICATION TOWERS

Section 18.206 **Intent.**

The intent of this article is to establish guidelines for the siting of all wireless, cellular, television and radio telecommunications towers and antennas. The goals of this article are to:

1. Encourage the location of towers in nonresidential areas;
2. Minimize the total number of towers within the community necessary to provide adequate personal wireless services to residents of the city;
3. Encourage the joint use of new and existing tower sites among service providers;
4. Locate telecommunications towers and antennas in areas where adverse impacts on the community are minimized;
5. Encourage design and construction of towers and antennas to minimize adverse visual impacts; and
6. Enhance the ability of the providers of telecommunications services to deliver such services to the community effectively and efficiently.

Section 18.207 **Application of Article.**

a. *District height limitations.* Except as set forth in subsection (c) of this section, the requirements of this article shall govern the location of telecommunications towers that exceed, and antennas that are installed at a height in excess of, 50 feet.

b. *Governmental exemption.* The provisions of this article shall not apply to governmental facilities and structures.

c. *Pre-existing towers and antennas.* Any tower or antenna for which a permit has been properly issued prior to the effective date of the ordinance from which this article is derived shall not be required to meet the provisions of this article, other than the requirements of sections 18.208. Any such towers or antennas shall be referred to in this article as “pre-existing towers” or “pre-existing antennas.”

d. *Additional antennas.* If an additional antenna is co-located upon a pre-existing tower after adoption of this article, then fencing, color and landscaping requires of Section 18.209 shall be met as part of the permitting process.

Section 18.208 **Annual Registration of Telecommunications Towers.**

a. On or before May 1 of each calendar year, the owner of any telecommunications tower shall register such tower with the city clerk on a form provided by the Clerk. The initial annual registration shall identify such telecommunications tower by tax parcel number physical street address, and/or GIS coordinates, and shall describe all structures and equipment on site associated

with such telecommunications tower. Annually thereafter, each subsequent registration shall identify any transfer of ownership of such tower, and/or any modifications to such tower which occurred during the preceding calendar year.

b. For all telecommunications towers which were constructed more than ten years prior to the submittal of the annual registration, at least once every three years the owner of such tower shall submit certification to the director that such tower was inspected and that a registered professional engineer has determined that no signs of defect, disrepair, or other hazardous condition exist.

c. The annual registration fee for each telecommunications tower shall be \$100.00 for the first registration year and \$50.00 per tower per year thereafter.

d. The city clerk shall maintain an inventory of all towers or alternative tower structures, active and inactive, which are present in the city. This inventory shall include specific information about the location (latitude and longitude coordinates), height, design, tower type and general suitability for antenna co-location of each tower, and other pertinent information as may be decided by the department.

Section 18.209 **General Provisions.**

The following requirements apply to all wireless telecommunications facilities regardless of the zoning district in which they are to be located. These general standards are to be supplemented with the specific regulations for each zoning district found in the following sections.

a. When the proposed wireless telecommunications facility is to include a new tower, a plot plan at a scale of not less than one inch is equal to 100 feet shall be submitted. This plot plan shall indicate all building uses within 300 feet of the proposed facility. Aerial photos and/or renderings may augment the plot plan.

b. The location of the tower and equipment shelter shall comply with all natural resource protection standards established in the Zoning Code, including those for floodplain, wetlands, and steep slopes.

c. Security fencing eight feet in height shall surround the tower, equipment shelter and any guy wires, either completely or individually as determined by the City Council.

d. The following buffer plantings may be located around the perimeter of the security fence as deemed appropriate by the City Council.

1. An evergreen screen shall be planted that consists of either a hedge, planted three feet on center maximum, or a row of evergreen trees planted five feet on center maximum.

e. Existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible.

f. No new tower, except amateur radio towers, shall be permitted unless the applicant demonstrates to the satisfaction of the City Council that no existing tower or existing alternative tower structure can accommodate the applicant's proposed antenna. All evidence submitted shall be signed and sealed by appropriate licensed professionals or qualified industry experts and shall consist of more than mere conclusory statements that no existing tower is suitable. Evidence submitted to demonstrate that no existing tower or structure can accommodate the proposed antenna shall consist of one or more of the following:

1. That no existing towers or suitable alternative tower structures are located within the geographic antenna placement area required to meet the applicant's engineering requirements.
2. That existing towers or structures do not have sufficient structural strength to support the applicant's antenna and related equipment.
3. That the applicant's proposed antenna(s) would cause electromagnetic interference with the antenna(s) on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
4. That the cost or contractual provisions required by the tower owner to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
5. That the applicant adequately demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

g. Any application to locate an antenna on a building or structure that is listed on an historic register, or is in a historic district shall be subject to review by the municipality's Architectural Review Board, Building Commissioner, or City Council if there is no such review board or officer.

h. The tower shall be painted a non-contrasting gray or similar color minimizing its visibility, unless otherwise required by the Federal Communications Commission (FCC) or Federal Aviation Administration (FAA). Towers or antennas shall maintain either a galvanized steel or concrete finish or, subject to any applicable standards of the FAA and FCC, be painted a neutral color so as to reduce visual obtrusiveness. At all tower sites, the design of all buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and building environment.

i. No advertising is permitted anywhere on the facility, with the exception of identification signage.

j. All providers utilizing towers shall present a report to the City Clerk notifying them of any tower facility locate in the municipality whose use will be discontinued and the date this use will cease. If at any time the use of the facility is discontinued for 180 days, a designated local official may declare the facility abandoned. (This excludes any dormancy period between construction and the initial use of the facility.) The facility's owner/operator will receive written notice from the City Clerk and will be instructed to either reactivate the facility's use within 180 days, or dismantle and remove the facility. If reactivation or dismantling does not occur, the municipality will remove or will contract to have removed the facility and assess the owner/operator the costs.

k. No tower under 150 feet shall be artificially lighted except to assure safety or as required by the FAA. Any tower between 150 and 200 feet in height shall follow safety marking and obstruction lighting as prescribed by the FAA. Security lighting around the equipment shelter is permitted. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views. In the event that a tower requires lighting by virtue of its height, the city may require the construction of the tower at a lower height in order to avoid lighting requirements.

l. "No Trespassing" signs shall be posted around the facility with a telephone number of who to contact in the event of an emergency.

m. Applicants will provide evidence of legal access to the tower site thereby maintaining this access regardless of other developments that may take place on the site.

n. A Conditional Use Permit must be approved by the City Council with a subsequent Building Permit issued by the City Clerk for construction of new towers in nonindustrial districts. A conditional use permit should comply with all requirements for building permits set forth in this chapter. Collocation of antennas on a single tower, antennas attached to existing structures/building, towers located in industrial districts, or replacement towers to be constructed at the site of a current tower are permitted used and will not be subject to the Conditional use permitting process.

o.. Any decision to deny a request to place, construct or modify a wireless telecommunications antenna and/or tower shall be in writing and supported by evidence contained in a written record of the proceedings of the City Council.

p. Underground equipment shelters are encouraged, especially in nonindustrial districts, and may be requested by the City Council.

q. Upon the transfer of ownership of any tower, alternative tower structure, or lot upon which such a structure has been erected, the tower permittee shall notify the department of the

transaction in writing within 30 days.

Section 18.210 **Non Residential Districts.**

Wireless telecommunications facilities proposed for the industrial zoning district are subject to the following conditions:

a. Sole use on a lot:

A wireless telecommunications facility is permitted as a sole use on a lot subject to the following for the relevant zoning district as Set forth in Article XV.

1. Minimum lot size -
2. Minimum yard requirements -
Tower: the minimum distance to any single-family or two-family residential use or district lot line shall be 300 feet
3. Maximum height -
Tower: 200 feet (includes antenna)
Equipment shelter: (*maximum building height for the district*)
4. Maximum size of equipment shelter -
300 square feet for a single shelter, or, if there is more than one, 750 square feet

b. Combined with another use:

A wireless telecommunications facility is permitted on a property with an existing use subject to the following conditions:

1. The existing use on the property may be any permitted use in the district or any lawful nonconforming use, and need not be affiliated with the wireless telecommunications provider. The wireless telecommunications facility will not be considered an addition to the structure or value of a nonconforming use.
2. The wireless telecommunications facility shall be fully automated and unattended on a daily basis, and shall be visited only for periodic and necessary maintenance (except during construction or an emergency).
3. Minimum lot area -
The minimum lot area shall be the area needed to accommodate the tower (and guy wires, if used), the equipment shelter, security fencing and buffer planting.
4. Minimum yard requirements -
Tower: the minimum distance to any single-family or two-family residential use or district lot line shall be 300 feet.

Equipment shelter: shall comply with the minimum setback requirements for the primary lot.

5. Access - The service access to the equipment shelter shall, whenever feasible, be provided along the circulation driveways of the existing use.
6. Maximum height -
Tower: 200 feet (includes antenna)
Equipment shelter: (*maximum building height for the district*)
7. Maximum size of equipment shelter -
300 square feet for a single shelter, or, if there is more than one, 750 square feet

c. Combined with an existing structure:

Where possible an antenna for a wireless telecommunications facility shall be attached to an existing structure or building subject to the following conditions:

1. Maximum height -
20 feet or 20% of the building height above the existing building or structure, whichever is greater.
2. If the applicant proposes to locate the telecommunications equipment in a separate shelter (not located on, or attached to, the building) the shelter shall comply with the following:
 - a) The minimum setback requirements for the subject zoning district.
 - b) A buffer yard may be planted in accordance with section 1D.
 - c) Vehicular access to the shelter shall not interfere with the parking or vehicular circulation on the site for the principle use.
 - d) The maximum size of the equipment shelter shall not exceed 300 square feet, or, if there is more than one, 751 total square feet.

Section 18.211 Residential Districts

Wireless telecommunications facilities that include towers are not permitted in residential districts with the exception of placement on any property with an institutional use (e.g., church, park, library, municipal/government, hospital, school, utility) or in the C-1 or C-2 business districts. However, antennas attached to existing buildings or structures are permitted, in applying for a permit in any residential district, the applicant must present substantial evidence as to why it is not technically feasible to locate in a more appropriate nonresidential zone. Once those efforts have been exhausted, a wireless telecommunications facility may be located in a residential district subject to the following conditions:

a. General:

The wireless telecommunications facility shall be fully automated and unattended on a daily

basis, and shall be visited only for periodic and necessary maintenance. This shall apply to B, C, D, and E below.

b. Combined with a nonresidential use:

An antenna may be attached to a nonresidential building or a structure that is a permitted use in the district; including, but not limited to, a church, a municipal or governmental building or facility, agricultural building, and a building or structure owned by a utility. The following conditions shall be met:

1. Maximum height, 20 feet above the existing building or structure
2. If the applicant proposes to locate the telecommunications equipment in a separate shelter, the shelter shall comply with the following:
 - a) The shelter shall comply with the minimum setback requirements for the subject zoning district.
 - b) The maximum size of the equipment shelter shall not exceed 300 square feet, or if there is more than one, 750 total square feet.
 - c) A buffer yard shall be planted in accordance with section 1D.
 - d) Vehicular access to the shelter shall not interfere with the parking or vehicular circulation on the site for the principal use.

c. Located on a nonresidential-use property:

A tower to support an antenna may be constructed on a property with a nonresidential use that is a permitted use within the district, including but not limited to a church, hospital, school, municipal or government building, facility or structure, agricultural use and a utility use, subject to the following conditions:

1. The tower shall be set back from any property line abutting a single-family or two-family residential lot by 300 feet.
2. Maximum height -
Tower: 200 feet (includes antenna)
Equipment shelter: (*maximum building height for the district*)
3. The maximum size of the equipment shelter shall not exceed 300 square feet, or, if there is more than one, 750 total square feet.
4. Vehicular access to the tower and equipment shelter shall, whenever feasible, be provided along the circulation driveways of the existing use.
5. In order to locate a telecommunications facility on a property that is vacant or with an agricultural use the tract shall be at least 2.5 acres.

d. Located on a residential building:

An antenna for a wireless telecommunications facility may be attached to a mid-rise or high-

rise apartment building subject to the following conditions:

1. Maximum height, 20 feet above the existing building.
2. If the applicant proposes to locate the telecommunications equipment in a separate shelter (not located in, or attached to, the building), the shelter shall comply with the following:
 - a) The shelter shall comply with the maximum setback requirements for the subject zoning district.
 - b) The maximum size of the equipment shelter shall not exceed 300 square feet, or, if there is more than one, 750 total square feet.
 - c) A buffer yard shall be planted in accordance with section 1D.
 - d) Vehicular access to the shelter shall, if at all possible, use the existing circulation system.

e. Located in open space:

A wireless telecommunications facility is permitted on land that has been established as permanent open space, or a park subject to the following conditions:

1. The open space shall be owned by the municipality, county or state government, a homeowners association, charitable organization, or a private, non-profit conservation organization.
2. Maximum height -
Tower: 200 feet (includes antenna)
Equipment shelter: (*maximum building height for the district*)
3. The maximum size of the equipment shelter shall not exceed 300 square feet, or, if there is more than one, 750 total square feet.
4. The tower shall be set back from any single-family or two-family property line 300 feet.

Section 18.212 **Criteria for a Conditional Use.**

A wireless telecommunications facility which includes a tower may be permitted as a conditional use in a multi-family residential, institutional or commercial district, or located on an institutionally-used property in any residential district. In order to be considered for review, the applicant must prove that a newly-constructed tower is necessary in that opportunities for collocation on an existing tower is not feasible. The following steps must also be taken for the application to be considered for review in this category:

a. The applicant shall present a landscaping plan that indicates how the wireless telecommunications facility will be screened from adjoining uses.

b. The applicant shall demonstrate that the telecommunications tower must be located where it is proposed in order to service the applicant's service area. There shall be an explanation of why a tower and this proposed site is technically necessary.

c. Where the telecommunications facility is located on a property with another principal use, the applicant shall present documentation that the owner of the property has granted an easement or entered into a lease for the proposed facility and that the vehicular access is provided to the facility.

d. Any applicant requesting permission to install a new tower shall provide evidence of written contact with all wireless providers who supply service within a quarter mile of the proposed facility. The applicant shall inquire about potential collocation opportunities at all technically feasible locations. The contacted providers shall be requested to respond in writing to the inquiry within 30 days. The applicant's letter(s) as well as response(s) shall be presented to the City Council as a means of demonstrating the need for a new tower.

e. The applicant shall comply with any other requirement of this article.

ARTICLE XIX. EFFECTIVE DATE

Section 18.213 Effective Date.

I hereby certify that the above Ordinance was passed at a regular session of City Council meeting of the City of Coolidge, Georgia held on _____ at _____ p.m. at the City Hall, in Coolidge, Georgia.

Sections 18.214- 18.215 Reserved.