

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-8	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Aircraft Landing Field, Heliport, Helipad												S		S	S	P
Ambulance or Medical Transport Company												S		S	P	P
Animal Hospital or Veterinary Clinic	√	S								S	S	P		P	P	P
Antique Shop										P		P	P	P	S	
Art and School Supply Store										P		P	P	P	S	
Art Gallery										P		P	P	P		
Asphalt Plant																S
Auction House										S		S	S	P	P	P
Automatic Teller Machine, Attached										P	P	P	P	P	P	P
Automatic Teller Machine-Freestanding	√									P		P	P	P		
Automobile Accessories Sales and Installation												S		S	P	P
Automobile Body Repair, Painting or Rebuilding	√											S		S	P	P
Automobile Manufacturing Plant																P
Automobile, Truck or Vehicle Storage Lot (excl. junk/wrecked vehicles)	√											S		S	S	P
Automobile Parts Store (with installation)												S		S	P	P
Automobile Parts Store (without installation)												P		P	P	P
Automobile Repair and Maintenance	√											S		S	P	P
Automobile Sales or Auction and Related Service (outdoor	√											S		S	S	P

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-8	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Cabinet Shop												S			P	P
Call Center											S	P		P	P	P
Carpet and Upholstery Cleaning Service												P		P	P	P
Catering Service												P	P	P	P	P
Cement, Concrete or Masonry Plant																S
Cemetery or Mausoleum	√	S														
Cemetery, Family	√	P	P	P												
Check Cashing, Payday Loan and Wire Transfer Facilities	√											S		S		
Chemical Plant (non-pharmaceutical)															S	S
Child Caring Institutions (CCI)	√	S	S	S												
Clothing, Apparel and Shoe Stores										P		P	P	P	S	
Clothing, Apparel or Shoe Manufacturing															P	P
Club, Lodge or Fraternal Organization										S	S	P	P	P	S	
Cold Storage Plant															P	P
Community Center or Cultural Facility	√	P	P	P						P	P	P	P	P	S	S
Community Garden	√	P	P	P	P	P	P	P	P	P					P	P
Community Living Arrangement (CLA)	√	S	S	S												
Composting Facility (municipal solid waste)																S
Composting Facility (yard trimmings)	√														S	P
Consignment Shop, Clothing										P		P	P	P	S	
Consignment Shop, General										P		P		P	S	

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-8	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Contractors Office, Building Construction	√											P		P	P	P
Contractors Office, Heavy/Civil	√														S	P
Contractors Office, Landscape	√											S		S	P	P
Convenience Store (with fuel pumps)												P		P		
Convenience Store (without fuel pumps)												P	S	P		
Convention Facility												P			P	P
Copy Shop and Parcel Shipping Store										P		P	P	P	P	
Corporate Training and Education Centers										P	S	P	P	P	P	P
Crematory (principal use)															S	P
Customary Home Occupation	√	P	P	P	P	P	P	P	P							
Data Center											P	P		P	P	P
Day Care Facility										S	S	P	P	P	S	S
Day Care Facility (family)	√	S	S	S												
Department Store, Big Box Specialty Store or Supercenter	√											S		P		
Depot / Passenger Terminal (bus or rail)												S		S	P	P
Die Casting															P	P
Distribution Facility															P	P
Dollar or Variety Store												S		S		
Driving Instruction/DUI School												P		P		
Drug Abuse Treatment Facility	√											S		S		

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-8	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Dry Cleaning										P		P	P	P	P	
Dump, Junkyard, Salvage Yard, or Automobile Junk/Salvage Yard	√														S	S
Dwelling - Mobile or Manufactured Home		S							P							
Dwelling - Multifamily							P	P		P						
Dwelling - Single-Family Detached		P	P	P	P					P						
Dwelling - Townhouse						P				P						
Electronics, Cell Phone and Computer (Retail)										P		P	P	P	P	
Emissions Inspection Station	√											P		P	P	P
Equestrian Facility, Riding Stables or Academy	√	P														
Estates Sales	√	P	P	P	P											
Explosives Plant/Storage															S	S
Farmer's Market (including off-site products)		S										S	S			
Farmer's Market (on-site products only)		P										S	S			
Fat and Bone Rendering Plant																S
Feed Processing Facility															S	P
Fertilizer Plant																S
Fireworks Sales (accessory use)	√											P		P		
Fireworks Sales (principal use)	√											S		S		
Florist or Flower Shop										P	S	P	P	P	P	P

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-8	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Food Processing/Packaging/Canning Plant															S	P
Food Store, Specialty (butcher, greengrocer, bakery)										P		P	P	P	P	
Funeral Home (including accessory crematory)												S		P	P	P
Furniture or Home Furnishings Store										P		P	P	P	P	S
Garage, Rummage, Yard, and Similar Sales	√	P	P	P	P											
Garden Supply Center												S		P	P	P
Gift Shop or Greeting Card Shop										P		P	P	P		
Golf Course		S	S	S												
Golf Driving Range		S										S		S	S	S
Greenhouse or Plant Nursery (wholesale)		P													P	P
Grocery Store										P		P	P	P	S	
Hair Salon, Beauty Parlor or Barber Shop	√									P	S	P	P	P		
Handwriting Analysts and Fortune Tellers	√													P		
Hardware Store										P		P	P	P	S	
Health Club, Spa, or Fitness Center										P		P	P	P	S	S
Heavy or Farm Equipment Sales and Service															S	P
Home Improvement Center												S		P	S	
Hookah/Vapor Bar or Lounge	√											S	S	S		
Hospice Home											S	S		P		
Hospital												P		P	P	P
Hotel or Motel	√											S	S	P		

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-8	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Human Services Ministry												P		P	P	P
Interior Decorating Shop										P		P	P	P	P	P
Janitorial and Maid Services												P		P	P	P
Jewelry Store										P		P	P	P		
Joint Living Residence	√					S					S					
Kennel or Pet Boarding, Indoor	√	P										P		P	P	P
Kennel or Pet Boarding, with Outdoor Facilities	√	S										S		S	S	S
Laboratory (medical or dental)											S	S			P	P
Landfill	√	S														S
Laundry / Dry Cleaning Plant															P	P
Lawn Treatment Service														P	P	P
Liquid Waste Treatment/Recycling															S	S
Livestock Sales Pavilion or Auction Facility	√	S														
Livestock, keeping of (for personal utility)	√	P	S	S												
Live/Work	√									P			P			
Locksmith												P		P	P	P
Machine Shop												S			P	P
Maintenance Shop (fleet vehicles)															P	P
Manufactured Building or Mobile Home Sales	√													S	S	P
Manufacturing, General												S	S	S	P	P

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-8	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Massage Therapy Businesses	√										P	P	P	P		
Medical Office or Clinic											P	P	P	P	P	P
Metal Smelting / Forging Works																P
Motorcycle and Personal Watercraft Sales and Related Service												S		S	P	P
Motorcycle and Personal Watercraft Service and Repair												S		S	P	P
Motorcycle Parts, Accessories and Apparel Store												P		P	P	P
Movie Studio															P	P
Movie Theater, Cineplex, or Multiplex										P		P	S	P		
Moving Company												S		P	P	P
Museum or Library										P		P	P	P	P	P
Musical Instrument Store										P		P	P	P	P	P
Nightclub, Dance Club, or Lounge										S		S	S	P		
Nursing Home											S	P		P	S	S
Showroom Facility (accessory)												P		P	P	P
Outdoor Sales, or Display (retail)	√											S		S	S	S
Outdoor Storage (other than junk/salvage yards)	√														P	P
Paper / Pulp Mill																S
Parking Garage or Lot (principal use)										S		P	P	P	P	P
Pawnbrokers and Secondhand Dealers	√											S		S		
Personal Care Home, Commercial											S	P	S	P		

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-8	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
Personal Care Home, Family	√	S	S	S												
Pest Control / Extermination Business												P		P	P	P
Pet Grooming										P		P	P	P	S	
Pet Shop or Pet Supply Store										P		P	P	P		
Petroleum Refinery / Processing Plant	√															S
Pharmaceutical Manufacturing															P	P
Pharmacy or Drug Store										P		P	P	P		
Photo Processing Plant															P	P
Place of Worship	√	S	S	S						S	P	P	P	P	S	S
Plastics Extrusion															P	P
Plumbing Equipment Dealer	√											S		S	P	P
Pool or Billiards Halls										S		S		S		
Poultry / Meat Processing Plant																S
Precious Metal Dealers	√									P		P	P	P		
Printing, Bookbinding or Publishing Plant												S			P	P
Quarry, Mining, Borrow Pit	√														S	S
Radio and Television Station or Studio												P		P	P	P
Railroad Repair or Storage Yard															S	P
Recording / Rehearsal Studio												P	S	P	P	P
Recovered Materials Processing Facility	√														S	P
Recreation and Entertainment Facility (indoor)												P	P	P	P	S

Uses	SAR	AR	RS-180	RS-150	RS-60	RM-8	RM-12	RM-24	MH	CMU	OI	BG	BGC	HSB	LM	HM
School or College, Business											S	P		P	P	P
School, Montessori											P	P	P	P	P	S
School, Private (College or University)		S									P	P	P	P	P	P
School, Private (Primary and Secondary)	√	S									P	P	P	P	P	P
School, Trade or Vocational												S		P	P	P
Scrap Tire Processing, Grinding or Retreading															S	S
Self-Storage or Mini-Warehouse Facility	√											S		P	P	P
Septic Tank Pumping Company															S	P
Shelter, Homeless												S		S	S	S
Shooting or Archery Range, and similar outdoor recreation		S										S		S	S	S
Shooting Ranges, Indoor												S	S	S	P	
Sign Shop (General Fabrication)												S			P	P
Sign Shop (Graphic Printing, Screen Printing)												P	P		P	P
Smoke or Novelty Shop												S		S		
Soft Drink Bottling / Distribution Plant															P	P
Solid Waste Transfer Station																S
Special Events Facility	√											S	S	S		
Sporting Goods Store										P		P	P	P		
Sports Training Facility (indoor)												P		P	P	P
Sports Training Facility (outdoor)												S		S	P	P

Section 2. Delete Article 2 Supplemental and Accessory Use Standards in its entirety, and replace it as follows:

Supplemental and Accessory Use Standards

200.1 Purpose and Intent

- A.** The purpose of these standards is to supplement the Use Table by providing more specific standards for certain uses to ensure that they will be compatible with surrounding uses; have minimal impact on the environment; promote the health, safety, and welfare of the community; and meet the intent of the Comprehensive Plan.
- B.** These standards apply to specific uses in all zoning districts unless otherwise noted.
- C.** Any use that is regulated by this Article and is authorized in a zoning district shall be developed in compliance with the applicable Supplemental Use or Accessory Use Standards for that use. In addition to the Supplemental and Accessory Use Standards, any proposed use shall be developed in compliance with the rules and regulations of the Building and Building Regulations, Development Regulations, Subdivision Regulations, and Zoning Ordinance of the City of Lawrenceville
- D.** No permit shall be issued for a use, building, or structure that does not conform to applicable provisions of this Article; except that, where any requirement of the Supplemental Use or Accessory Use Standards conflicts with a condition of rezoning, special use permit, or other action of the City Council, the conditions per the approval shall prevail.

200.2 Applicability

The Supplemental Use Standards and Accessory Use Standards listed in [Section 200.3](#) are applicable as indicated by a check mark (√) in the [Article 1, Section 103.2, Use Table](#), as requiring Supplemental or Accessory Use Standards.

Upon passage of this Resolution, any existing regulated use is deemed a nonconforming use. Such nonconforming regulated uses shall be subject to the requirements of [Article 3, Nonconformities](#), of this Ordinance.

200.3 Supplemental Use Standards (As Per Section 103.2, Use Table)

200.3.1 ACCESSORY BUILDINGS AND STRUCTURES

- A.** Limited to one Accessory Building or Structure per zoning lot, provided that each of the following conditions is met:
 - 1.** A Principal Permitted Use has already been permitted and constructed on the zoning lot.
 - 2.** It has a maximum height of 18 feet.
 - 3.** No Accessory Building or Structure can cover more than 400 square feet and shall be limited to one Accessory Building/Structure on the same zoning lot. Accessory buildings/structures over 400 square feet shall require the approval of a Special Use Permit.
 - 4.** It is located in the Rear Yard; and
 - 5.** The Accessory Building or Structure shall be constructed from a wood frame with wood siding, including hardy plank style siding, masonry, stucco, or some combination thereof and shall be constructed to match the primary structure in percentage and type of materials.
 - 6.** A permit for the Accessory Building or Structure is required.

200.3.2 ADULT ENTERTAINMENT

Adult Entertainment shall comply with the following:

A. Permitted Use

Adult Entertainment may be permitted in the HM zoning classification.

B. Area

Lot Area shall be a minimum of three (3) acres or 130,680 square feet.

C. Location

Adult Entertainment business or use restricted under this Sub Section shall not be located:

- 1.** Within one thousand (1,000) feet of any parcel of land which is either named or used for residential uses or purposes.
- 2.** Within one thousand (1,000) feet of any parcel of land upon which consist of a civic center, governmental building, library, place of worship, public park or playground, school (private or public).
- 3.** Within one thousand (1,000) feet of any parcel of land upon which another Adult Entertainment business or use regulated or defined under this Sub Section.
- 4.** Within one thousand (1,000) feet of any parcel of land upon which any establishment selling alcoholic beverages is located.

For the purposes of this Sub Section, distance shall be by straight line measurement from the property line, using the closest property lines of the parcels of land involved. The term "parcel of land" means any quantity of land capable of being described by location and boundary, designated, and used or to be used as a unit.

D. Interior Lighting

The interior lighting in the premises will provide adequate visibility for patrons and public safety personnel with a minimum of 10 candles at all times, as measured from the floor.

E. Road Classification

Adult Entertainment shall be located adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.

F. Road Frontage

Adult Entertainment shall be located on a legal lot of record consisting of a minimum of one hundred fifty (150 ft.) feet immediately adjacent to an Arterial or Collector Street, or a State Highway.

G. Businesses and Business Regulations

Adult Entertainment shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 13. – Adult Entertainment.

200.3.3 AGRICULTURAL USES (LIVESTOCK)

In agricultural zoning districts, the following shall be located no closer than 100 feet to any property line: corrals, stables, barns, pens, coops, chicken houses, and other similar livestock quarters.

200.3.4 ANIMAL HOSPITAL OR VETERINARY CLINIC

A Special Use Permit shall be required if any outdoor run or pen is used to house or exercise animals.

200.3.5 AUTOMATIC TELLER MACHINE - FREESTANDING

- A.** Only one free-standing ATM may be installed per parcel.
- B.** The structure built to house the ATM shall be architecturally compatible with the primary structure and incorporate similar construction materials.
- C.** The structure shall not exceed a height of 12 feet.
- D.** The structure shall be setback from any right-of-way at least as required by the applicable zoning district.
- E.** The structure may not be installed in any required parking spaces.
- F.** A permanently installed trash receptacle shall be located within five feet of the structure which shall be maintained by the property owner on a regular scheduled basis.
- G.** Installation shall not reduce any required or existing landscaping.
- H.** All requirements of O.C.G.A. § 7-8-1 et seq. shall be met.
- I.** A marked and designated travel lane shall be provided with a landscape island buffer.

200.3.6 AUTOMOBILE, TRUCK, OR VEHICLE STORAGE LOT (OTHER THAN IMPOUND LOT)

See section 200.3.55 Outdoor Storage (Industrial)

200.3.7 AUTOMOBILE BODY, REPAIR, PAINTING, REBUILDING, OR REPAIR AND MAINTENANCE FACILITIES

Automobile Body, Repair, Painting, Rebuilding or Repair and Maintenance Facilities shall comply with the following:

A. Permitted Use

Automobile Body, Repair, Painting, Rebuilding or Repair and Maintenance Facilities may be permitted in the LM and HM zoning classifications.

B. Special Use Permit

Automobile Body, Repair, Painting, Rebuilding or Repair and Maintenance Facilities may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit allowing Outdoor Storage, pursuant to the City of Lawrenceville Zoning Ordinance, Article 9, Section 907. Rezoning and Special Use Permit Application Public Hearing

C. Outdoor Storage

Outdoor Storage, as defined by this Zoning Ordinance, Article 10 Definitions, shall conform to this Article, Sub Section(s) 200.3.53 Outdoor Storage – Retail, and 200.3.54 Outdoor Storage – Industrial, as applicable.

- D.** Automobile service bays shall not be adjacent to or visible from a public right-of-way.
- E.** A 15-foot landscaped buffer shall be required adjacent to a public right-of-way.
- F.** Overnight parking is permitted in a side and rear yard area, but the parking must be screened from view with minimum six-foot opaque fencing.
- G.** No work shall be conducted on the outside grounds of the establishment;
and
- H.** No metal building facades.

200.3.8 AUTOMOBILE SALES OR AUCTION AND RELATED SERVICE (USED OR NEW CAR OUTDOOR SALES LOT)

- A.** No used car lots are permitted within 100 feet of any residential property.
- B.** No lots smaller than 25,000 square feet.
- C.** All buildings must have a permanent foundation. Architectural exterior treatments must consist of brick, or stone.
- D.** The building must be at least 1000 square feet.
- E.** No metal building facades; and
- F.** A 15-foot landscape buffer shall be provided fronting the street.

200.3.9 AUTOMOBILE SALES (INDOOR) OR AUCTION AND RELATED SERVICE

- A.** No used car lots are permitted within 100 feet of any residential property.
- B.** No lots smaller than 25,000 square feet.
- C.** All buildings must have a permanent foundation. Architectural exterior treatments must consist of brick, or stone.
- D.** The building must be at least 1000 square feet.
- E.** No metal building facades; and
- F.** A 15-foot landscape buffer shall be provided fronting the street.
- G.** Auto repair shall be prohibited.
- H.** Display and outdoor storage shall be prohibited.

200.3.10 AUTOMOBILE WASH - AUTOMATIC AND SELF SERVICE

- A.** Metal building facades are prohibited; and
- B.** Prefabricated awning type structures are only permitted at automatic facilities.

200.3.11 BAIL BONDING

- A.** The use is only allowed with a Special Use permit on properties which front Buford Drive from SR 316, north of the city limits.
- B.** The color of the building and signage must be approved through the Special Use Permit process.
- C.** Parking of commercial vehicles is prohibited.
- D.** Vehicle signage is prohibited.

200.3.12 BAKERY (INDUSTRIAL; RETAIL BAKERY AS AN ACCESSORY USE)

- A.** Accessory retail sales of baked goods produced on-site shall be limited to 15-percent of the gross floor area.
- B.** All activities associated with accessory retail sales of baked goods produced on-site shall be conducted indoors.
- C.** Accessory retail sales of baked goods produced on site shall be limited to Monday through Friday from 8 AM to 5 PM, and Saturday from 8AM until 1 PM.
- D.** Accessory retail sales of baked goods produced off-site shall be prohibited.

200.3.13 BED AND BREAKFAST INN

- A.** Bed and Breakfast Inns shall be subject to the following requirements:
- 1.** The operator of the establishment shall reside in the dwelling.
 - 2.** The use shall have a lot area of not less than 20,000 sq. ft. and a floor area of the dwelling unit of no less than 2,500 sq. ft.
 - 3.** No guest shall reside in a Bed and Breakfast Inn for a period in excess of 14 days.
 - 4.** If located in a residential zoning district, the structure shall be compatible with the character of the neighborhood in terms of height, setbacks, and bulk. Any modifications to the structure shall be compatible with the character of the neighborhood.
 - 5.** Guestrooms may not be equipped with cooking facilities.
 - 6.** In residential zoning districts, food may be served on the premises only for overnight guests and employees of the Bed and Breakfast Inn. However, a restaurant serving up to 50 additional guests may be permitted subject to approval of a Special Use Permit (Article 9, Administration and Enforcement).

200.3.14 BODY ART STUDIOS

Body Art Studios shall comply with the following:

A. Permitted Use

Body Art Studios may be permitted in the HSB zoning classification.

B. Road Classification

Body Art Studios shall be located adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.

C. Businesses and Business Regulations

Body Art Studios shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 15. – Body Art.

200.3.15 CEMETERY, FAMILY CEMETERY, OR MAUSOLEUM

- A.** Except when used as an accessory to a place of worship, cemeteries, family cemeteries, and mausoleums shall conform to the following requirements:
 - 1.** The cemetery may front only on a street classified as a Collector or Arterial roadway in the Comprehensive Plan or along a State Highway, and the entrance and exits to the cemetery shall only be from the classified street on which it fronts.
 - 2.** The cemetery shall be bordered by a 15-foot-wide buffer and a minimum six-foot-high decorative fence or wall along all of its exterior property lines and frontage streets and not extending into the required front yard. The buffer strip shall be planted with evergreen trees or shrubs that grow at least eight feet tall and provide an effective visual screen.
 - 3.** Prior to the approval of a request to use property as a cemetery, a site plan and a covenant for perpetual care shall be submitted to the Planning and Development Department. The covenant for perpetual care shall include measures to be undertaken to preserve, protect, and provide for ongoing maintenance, including fencing, landscaping, and gravesites.
 - 4.** The covenant for perpetual care and a plat of survey delineating the limits of the cemetery shall be recorded by the Gwinnett County Clerk of Superior Court (Deeds and Records).

200.3.16 CHECK CASHING, PAYDAY LOAN, AND WIRE TRANSFER FACILITIES

A. Permitted Use

Check Cashing, Payday Loan and Wire Transfer Facilities may be permitted as an Accessory Use to a Principal Use (e.g., Convenience Store, Department Store, Discount Store, Grocery Store, Supercenter) in the BG and HSB zoning classifications.

allowed by right as an accessory to the principal use to a at which there shall be no exterior ground, wall, or window signage accompanying the accessory use.

B. Special Use Permit

Check Cashing, Payday Loan, and Wire Transfer Facilities as Principal Use may be permitted in the BG and HSB zoning classification with the approval of a Special Use Permit, pursuant to the City of Lawrenceville Zoning Ordinance, Article 9, Section 907. Rezoning and Special Use Permit Application Public Hearing Process.

C. Location

Check Cashing, Payday Loan, and Wire Transfer Facilities businesses or uses restricted under this Sub Section shall not be located:

1. Within one thousand five hundred (1,500) feet of a Check Cashing, Payday Loan, and Wire Transfer Facilities businesses or uses.
2. Within one thousand (1,000) feet of any parcel of land upon which consist of a civic center, governmental building, library, place of worship, public park or playground, or school (private or public).
3. Within five hundred (500) feet of an RS-180, RS-150, RS-60, RS-50, RS-TH, RM-12, RM-24, and CMU zoning classification.

For the purpose of this Section, distance shall be by straight line measurement from the property line, using the closet property lines of the parcels of land involved. The term “parcel of land” means any quantity of land capable of being described by location and boundary, designated, and used or to be used as a unit.

D. Road Classification

Check Cashing, Payday Loan, and Wire Transfer Facilities shall be located adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.

E. Exemptions

Grocery Stores that do not charge a fee to cash a check as cashing customer's checks as a convenience is incidental to their main business of selling food and household items. This Subsection shall also exempt tax preparation services such as H&R Block.

200.3.17 CHILD CARING INSTITUTIONS (CCI)

- A.** Child Caring Institutions (CCI) facilities shall be located on a lot of at least 1 acre in size.
- B.** Shall be limited to no more than eight residents.
- C.** A Special Use permit is required.

200.3.18 COMMUNITY CENTER OR CULTURAL FACILITY

- 1.** In residential zoning districts, community centers or cultural facilities shall conform to the following requirements and restrictions. Residentially zoned properties not meeting these requirements shall be required to obtain a Special Use Permit.
- 2.** Community Center or Cultural Facilities shall be located on a parcel of land adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.
- 3.** Community Center and Cultural Facilities shall have a minimum acreage of five acres.
- 4.** Community Center and Cultural Facilities shall have a minimum of two hundred fifty (250) feet of road frontage.
- 5.** The buildings shall be located not less than 50 feet from any street and not less than 30 feet from any side or rear property line.
- 6.** Parking shall not be provided in the front yard setback area.

7. A minimum 50-foot-wide buffer shall be provided adjacent to residentially zoned properties.
8. Accessory Uses Requiring Special Use Permit. In residential zoning, the following additional uses may be permitted as accessory to a community center or cultural facility only upon approval of a Special Use Permit:
 - a. Lighted outdoor ball fields, pools, or similar recreation facilities.
 - b. Cemeteries or mausoleums.
 - c. Day Care Centers.
 - d. Kindergartens.
 - e. Private schools (K-12).
 - f. Health and social services including out-patient clinics, transitional housing, shelters, and other similar facilities.

200.3.19 COMMUNITY GARDEN

- A. Community gardens shall be subject to the following requirements:
 1. The garden shall not be located within any required buffer.
 2. Outdoor lighting shall be prohibited.
 3. Signage shall be limited to a single, non-illuminated sign of no more than four square feet.
 4. Gardening equipment and machinery must be stored in an enclosed, secure building or shed. Retail sales shall be prohibited.
 5. Composting is permitted on the premises if stored in a manner that controls odor, prevents insect or rodent infestation, and minimizes runoff into waterways and onto adjacent properties.
 6. The garden must maintain an orderly appearance and may not be neglected or allowed to become overgrown or eroded.
 7. If a community garden ceases operation, and is no longer desired by the owners, it shall be stabilized with grass, trees, and/or shrubbery in accordance with a plan submitted for approval by the Director.

200.3.20 COMMUNITY LIVING ARRANGEMENT (CLA)

Community Living Arrangement (CLA) facilities shall be located on a lot of at least one acre in size and shall be limited to no more than eight residents.

200.3.21 COMPOSTING FACILITY, YARD TRIMMINGS

- A.** Yard Trimmings Composting Facilities shall meet the following design standards:
- 1.** Composting materials shall be limited to tree stumps, branches, leaves, and grass clippings, or similar putrescent vegetative materials. Composting materials shall not include animal products or inorganic materials such as bottles, cans, plastics, metals, or similar materials.
 - 2.** Along the entire road frontage (except for approved access crossings), and along the side and rear property lines, provide a landscape earthen berm and/or a fence or masonry wall. Landscape earthen berms shall be three feet high with a maximum slope of three-to-one. Fences or masonry walls shall be a minimum of six feet high and composed of 100-percent-opaque solid wood. The fence/wall or berm must be located outside of any public right-of-way and interior to any landscape strip. The finished side of a wall shall face the exterior property lines.

200.3.22 CONTRACTOR'S OFFICE

See Section 200.3.53 Outdoor storage (retail) and 200.3.54 Outdoor Storage (Industrial).

200.3.23 CONSTRUCTION TRAILER/TEMPORARY BUILDING

A temporary building or buildings for use in connection with a construction project or land subdivision development shall be permitted on the land of the project during the construction period.

200.3.24 CUSTOMARY HOME OCCUPATION

- A.** Any use, such as a home-based business, customarily conducted entirely within the dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.
- B.** No person other than members of the family residing on the premises shall be engaged in such home occupation.
- C.** The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes. No home occupation shall be conducted in any accessory building.
- D.** There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation.
- E.** There shall be no receipt or delivery of goods sold in connection with such home occupation nor shall any inventory of goods for sale be stored or maintained in or about the premises.
- F.** No traffic shall be generated by such home occupation than would normally be expected in a residential neighborhood. The off-site employees of the resident shall not congregate on the premises for any purpose concerning the business of home occupation.
- G.** No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses at the lot line of the operation conducted in a single-family residence, or outside the dwelling unit if conducted somewhere other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in electrical line voltage off the premises.
- H.** A Special Use Permit shall be required if the above minimum restrictions are not met.

200.3.25 DAY CARE FACILITY (FAMILY)

A. Day Care Facility (family) must meet the following criteria:

- 1.** The day care facility (family) must be properly licensed through the Department of Early Care and Learning.
- 2.** Proof of owner consent to operate a family day care home must be provided to the Department of Planning and Development if the property is leased.
- 3.** A drop-off and pick-up plan must be provided to the Department of Planning and Development which illustrates that the operation will not have adverse effects on the flow of traffic; and
- 4.** No more than five children under 18 years of age, including children residing in the home, may be cared for at one time.

200.3.26 DEPARTMENT STORE OR SUPERCENTER

Such stores may offer automobile maintenance and tire service as a by-right accessory use, provided that junked or wrecked vehicles shall not be allowed on-site, and vehicles undergoing routine service are not kept on the property for more than 48 hours. Maintenance bay doors shall not face a public right-of-way.

200.3.27 DRIVE-THROUGH SERVICE WINDOWS

- A.** Drive-through service windows shall provide adequate queue space for a minimum of three cars per lane.
- B.** Stacking lanes shall be delineated from traffic aisles, other stacking lanes, and parking areas with striping, curbing, landscaping, and the use of alternative paving materials or raised medians.
- C.** Stacking lanes shall be designed to prevent circulation congestion, both on site and on adjacent public streets. The circulation shall:
 - 1.** Separate drive-through traffic from site circulation.
 - 2.** Not impede or impair access into or out of parking spaces.
 - 3.** Not impede or impair vehicle or pedestrian traffic movement; and
 - 4.** Minimize conflicts between pedestrian and vehicular traffic with physical and visual separation between the two.
- D.** Stacking lanes shall not interfere with required loading and trash storage areas and loading or trash operations shall not impede or impair vehicle movement. If said separate stacking lane is curbed, an emergency bypass or exit shall be provided.
- E.** No outdoor speakers shall be employed within 200 feet of any single-family residential use.

200.3.28 DRUG ABUSE TREATMENT FACILITY

- A.** The Drug Abuse Treatment Facility must, at all times, be approved and properly licensed through the Georgia Department of Community Health.
- B.** No Drug Abuse Treatment Facility may be located within 1,000 feet of any residential property, measured from property line to property line.
- C.** No Drug Abuse Treatment Facility may be located within 1,000 feet of any other Drug Abuse Treatment Facility, measured from property line to property line.
- D.** No Drug Abuse Treatment Facility may be located within 1,000 feet of any school or university; and
- E.** The Drug Abuse Treatment Facility must be located on a major thoroughfare.

200.3.29 DUMP, JUNKYARD, SALVAGE YARD, AUTOMOBILE JUNK/SALVAGE YARD

Dump, Junkyard, Salvage Yard, Automobile Junk/Salvage Yard facilities shall comply with the following:

A. Special Use Permit

Dump, Junkyard, Salvage Yard, Automobile Junk/Salvage Yard facilities may be permitted in the LM and HM zoning classification with the approval of a Special Use Permit allowing Outdoor Storage, pursuant to the City of Lawrenceville Zoning Ordinance, Article 9, Section 907. Rezoning and Special Use Permit Application Public Hearing

B. Location

Dump, Junkyard, Salvage Yard, Automobile Junk/Salvage Yard facilities restricted under this Sub Section shall not be located:

1. Within three hundred (300) feet of any parcel of land which consists of a commercial, mixed-use, multifamily, office institutional or single-family zoning classification.
2. Within one thousand (1,000) feet of a public right-of-way having a right-of-way of 100 feet or greater.

For the purposes of this Sub Section, distance shall be by straight line measurement from the property line, using the closest property lines of the parcels of land involved. The term "parcel of land" means any quantity of land capable of being described by location and boundary, designated, and used or to be used as a unit.

C. Screening

Dump, Junkyard, Salvage Yard, Automobile Junk/Salvage Yard facilities shall be completely enclosed with a solid (opaque) fencing, no less than eight feet high, and in no case less than such height as will effectively screen all storage and other operations from view.

D. Road Classification

Dump, Junkyard, Salvage Yard, Automobile Junk/Salvage Yard facilities shall be accessed from a roadway classified as an Arterial or Collector Street, or a State Highway.

200.3.30 ELECTRONIC MESSAGE CENTER (EMC)

Electronic Message Centers (EMC) shall require a Special Use Permit unless it meets all of the standards in [Article 7, Signs](#), as it relates to EMC's.

200.3.31 EMISSIONS INSPECTION STATIONS

- A.** Emissions inspection stations shall meet the following design standards:
- 1.** The facility shall be located in a permanent non-combustible structure.
 - 2.** The structure shall include a designated indoor public waiting area (minimum three fixed seats) with restrooms; or as an alternative, shall provide the required designated indoor waiting area and restrooms upon the same lot, within 500 feet of the testing facility.
 - 3.** The facility shall provide a minimum of four paved parking spaces. Drive-through facilities shall also provide a paved stacking lane for a minimum of four vehicles. Parking spaces and stacking lane shall be striped.
 - 4.** If constructed in an existing parking lot, the facility and stacking lane(s) shall not occupy any required on-site parking space or encroach into any minimum required driveway width.

200.3.32 EQUESTRIAN FACILITIES, RIDING STABLES, OR ACADEMIES

Stables, corrals, riding rings, and other similar facilities shall not be located closer than 100 feet to any property line.

200.3.33 ESTATE SALES

Estate Sales shall comply with the following:

A. Permitted Use

Estate Sales may be permitted in the AR, RS-180, RS-150, and RS-60 zoning classification.

B. Businesses and Business Regulations

Estate Sales shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 22. – Estate Sales.

200.3.34 FENCES AND WALLS

200.3.34.1 HEIGHT OF FENCING OR WALLS

Except as provided in Section 200.3.34.2, no wall or fence in a residential zoning district shall exceed 4 feet in height within a required front building setback line or 6 feet in height in the balance of the yard.

200.3.34.2 EXCEPTIONS TO SECTION 200.3.34.1 ARE AS FOLLOWS:

- A.** A fence or wall that encloses an approved stormwater management facility may be a maximum of 6 feet in height.
- B.** A fence or wall enclosing a tennis court may be a maximum of 12 feet in height.
- C.** The City Council may condition the approval of a Rezoning or Special Use Permit to require that walls or fences of a height in excess of these regulations may be placed in any yard where such walls or fence is necessary to provide screening.
- D.** Lots with double frontage may have a fence up to 6 feet in height in the no access easement.

200.3.34.3 SUBDIVISION ENTRANCE FEATURES

Walls or fences incorporated into a subdivision entrance feature shall not exceed ten feet in height and shall be subject to review and approval by the Director after the submission of a landscape plan, site plan and architectural elevations to the Department.

200.3.34.4 FENCE MATERIALS

- A.** Any wall or fence which extends into the required front yard on property less than 3 acres in area shall be ornamental or decorative and constructed of brick, stone, wood, wrought iron, or split rail.
- B.** No wall or fence constructed of woven wire or metal fabric (chain link, hog wire or barbed wire) shall extend into a front yard, except fences enclosing stormwater facilities shall consist of vinyl coated chain link fencing material. Woven wire or metal fabric fences may extend into a front yard when property contains a minimum of 3 acres.
- C.** Electric and barb wire fences shall be prohibited in residential districts except on lots which meet or exceed the minimum requirements for raising and keeping of livestock (3 acres).
- D.** Exposed concrete blocks, tires, scrap metal, sheet metal, plastic/fiberglass sheeting, vinyl siding or fabric, plywood, pallet material, junk or other discarded items shall be prohibited as fence material in residential and non-residential districts.

200.3.35 FIREWORKS SALES

Retail sales of fireworks shall be subject to the following restrictions:

- A.** Sales and storage of fireworks shall comply with all applicable federal, state, and local regulations.
- B.** The sale of consumer fireworks as a principal use shall require approval of a Special Use Permit.
- C.** Accessory sale of consumer fireworks shall be limited to convenience stores, discount stores, dollar or variety stores, grocery stores, hardware stores, pharmacy and drug stores, sporting goods stores, and wholesale membership clubs.
- D.** Outdoor sales shall be in accordance with section 200.3.49.

200.3.36 FOOD TRUCKS

- A.** Food Trucks may only be located on a lot with a principally permitted use on the same zoning lot, and shall be a special use permitted in an OI Office/Institutional, any B Business District, or M Manufacturing District provided the following conditions can be met:
- 1.** A food truck operator shall have written permission from the property owner to conduct business. Such permission shall identify the dates and times of operation.
 - 2.** Unless otherwise specified or permitted by the City, food truck hours shall only be between the hours of 10:00 am and close of business of the primary use of the lot on which the food truck is operating.
 - 3.** The food truck must be licensed by the Gwinnett County Health Department and have a valid business license for food truck operations.
 - 4.** A maximum of 2 food trucks on lots of one-half acre to one acre in size.
 - 5.** A maximum of 3 food trucks on lots greater than one acre.
 - 6.** Temporary outdoor seating is only permitted upon review and approval of the Planning and Development Department.
 - 7.** Food trucks shall not block any ingress/egress or vehicular circulation in a parking lot, loading/unloading area, or building entrance.
 - 8.** Food trucks shall not block any fire hydrant or fire lane.
 - 9.** Food truck operations shall be located a minimum of 100 feet from a residential dwelling.
 - 10.** No audio speakers or on-site/off-site signage shall be permitted other than what is displayed on the food truck.
 - 11.** Grease, liquid waste, and garbage shall not be disposed of on-site.
 - 12.** Food trucks shall be subject to all other applicable City and County Ordinances related to food operations.
 - 13.** Food trucks may not conduct sales when parked on a public street unless approved by the Planning Director and City Engineer.
 - 14.** Food trucks shall not locate on a vacant lot or on a lot where the principal building is vacant or unoccupied.

200.3.37 GARAGE, RUMMAGE, YARD, AND SIMILAR SALES

A. Permitted Use

Garage, Rummage, Yard, and Similar Sales may be permitted in the AR, RS-180, RS-150, and RS-60 zoning classification.

Garage, yard, rummage, and similar sales may be permitted from an occupied residence, or group of residences in the case of a neighborhood event, subject to the following requirements and limitations:

B. Authorization

It shall be unlawful for any person or entity to conduct a yard sale from property zoned or used for residential purposes unless the person or entity conducting the yard sale shall have received a Garage, Rummage, Yard, and Similar Sales Permit from the city authorizing sale. Failure to obtain a permit could result in additional fees, fines, and court costs.

C. General Requirements

1. Yard Sales Permit shall not be permitted on any premises more than two times in a calendar year.
2. A second Yard Sales Permit on the premises shall not be issued until thirty (30) days after the last day of the previously issued permit.
3. Yard Sales Permits shall be limited to four consecutive days and shall be allowed only between the hours of 8:00 a.m. and 6:00 p.m.

D. Display Area

1. All personal property offered for sale shall be displayed within the residence, garage, carport, or rear yard area.
2. Items sold must be used goods from the participating household(s), and not goods purchased for resale. Items for sale may not be displayed on the public sidewalk, street, or right-of-way.

E. On-Street Parking And Sidewalks

1. Parking motor vehicles is restricted to one side of the street, and where practical, shall be restricted to the same side of the street which the sale will be conducted.
2. No permit holder shall allow vehicles to impede the passage of traffic on any public right-of-way in the vicinity of the sale.

3. Permit holders shall keep the public right-of-way and general vicinity of the sale free from trash and litter.
4. No permit holder shall permit persons to line up or congregate, either on foot or in automobiles, prior to the start of the event.
5. Permit holders shall report to the Police Department any vehicles which are parked in violation of this Subsection.

F. Noise Control

Noise Control shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 20, Environment, Article III. Noise Control.

G. Signs

1. Any signs for the sale shall be removed immediately upon closing of the sale. Signs may not be posted on telephone poles, streetlights, traffic signs, or any other structure in the public right-of-way.
2. All signs placed off-site shall have the permission of the owner of the property on which the sign is to be placed. Signs may be posted the morning of the sale and must be taken down on a daily basis.
3. No sign may be larger than four (4) square feet.

200.3.38 HAIR SALON, BEAUTY PARLOR, OR BARBER SHOP

All hair salons, beauty parlors, and/or barber shops must have a posted up-to-date certification from the Georgia State Board of Cosmetology and Barbers.

200.3.39 HANDWRITING ANALYSTS AND FORTUNE TELLERS

Handwriting Analysts and Fortune Tellers shall comply with the following:

A. Permitted Use

Handwriting Analysts and Fortune Tellers may be permitted in the HSB zoning classification.

B. Road Classification

Handwriting Analysts and Fortune Tellers shall be located adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.

C. Businesses and Business Regulations

Handwriting Analysts and Fortune Tellers shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 10. – Handwriting Analysts and Fortune Tellers.

200.3.40 HELICOPTER LANDING PAD

1. Air services are not permitted to be the primary business or use of the property.
2. No commercial air services are permitted (i.e.: air taxi, sightseeing, crop dusting, aircraft sales, etc.).
3. The owner must hold a valid permit from the Federal Aviation Administration.

200.3.41 HOOKAH/VAPOR BAR OR LOUNGE

1. Smoking of Hookah in any establishment that serves alcohol shall be prohibited.
2. Hours of operation shall not exceed 11:00pm.
3. Hookah bars and lounges shall not serve patrons under the age of 18.
4. Accessory sale of consumer hookah/vapes shall be limited to convenience stores, discount stores, dollar or variety stores, grocery stores, hardware stores, pharmacy and drug stores, sporting goods stores, and wholesale membership clubs.

5. Sales and storage of hookah/vapes shall comply with all applicable federal, state, and local regulations.

200.3.42 HOTEL OR MOTEL

Hotels and motels shall meet the following design standards:

1. All guestrooms which have facilities for both storage and preparation of food shall have a minimum of 250 square feet of floor area.
2. No hotel or motel under this section may be converted to or used as an apartment or condominium.
3. Each guestroom must be protected with a sprinkler system and hard-wired smoke detector.
4. No facility may contain more than fifty (50) guest rooms per gross acre of development.
5. No outside storage or permanent parking of equipment or vehicles shall be permitted.
6. No permanent business license shall be issued for the conduct of any business from any guest room of the facility.
7. An active recreation area shall be provided which meets the following criteria:
 8. The size of each recreation area shall be calculated at a ratio of five square feet per room with a minimum area of 750 square feet.
 9. All recreation areas must be approved by staff prior to development.
 10. The recreation area may be indoors or outdoors.
 11. All hotels and motels shall provide a one-hundred-foot buffer from any property zoned for residential purposes.
 12. There shall be no access to any guestrooms from the exterior of the building.
 13. No individual guest shall register, reside in, or occupy a room or rooms within the same facility for more than forty-five days in any ninety-day period, nor shall any guests move from one room to another without a three-day vacancy in between.

200.3.43 JOINT LIVING RESIDENCE

- A.** The following shall be considered for the application for a Joint Living Residence:
- 1.** Whether there are extraordinary or exceptional conditions pertaining to the application.
 - 2.** Whether, if granted, a joint living residence would cause a substantial detriment to the public good.
 - 3.** The number of persons applying to live together in the joint living residence.
 - 4.** The square footage of bedroom space per occupant in the proposed joint living residence, not including kitchens, dining rooms, living rooms, garages, hallways, bathrooms, or non-heated spaces.
 - 5.** The number of bathrooms in the proposed joint living residence.
 - 6.** Whether the proposed joint living residence is served by public water and sewer service.
 - 7.** The lot size upon which the proposed joint living residence is located; and
 - 8.** The area of the paved parking area serving the proposed joint living residence and the number of cars to be parked in such area.

200.3.44 KENNELS AND PET BOARDING

In agricultural zoning, dog runs, pens, and other similar facilities shall be located no closer than 100 feet to any property line. Any property where there are 4 or more dogs over the age of 3-months kept, maintained, or housed shall be deemed to constitute a kennel, regardless of whether such dogs are kept for business or profit purposes.

200.3.45 LANDFILLS

- A.** A landfill may be permitted in certain zoning districts provided the following conditions are met:
 - 1.** A minimum twenty-foot natural, undisturbed buffer shall be provided between all active waste burial areas and exterior property lines except for approved perpendicular access and utility crossings.
 - 2.** A minimum seventy-five-foot natural, undisturbed buffer shall be provided between non-waste disposal operations and exterior property lines except for approved perpendicular access and utility crossings.
 - 3.** The limits of an existing one-hundred-year floodplain or a stream buffer of two hundred feet, whichever is greater, shall be preserved as a natural, undisturbed area except for approved perpendicular access and utility crossings.
 - 4.** The entire site shall be fenced with a minimum six-foot-high chain-link security fence.
 - 5.** The landfill shall be located adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.
 - 6.** The applicant shall include with the Special Use Permit application a report detailing the phasing of the landfill and plans for closure and reclamation.

- B.** The following waste disposal activities, recycling facilities, and recovery activities shall be permitted as accessory uses to landfills, unless otherwise stipulated by the City Council:
 - 1.** Composting, Municipal Solid Waste.
 - 2.** Composting, Yard Trimmings.
 - 3.** Consumer Recycling Centers.
 - 4.** Gas Recovery/Gas Co-Generation Plant.
 - 5.** Recovered Materials Processing Facility.
 - 6.** Solid Waste Transfer Stations.

200.3.46 LIVESTOCK - KEEPING OF (FOR PERSONAL UTILITY)

- A.** In the agricultural zoning district: corrals, stables, barns, pens, coops, chicken houses, and other similar animal quarters shall be located no closer than 100 feet to any property line.
- B.** A Special Use Permit shall be required in the RS-180 and RS-150 zoning classifications for the raising and keeping of livestock for personal pleasure or utility on a parcel which contains the dwelling of the owner, provided that the parcel is at least 3 acres in area and all animal quarters are located no closer than 100 feet to any property line.
- C.** A Special Use Permit shall be required in the RS-180 and RS-150 zoning classifications for the keeping of chickens for personal pleasure or utility on a parcel which contains the dwelling of the owner, subject to the following requirements:
 - 1.** The minimum lot size for the keeping of chickens shall be ten thousand five hundred (10,500) square feet.
 - 2.** Chickens must be kept securely in an enclosed yard or 6-sided pen at all times.
 - 3.** Minimum pen area for chickens shall be 10 square feet per chicken.
 - 4.** Chickens must be housed at least 20 feet from any property line, and 50 feet from any residence other than the owners.
 - 5.** Any structure housing chickens must be located in the rear yard.
 - 6.** The keeping of roosters is not allowed.
 - 7.** The maximum number of chickens shall be as follows: Lots 10,500 square feet to 12,499 square feet: maximum of three chickens; lots 12,500 square feet to 24,999 square feet: maximum of five chickens; lots 25,000 square feet to 39,999 square feet: maximum of eight chickens; lots of 40,000 square feet to 2.99 acres: maximum of 10 chickens; lots 3 acres or larger: no maximum.
 - 8.** Each coop shall have at least 4 square feet of floor space per chicken over 4 months old.
 - 9.** Chickens are only permitted as pets or for egg laying production; chickens cannot be kept for slaughter.

10. Chickens shall be kept under sanitary conditions and shall not be a public nuisance as defined by State law.

200.3.47 LIVESTOCK - SALES PAVILIONS OR AUCTION FACILITIES

- A.** Livestock sales pavilions, auction facilities, show rings or other arenas for the display, exhibition training, or sale of livestock, and animal quarters, shall be located no closer than 100 feet to any property line.
- B.** Adequate off-street parking shall be provided for livestock trailers, recreation vehicles, etc., associated with the use.
- C.** A Special Use Permit is required if any of the following apply:
 - 1.** The event is held more than three days per month.
 - 2.** Hours of operation extend beyond 6:00 p.m.
 - 3.** A public address system is utilized.
 - 4.** Permanent concession facilities are provided.
 - 5.** Portable restroom facilities are provided.
 - 6.** Seating facilities for more than 100 people are provided.
 - 7.** Parking facilities for more than 50 vehicles are provided.
 - 8.** An admission fee is charged.

200.3.48 LIVE/WORK

Live/Work shall comply with the following:

A. Permitted Use

Live/Work may be permitted in the BGC and CMU zoning classification.

200.3.49 MANUFACTURED HOUSE/MOBILE HOME SALES LOT

- A.** No mobile home sales lots are permitted within 100 feet of any residential property.
- B.** Sales shall not be conducted on lots smaller than 25,000 square feet.
- C.** All lots must have a permanent building made of brick, stone, or wood frame of no less than 1000 square feet.
- D.** Sales units shall not have metal building facades; and
- E.** A 15-foot landscape buffer shall be provided fronting the street.

200.3.50 MASSAGE THERAPY BUSINESSES

Massage Therapy Businesses shall comply with the following:

A. Permitted Use

Massage Therapy Businesses may be permitted in the OI, BG, BGC, and HSB zoning classifications.

B. Location

Massage Therapy Businesses or use restricted under this Section shall not be located:

Within one hundred fifty (150) feet of an RS-180, RS-150, RS-60, RM-12, RM-24, and CMU zoning classification.

Upon application for a massage therapy practice business license, the applicant will provide to the City a survey showing the distances to each residentially zoned property within a one hundred fifty (150) feet of the front door of the massage therapy practice.

For the purpose of this Section, distance shall be by straight line measurement from the front door of the structure where massage therapy practice occurs to the nearest parcel boundary line of any residentially zoned property as measured by a straight line on the ground.

C. Road Classification

Massage Therapy Businesses shall be located on a roadway classified as an Arterial or Collector Street, or a State Highway.

D. Businesses and Business Regulations

Massage Therapy Businesses shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 11. – Massage Therapy Businesses.

200.3.51 OUTDOOR SALES OR DISPLAY

- A.** Outdoor display or sales of merchandise shall be subject to approval of a Special Use Permit, with the following exceptions:
- 1.** Merchandise may be displayed on the front sidewalk immediately adjacent to a retail building or immediately beneath an actively operating fuel island canopy, subject to the following restrictions and requirements:
 - 2.** Merchandise shall be permitted only along the business' tenant bay or storefront façade.
 - 3.** Merchandise shall not block an entrance or exit to or from the building.
 - 4.** Merchandise displayed for sale shall be that normally found within the on-premises business.
 - 5.** Merchandise shall not be located on sidewalks that are less than six feet in depth and may not extend beyond the limits of the sidewalk.
 - 6.** All such display or sales shall meet applicable building, fire and safety codes.
 - 7.** Merchandise displayed or sales shall not be allowed within a required building setback, buffer, driveway, easement, landscape strip, parking space or right-of-way.
 - 8.** The Outdoor Display or Sales of Merchandise shall be kept neat and orderly.

200.3.52 OUTDOOR SEATING

- A.** Outdoor seating for restaurant service is permitted subject to the following requirements and restrictions:
- 1.** The perimeter of the outdoor seating area be outside of any public right-of-way, and shall be delineated using fixtures such as walls, railings, planters, or other similar decorative fixtures, and that do not present a safety hazard.
 - 2.** Tables, chairs, umbrellas, canopies, awnings, and other similar fixtures shall be of uniform design and shall be made of quality materials and workmanship to ensure the safety and convenience of users and to enhance the visual quality of the urban environment.
 - 3.** Design, materials, and colors shall be compatible with the abutting building for all locations, and any applicable design guidelines.

200.3.53 OUTDOOR STORAGE - RETAIL

In non-residential zoning districts (other than industrial), outdoor storage of equipment, materials and/or merchandise shall be subject to approval of a Special Use Permit.

200.3.54 OUTDOOR STORAGE - INDUSTRIAL

- A.** Outdoor storage of items, equipment, materials and supplies which are not offered for sale, but which are normally appurtenant to a permitted use, provided that such storage meets the following requirements:
- 1.** Such property is not directly adjacent to a residential property.
 - 2.** Such property is not located within the boundary of the geographical area of the Lawrenceville Downtown Development Authority.
 - 3.** Storage shall be in the rear or side yard, except where any part of the property is adjacent to, or the storage is visible within a distance of two hundred and fifty (250) feet from, Pike Street, Five Forks-Trickum Road, Scenic Highway, Lawrenceville Highway, Buford Drive (Hwy. 20), Hurricane Shoals Road, Lawrenceville Suwanee Road, Sugarloaf Parkway, Grayson Highway, or Gwinnett Drive, in which case all items shall be stored in a rear yard only.
 - 4.** Stored items shall be screened by a solid opaque fence at least six (6) feet height, by landscaping creating a complete visual buffer, or by a combination of fencing and landscaping, and no item shall be placed at a height exceeding that of the screening fence or landscaping materials; and.
 - 5.** Under no circumstances shall an owner or occupant of any property store any junk, scrap metal, rags, paper, or abandoned, wrecked, junked or scrap material, or any part thereof, outdoors.

200.3.55 OUTDOOR STORAGE - RESIDENTIAL

Outdoor Storage in residential zoning districts shall be part of, and strictly used for the residential purpose of the owner or occupant of the residential zoned property. Outdoor Storage in residential zoning districts shall be governed by the following restrictions and requirements:

- A.** Outdoor storage of appliances, building materials, construction equipment, debris, garbage, glass, materials, merchandise, rubbish, trash, or other similar materials shall not be allowed on any residential zoned property.
- B.** Outdoor Storage shall be stored in an approved accessory structure (see Accessory Structure), an enclosed garage connected to the principal structure, or in the rear or side yard areas.
- C.** Outdoor Storage stored in the rear or side yard area shall be screened with either landscaping or fencing that provides an effective year-round visual screen from neighboring properties and/or public right-of-way; Garbage, rubbish, trash, or other similar items placed outside for collection by an authorized waste hauler not more than 24 hours prior to the designated collection date for a residential zoned property.

200.3.56 PAWNBROKERS AND SECONDHAND DEALERS

Pawnbrokers and Secondhand Dealers shall comply with the following:

A. Permitted Use

Pawnbrokers and Secondhand Dealers may be permitted in the HSB zoning classification.

B. Special Use Permit

Pawnbrokers and Secondhand Dealers may be permitted in the BG zoning classification with the approval of a Special Use Permit, pursuant to the City of Lawrenceville Zoning Ordinance, Article 9, Section 907. Rezoning and Special Use Permit Application Public Hearing Process.

C. Location

Pawnbrokers and Secondhand Dealers businesses or uses restricted under this Sub Section shall not be located:

4. Within one thousand (1,000) feet of a regulated Pawnbrokers and Secondhand Dealers businesses or uses.
5. Within five hundred (500) feet of any parcel of land upon which consist of a civic center, governmental building, library, place of worship, public park or playground, or school (private or public).
6. Within one hundred (100) feet of an RS-180, RS-150, RS-60, RS-50, RS-TH, RM-12, RM-24, and CMU zoning classification.

For the purpose of this Section, distance shall be by straight line measurement from the property line, using the closet property lines of the parcels of land involved. The term “parcel of land” means any quantity of land capable of being described by location and boundary, designated, and used or to be used as a unit.

D. Road Classification

Pawnbrokers and Secondhand Dealers facilities shall be located adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.

E. Businesses and Business Regulations

Pawnbrokers and Secondhand Dealers shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 7. – Pawnbrokers and Secondhand Dealers.

200.3.57 PERSONAL CARE HOME, FAMILY

The Personal Care Home shall:

1. Requires the approval of a Special Use Permit.
2. Family Personal Care Homes shall be located on a lot of at least one acre in size, and shall be limited to no more than six residents.
3. Contain a residential facade which is architecturally similar to adjacent buildings.
4. Have at least one employee on-site at all times.
5. Not exceed one percent (1%) of the total number of homes in the subdivision, provided that any subdivision with less than 100 homes shall be allowed one Personal Care Home.

6. Not be located within 1,000 feet of another Personal Care Home.
7. Be licensed by and operate in accordance with the rules of the State of Georgia and the Georgia Department of Community Health at all times; and
8. Meet all requirements of the International Building Code, as well as all City zoning requirements and building codes, including minimum dwelling space requirements.

200.3.60 PETROLEUM OR CHEMICAL STORAGE – ABOVE GROUND

This use shall be considered a special use when more than 150,000 gallons are stored on one lot of less than one acre in size or when more than 25,000 gallons are stored in any one tank.

200.3.61 PLACES OF RELIGIOUS WORSHIP

- A.** In all residential zoning districts, places of worship shall conform to the following requirements. Residentially zoned properties not meeting these requirements shall be required to obtain a Special Use Permit.
- 1.** Places of Religious Worship shall be located on a parcel of land adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.
 - 2.** Places of Religious Worship shall be located on a parcel of land with two hundred fifty (250) feet of road frontage.
 - 3.** The buildings shall be located not less than 50 feet from any street and not less than 30 feet from any side or rear property line.
 - 4.** Parking shall not be provided in the front yard setback area.
 - 5.** A minimum 20-foot-wide buffer shall be provided adjacent to residentially zoned properties. This buffer shall be increased to 50 feet in width adjoining any outdoor church recreation facilities.
 - 6.** The proposed site contains at least five acres of land with at least four acres lying outside of any 100-year FEMA Flood Hazard area.
 - 7.** Proposed buildings are setback not less than 50 feet from any street and not less than 30 feet from any side or rear property line. If an abutting property is zoned non-residential, the minimum side and rear yard setbacks for the buildings shall match the minimum setbacks required of the adjacent zoning category where it abuts the non-residential category.
 - 8.** The tract shall be one contiguous zoning classification.
- B.** Accessory Uses Requiring Special Use Permit:
- 1.** In residential zoning, the following additional uses may be permitted as accessory to a place of worship only upon approval of a Special Use Permit.
 - 2.** Lighted outdoor ball fields, pools, or similar recreation facilities.
 - 3.** Day Care Centers.
 - 4.** Kindergartens.

5. Private schools (K-12).

200.3.62 PLUMBING EQUIPMENT DEALER

Plumbing Equipment Dealer shall comply with the following:

A. Permitted Use

Plumbing Equipment Dealer may be permitted in the LM and HM zoning classifications.

B. Special Use Permit

Plumbing Equipment Dealer may be permitted in the BG and HSB zoning classifications with the approval of a Special Use Permit allowing Outdoor Storage, pursuant to the City of Lawrenceville Zoning Ordinance, Article 9, Section 907. Rezoning and Special Use Permit Application Public Hearing

C. Outdoor Storage

Outdoor Storage, as defined by this Zoning Ordinance, Article 10 Definitions, shall conform to this Article, Sub Section(s) 200.3.53 Outdoor Storage – Retail, and 200.3.55 Outdoor Storage – Industrial, as applicable.

200.3.63 PRECIOUS METALS DEALERS

Precious Metals Dealers shall comply with the following:

A. Permitted Use

Precious Metals Dealers may be permitted in the CMU, BG, BGC, and HSB zoning classification.

B. Road Classification

Precious Metals Dealers shall be located on a parcel of land adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.

C. Businesses and Business Regulations

Precious Metals Dealers shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 21. – Precious Metals Dealers.

200.3.64 QUARRY, MINING, BORROW PIT

- A.** Quarry, Mining, Borrow Pit areas being evacuated shall be entirely enclosed within a fence located at least 10 feet back from the edge of any excavation and of such constructions and height as to be demonstrably able to exclude children and animals from the quarry area.
- B.** The operators and owners of the quarry present to the Mayor and Council an acceptable comprehensive plan for the reuse of the property at the cessation of the quarry operations.
- C.** In the case of an existing quarry, an extension of the quarry operations beyond the areas being quarried or approved for quarrying at the effective date of this Ordinance shall be permitted and shall not be considered a new operation (provided that said extension does not extend to within 1,000 feet of a residential or commercial zoning district boundary line).

200.3.65 RECOVERED MATERIALS PROCESSING FACILITY

- A.** Recovered Materials Processing Facilities shall meet the following design standards:
 - 1.** Activities shall be limited to collection, sorting, compaction, and shipping.
 - 2.** The facility shall not be located adjacent to or across the street from any property used for or zoned for single-family residential use.
 - 3.** Any outside storage areas shall be screened by a minimum eight-foot-high solid wood fence; masonry wall; or slatted chain-link fence. Materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.

200.3.66 RECREATIONAL VEHICLES AND VESSELS

- A.** Vehicle, Fully Autonomous Vehicle; Vehicle, Golf Car/Cart; Vehicle, Recreational; Vehicle Recreational Off-Highway Vehicle; Vessel, Homemade; Vessel, Mechanically Propelled; Vessel, Non-motorized; Vessel, Power Boat
- 1.** A maximum of one Recreational Vehicle or Vessel, provided that:
 - 2.** Has a maximum length of 45 feet;
 - 3.** Is stored or parked in a side or rear yard on a hard surface as wide and long as the vehicle.
 - 4.** The Recreational Vehicle may be connected to an outlet but may not be occupied.
 - 5.** The setback for a Recreational Vehicle shall be five feet on the side yard, and 10 feet in the rear yard.
 - 6.** A Recreational Vehicle may not be parked or stored where it would constitute a clear and demonstrable vehicular traffic hazard or be a threat to public health or safety.

200.3.67 RECYCLING AND DONATION CONTAINERS

Recycling and donation containers shall be prohibited in the City.

200.3.68 RETIREMENT COMMUNITY - CONTINUING CARE

Retirement Community – Continuing Care facilities shall comply with the following:

A. Permitted Use

Retirement Community – Continuing Care may be permitted in the RM-24 and CMU zoning classification.

B. Special Use Permit

Retirement Community – Continuing Care may be permitted in the OI zoning classification with the approval of a Special Use Permit allowing Outdoor Storage, pursuant to the City of Lawrenceville Zoning Ordinance, Article 9, Section 907. Rezoning and Special Use Permit Application Public Hearing

C. Area

Lot Area shall be a minimum of five (5) acres or 217,800 square feet.

D. Road Classification

Retirement Community – Continuing Care facilities shall be located on a parcel of land adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.

E. Prohibition

Duplexes shall be prohibited.

200.3.69 RETIREMENT COMMUNITY – INDEPENDENT LIVING

Retirement Community – Independent Living facilities shall comply with the following:

A. Permitted Use

Retirement Community – Independent Living facilities may be permitted in the RM-12, RM-24, and CMU zoning classification.

B. Special Use Permit

Retirement Community – Independent Living facilities may be permitted in the OI zoning classification with the approval of a Special Use Permit allowing Outdoor Storage, pursuant to the City of Lawrenceville Zoning Ordinance, Article 9, Section 907. Rezoning and Special Use Permit Application Public Hearing

C. Area

Lot Area shall be a minimum of five (5) acres or 217,800 square feet.

D. Road Classification

Retirement Community – Independent Living facilities shall be located on a parcel of land adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.

E. Prohibition

Duplexes shall be prohibited.

200.3.70 SCHOOLS AND COLLEGES (PRIVATE)

- A.** The proposed facility shall be located on a parcel of land adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.
- B.** The proposed facility shall be located on a parcel of land with a minimum of two hundred (200) feet of road frontage.
- C.** The proposed site contains at least five acres of land with at least four acres lying outside of any 100-year FEMA Flood Hazard area.
- D.** Proposed buildings are setback not less than 50 feet from any street and not less than 20 feet from any side or rear property line. Note: If an abutting property is zoned non-residential, the minimum side and rear yard setbacks for the buildings shall match the minimum setbacks required of the adjacent zoning category where it abuts the non-residential category.
- E.** Parking is not to be located within the 50-foot front yard setback.
- F.** When adjacent to a property zoned for a single-family detached residential use, a buffer of at least 40 feet shall be provided along the common property line(s).
- G.** The tract shall be one contiguous zoning classification.
- H.** A Special Use Permit is required in AR zoning districts.

200.3.71 SELF-STORAGE AND MINI-WAREHOUSE FACILITIES

- A.** Self-Storage and Mini-Warehouse Facilities shall meet the following restrictions and design standards:
 - 1.** Storage units shall not be used for manufacturing, retail, or wholesale selling, office, other business or service use, or human habitation.
 - 2.** Site access shall not be onto roadways classified as local residential streets.
 - 3.** Outdoor speakers or sound amplification systems shall be prohibited.
 - 4.** Such a facility may include one accessory manager's office/apartment which is clearly subordinate to the primary use of the facility for warehousing purposes.

5. Provide adequate loading and unloading areas outside of fire lanes, required parking lanes, and travel lanes.
6. Access to all storage units shall be from the interior of the main building. No access to a storage unit shall lead directly to the exterior of the building.
7. No outdoor storage of any type shall be allowed at the facility.

200.3.72 SOLAR PANELS

Solar panels are permitted as an accessory use in all districts to promote clean, sustainable, and renewable energy resources. The intent of these regulations is to establish general guidelines to prevent off-site nuisances including unreasonable visual interference, light glare, and heat that the incorrect placement of solar panels may create. Furthermore, no solar panel system shall be constructed, erected, installed, or located before proper approval has been obtained pursuant to this Section.

- A.** Requirements and Regulations. Solar panel systems shall conform to or be evaluated for compliance with the following standards:
 1. The proposed system is no larger than necessary to provide 120 percent of the electrical energy requirements of the primary structure to which it is accessory to as determined by a contractor licensed to install solar and photovoltaic energy systems.
 2. If roof mounted, the solar panel system shall:
 - a.** Be flush mounted on the roof unless good cause is shown by the applicant that the solar panel is not at an appropriate angle to obtain sufficient sun exposure.
 - b.** Be located in the most inconspicuous location on the roof so as not to be seen from the street, if possible, and still be able to function as designed; and
 - c.** Not extend higher than the peak of a sloped roof or higher than 5 feet from the top of a flat roof.
 3. If freestanding, the solar panel system shall:
 - a.** Not extend more than 10 feet above the existing grade in residential districts. In all other districts, the maximum height of a

solar panel system will be determined on a case-by-case basis upon plan review.

- b.** Not be located in a front yard.
 - c.** Not be located in any required side or rear yard setback areas for accessory uses.
 - d.** Not be positioned so as to reflect sunlight onto neighboring property, public streets or sidewalks, including onto any neighboring structures.
 - e.** Be landscaped at the base and the back of the panel structure if the structure is visible from neighboring property.
- 4.** All signs, both temporary and permanent, are prohibited on solar panel or solar collection systems, except as follows:
- a.** Manufacturer or installer's identification information on the system.
 - b.** Appropriate warning signs and placards.
- 5.** Solar panel systems shall comply with all applicable sections of the [City of Lawrenceville Building Code](#), [International Building Code \(IBC\)](#), and applicable industry standards such as the American National Standards Institute (ANSI), Underwriters Laboratories (UL), or an equivalent third party.
- 6.** All electrical transmission wires and connections on freestanding solar panel system shall be located underground.
- B.** Utility Connection. Solar panel systems proposed to be connected to the local utility power grid shall adhere to corresponding statutory provisions of the Georgia Statutes. Maintenance. All solar panel systems shall be maintained in good working order.

200.3.73 SPECIAL EVENT FACILITY

- A.** Such facilities shall be located on a principle arterial, major arterial, minor arterial, major collector street, or a state highway.
- B.** During inclement weather, there shall be sufficient space to safely shelter guests.
- C.** Adequate permanent restroom facilities shall be provided, which shall meet the minimum requirements of the Gwinnett County Environmental Health section and building code requirements.
- D.** Adequate off-street parking facilities shall be provided on-site.
- E.** Such facilities shall meet the Lawrenceville Code of Ordinance: Special Events Facilities.
- F.** Alcohol sales and consumption on the premises of a special event facility outside the Downtown Entertainment District is prohibited in HSB and HM zoning district.

200.3.74 SWIMMING POOL, PRIVATE

Private swimming pools exclusively for the use of residents of the premises and their non-paying guests subject to any other regulations and Ordinances of the City of Lawrenceville.

200.3.75 TALL STRUCTURE PERMITS

1. Required

- a.** Approval of a Special Use Permit.
- b.** Any person shall obtain a Tall Structure Permit from the City prior to commencement of the erection within the city limits of Lawrenceville of a chimney, cooling tower, elevator bulkhead, fire tower, gas tank, solarium, steeple, stacks, stage tower or scenery loft, tank, water tower, ornamental tower and spire, wireless communication tower, television tower or radio tower or necessary mechanical appurtenances that would be fifty (50) feet or greater in height from the ground.

2. Applications; Contents; Fee

All applications for Tall Structure Permit shall be submitted to the Planning and Development Department. Each application shall contain as a part thereof detailed plans and specifications which show the nature of the Tall Structure Permit, its proposed use, height of the Tall Structure Permit and its proposed location, with all property lines being clearly defined and distances from the proposed Tall Structure Permit to all property lines. An application for a Tall Structure Permit shall not be accepted for processing without the information required in this article. An application fee shall be charged by the department in an amount stated in the schedule of fees and charges.

3. Review of application by Planning Department

If, upon receipt of an application for a Tall Structure Permit, the department deems that the proposed Tall Structure Permit may interfere with the use of the airways of the county by the public or interfere with the operation of existing or proposed airport facilities, a copy of the application shall be submitted by the department to the Gwinnett County Airport Division of the County Department of Transportation for review and recommendation.

4. Public Hearing

Before taking action upon the proposed Tall Structure Permit, the City Council shall hold a public hearing on the matter. At least fifteen (15) days prior to the date of the public hearing, the City Council shall

cause the following notice requirements to be instituted by the Planning and Development Department:

- a.** A sign shall be erected in a conspicuous location, on or adjacent to the property under consideration. The sign shall state the time, place location, and purpose of the public hearing.
- b.** A letter shall be sent by regular mail to all abutting property owners of record, as indicated by the county tax commissioners' records, giving notice of the public hearing. The letter shall state the same information as required for the sign permit.

5. Federal Requirements

All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, the owners of the towers and antennas governed by this Ordinance shall bring such towers and antennas into compliance with the revised standards and regulations within six (6) months of the effective date of such standards.

6. Building Codes and Safety Standards

To ensure the structural integrity of the towers, the owner of a tower shall maintain the tower in compliance with all City building codes and the applicable standards for towers published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the City determines that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with the standards. If the owner fails to bring the tower into compliance within thirty (30) days, the City may remove the tower at the owner's expense, in the manner provided in O.C.G.A. Section 41-2-8 through 41-2-17.

7. Criteria for Disapproval

All applications for a Tall Structure Permit shall be considered by the City and in the exercise of its discretion under the police power vested in the City Council may disapprove any application where the

proposed Tall Structure Permit could interfere with or endanger the public using the existing or proposed air facilities located within the county, or where the Tall Structure Permit to be erected could endanger the person or property of citizens of the county, or where the Tall Structure Permit to be erected would not be compatible from an aesthetic viewpoint with existing or proposed development in the area of the proposed facility, or where the Tall Structure Permit to be erected would not be acceptable or after evaluation would be found to be incompatible from an architectural standpoint with existing or proposed Tall Structure Permits in the area.

8. *Penalty for violation of Article*

- a.** Any person who attempts to erect or erects a Tall Structure Permit described in this article without having first obtained a Tall Structure Permit from the City in the manner provided in this article shall be deemed in violation of this article. Any responsible party or other persons convicted by a court of competent jurisdiction of violating any provision of this article shall be guilty of violating a duly adopted Ordinance of the county and shall be punished either by a fine not to exceed \$500.00 or by imprisonment not to exceed sixty (60) days, or both. The court shall have the power and authority to place any person guilty of violation of this article on probation and to suspend or modify any fine or sentence. As a condition of the suspension, the court may require payment of restitution or impose other punishment allowed by law.
- b.** If any Tall Structure Permit is erected, constructed, reconstructed, altered, repaired, converted or maintained in violation of this article or without obtaining the required permits, or if any building, Tall Structure Permit or land is used in violation of this article, the City Attorney or other appropriate authority of the City, in addition to any other remedies, may institute an injunction, mandamus, or other appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use; or to correct or abate such violations. Each and every day such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use continues may be deemed a separate offense.

9. Governmental Exemption

The provisions of this article shall not apply to City owned facilities and Tall Structure Permits.

10. Zoning

No permit shall be issued for any Tall Structure Permit unless said Tall Structure Permit is to be located on property with a zoning classification of BG, BGC, HM, HSB, LM, or O-I.

11. Severability

If any portion of this regulation is determined to be unconstitutional or otherwise unenforceable, the rest and remainder of this Ordinance shall remain in full force and effect.

200.3.76 TAXI OR LIMOUSINE SERVICE

- A.** All vehicles associated with the business shall be parked in the side or rear of the property, away from all public right-of-way, and not in areas normally utilized by customers.
- B.** No more than 10 vehicles associated with the business shall be parked on site.
- C.** Outdoor storage of anything other than the vehicles associated with this use shall be prohibited.

200.3.77 TEMPORARY OUTDOOR ACTIVITY

Temporary Outdoor Activity shall comply with the following:

A. Permitted Use

Temporary Outdoor Activities may be permitted in the BG, BGC, and HSB zoning classification.

B. Businesses and Business Regulations

Temporary Outdoor Activity shall conform to the Code of the City of Lawrenceville, Georgia, Part I – Charter, Chapter 12, Business and Business Regulations, Article II. Business Regulations, Division 8. – Temporary Outdoor Activity.

200.3.78 TITLE LOAN FACILITIES

Title Loan Facilities shall comply with the following:

A. Permitted Use

Title Loan Facilities may be permitted in the HSB zoning classification.

B. Special Use Permit

Title Loan Facilities may be permitted in the BG zoning classification with the approval of a Special Use Permit, pursuant to the City of Lawrenceville Zoning Ordinance, Article 9, Section 907. Rezoning and Special Use Permit Application Public Hearing Process.

C. Location

Title Loan Facilities businesses or uses restricted under this Sub Section shall not be located:

7. Within one thousand (1,000) feet of a regulated Title Loan Facilities businesses or uses.
8. Within five hundred (500) feet of any parcel of land upon which consist of a civic center, governmental building, library, place of worship, public park or playground, or school (private or public).
9. Within one hundred (100) feet of an RS-180, RS-150, RS-60, RS-50, RS-TH, RM-12, RM-24, and CMU zoning classification.

For the purpose of this Section, distance shall be by straight line measurement from the property line, using the closet property lines of the parcels of land involved. The term “parcel of land” means any quantity of land capable of being described by location and boundary, designated, and used or to be used as a unit.

D. Road Classification

Title Loan Facilities shall be located on a parcel of land adjacent to and directly accessed from roadway classified as an Arterial (Principal, Major, Minor), Collector Street (Major, Minor), or a State Highway.

200.3.79 TRUCK SALES, LEASING, AND/OR SERVICE, HEAVY

See section 200.3.8, Automobile Sales or Auction and Related Service (Used or New Car Outdoor Sales Lot)

200.3.80 VENDING MACHINES

- A.** Outdoor storage of vending machines, boxes, or other similar containers used to distribute food or beverages, newspapers, propane tanks, ice, videos, or other similar consumer product, provided that the following requirements are met:
 - 1.** The vending machine is not greater than seven feet in height or more than four feet in width or depth and the number of vending machines, boxes, or other similar containers shall not exceed one machine for each 3,000 square feet of building area and a maximum of three machines, boxes, or other similar containers per lot; and
 - 2.** The machines shall be located against and parallel to the building facade.

200.3.81 WOOD CHIPPING AND SHREDDING, LOG SPLITTING FACILITY, AND YARD TRIMMING COMPOSTING FACILITY

- A.** Wood Chipping and Shredding and Log Splitting Facilities shall meet the following restrictions and design standards:
 - 1.** Such facilities shall not be located closer than 1,500 feet from residentially zoned property.
 - 2.** Along the entire road frontage (except for approved access crossings), and along the side and rear property lines, provide a landscape earthen berm and/or a fence or masonry wall. Landscape earthen berms shall be three feet high with a maximum slope of three-to-one. Fences or masonry walls shall be a minimum of six feet high and composed of 100-percent-opaque solid wood. The fence/wall or berm must be located outside of any public right-of-way and interior to any landscape strip. The finished side of a fence/wall shall face the exterior property lines.
- B.** When yard trimming composting facilities are present:
 - 1.** Composting materials shall be limited to tree stumps, branches, leaves, and grass clippings, or similar putrescent vegetative

materials, not including animal products, inorganic materials such as bottles, cans, plastics, metals, or similar materials.

2. Along the entire road frontage (except for approved access crossings), and along the side and rear property lines, provide a landscape earthen berm and/or a fence or masonry wall. Landscape earthen berms shall be three feet high with a maximum slope of three-to-one. Fences or masonry walls shall be a minimum of six feet high and composed of 100-percent-opaque solid wood. The fence/wall or berm must be located outside of any public right-of-way and interior to any landscape strip. The finished side of a fence/wall shall face the exterior property lines.

Section 3. Delete Article 10 Definitions in its entirety, and replace it as follows:

DEFINITIONS

1000 GENERAL MEANING OF WORDS AND TERMS

For the purposes of the Lawrenceville Zoning Ordinance, the words and terms defined in this Article have the meanings ascribed to them.

- 1.** Any word or term not specifically defined or described in this Article shall have their common definition by the Merriam-Webster dictionary.
- 2.** Words used in the present tense shall include the future tense.
- 3.** The singular form of the word shall include the plural, and the plural the singular.
- 4.** The word “person” shall include a firm, association, organization, partnership, trust, company, or corporation.
- 5.** The words “used or occupied” shall include the words “intended, designed, or arranged to be used or occupied”.
- 6.** The word “shall” or “will” is mandatory, and the word “may” is permissive.
- 7.** The word “zoning map” means the Official Zoning Map of the City of Lawrenceville, Georgia.
- 8.** The word “lot” shall be construed to include “parcel”.
- 9.** Whenever a conflict of definitions is considered to exist or an interpretation of these definitions is necessary, the Director of Planning and Development shall resolve the conflict and interpret the definition. The action of the Director shall be recorded.

A

ACCENT LIGHTING

The use of lighting or lighted bulbs to emphasize or draw attention to a building or portions of a building. This definition shall not include traditional landscape lighting, security lighting, or similar lighting shown on the building plans and specifications approved at the issuance of the building permit.

ACCESSORY DWELLING UNIT

A dwelling unit sharing ownership and utility connections with a single-family dwelling or townhouse.

ACCESSORY BUILDING

A building detached from a principal building on the same lot and customarily incidental to the principal building or use including but not limited to detached garages, carports and utility buildings, sheds, gazebos, or barns.

ACCESSORY STRUCTURE

A structure detached from a principal building on the same lot and customarily incidental to the principal building or use, but not including stormwater infrastructure or a fence, wall, or trellis which is customarily placed along a property line and not including HVAC equipment or similar utilities that occupy less than 30 square feet in footprint.

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 such principal use.

ADULT ENTERTAINMENT - ADULT ENTERTAINMENT

For purposes of this Article Adult Entertainment shall include all of the following:

ADULT ENTERTAINMENT - ADULT ARCADE

A commercial establishment to which the public is permitted or invited that maintains booths or rooms smaller than 100 square feet, wherein image-producing devices are regularly maintained, where a fee is charged to access the booths or rooms, and where minors are excluded from the booths or rooms by reason of age.

ADULT ENTERTAINMENT - ADULT BOOKSTORE

A commercial establishment which, as one of its principal business activities, offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of "specified sexual activities" or "specified anatomical areas." A "principal business activity" exists where the commercial establishment meets any one or more of the following criteria:

1. At least 35 percent of the establishment's displayed merchandise consists of said items, or
2. At least 35 percent of the establishment's revenues derive from the sale or rental, for any form of consideration, of said items, or
3. The establishment maintains at least 35 percent of its floor space for the display, sale, and/or rental of said items; or
4. The establishment maintains at least 750 square feet of its floor space for the display, sale, and/or rental of said items.

ADULT ENTERTAINMENT - ADULT ESTABLISHMENT

An "adult arcade," an "adult bookstore," an "adult motion picture theater," a "semi-nude lounge," or a "sex paraphernalia store."

ADULT ENTERTAINMENT - ADULT MOTION PICTURE THEATER

A commercial establishment to which the public is permitted or invited that maintains viewing rooms that are 100 square feet or larger wherein films or videos characterized by their emphasis upon "specified sexual activities" or "specified anatomical areas" are regularly shown.

ADULT ENTERTAINMENT - SEMI-NUDE LOUNGE

A nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment that regularly offers live semi-nude conduct. No establishment shall avoid classification as a semi-nude lounge by offering nude conduct.

ADULT ENTERTAINMENT - SEX PARAPHERNALIA STORE

A commercial establishment where more than 100 sexual devices are regularly made available for sale or rental. This definition shall not be construed to include

any establishment located within an enclosed regional shopping mall or any pharmacy or establishment primarily dedicated to providing medical products.

ADULT ENTERTAINMENT - VIEWING ROOM

The room or booth where a patron of an adult establishment would ordinarily be positioned while watching a film, videocassette, digital video disc, or other video on an image-producing device.

All adult entertainment establishments must comply with all regulations set forth in Chapter 12 of the Code of Ordinances of the City of Lawrenceville, Georgia.

AGRICULTURAL DISPLAY STAND

A structure or vehicle used for the display and sale of products raised on the same premises.

AIR TRAFFIC CONTROL

Any person, partnership, joint venture, or company engaged in the business of directing and/or controlling the taxi, take off, approach, landing, scheduling, clearing, or otherwise managing flights from an airport for a fee.

AIRCRAFT

All equipment now or hereafter used for the navigation of or flight in air or space, including, but not limited to, airplanes, gliders, lighter-than-aircraft, helicopters, amphibians, and seaplanes.

AIRCRAFT MAINTENANCE OR SERVICE

Engaging in the business of providing goods, supplies, or services for the repairing, refurbishing, rebuilding, constructing, altering, fueling, refueling, cleaning, inspecting, testing, or otherwise modifying any aircraft for a fee.

AIRLINE

Any person, partnership, joint venture, or company engaged in the business of transporting passengers, baggage, and/or cargo by aircraft for profit.

AIRPORT

A tract of land or water equipped with facilities for the taxi, take off, approach, landing, shelter, storage, supply, maintenance and/or service of aircraft. Airports may be used, but are not required to be used, for the transportation of passengers, baggage, and/or cargo for a fee.

ALLEY

A public or private way, at the rear or side of the property, permanently reserved as a means of secondary vehicular access to abutting property.

AMENITY

Something that helps to provide comfort, convenience, and/or enjoyment.

ANIMAL HOSPITAL

See VETERNARIAN CLINIC.

ANTENNA

A system of poles, panels, rods, or other similar devices used for the transmission or reception of radio frequency signals.

APPEAL

A request for a review of the Department's interpretation or decision of any provision of this Ordinance.

ATTIC

The unfinished space between the ceiling joist of the top story and the roof rafters.

AUCTION HOUSE

A place where the sale of property to the highest bidder occurs.

AUTOMOBILE AUCTION

The sale of automobiles to the highest bidder.

AUTOMOBILE BODY SHOP

A building, lot, or portion of a lot used or intended to be used for the business of collision service, which shall include body, frame, or fender-straightening or repair; painting; and glass replacement. It also includes the reconditioning of motor vehicles, which may include repainting, re-sculpturing, rust repair, engine, underbody steam cleaning, and undercoating.

AUTOMOBILE REPAIR

A building and/or lot where motor vehicle fuels or lubricating oil or grease or accessories for motor vehicles are dispensed, sold, or offered for sale at retail only; where services are provided on motor vehicles, including greasing and oiling on

the premises, including vehicle washing; and where repair services may be incidental to the use.

AUTOMOBILE WASH

A building, lot, or portion of a lot used or intended to be used exclusively for exterior washing and interior cleaning of motor vehicles.

AVIATION

The operation of aircraft.

AVIATION BUSINESS

Any business engaged in the operation, service, support, maintenance, repair, management, or control of aircraft for a fee.

AWNING

A rooflike structure with a rigid frame which cantilevers from the elevation of a building designed to provide continuous overhead protection.

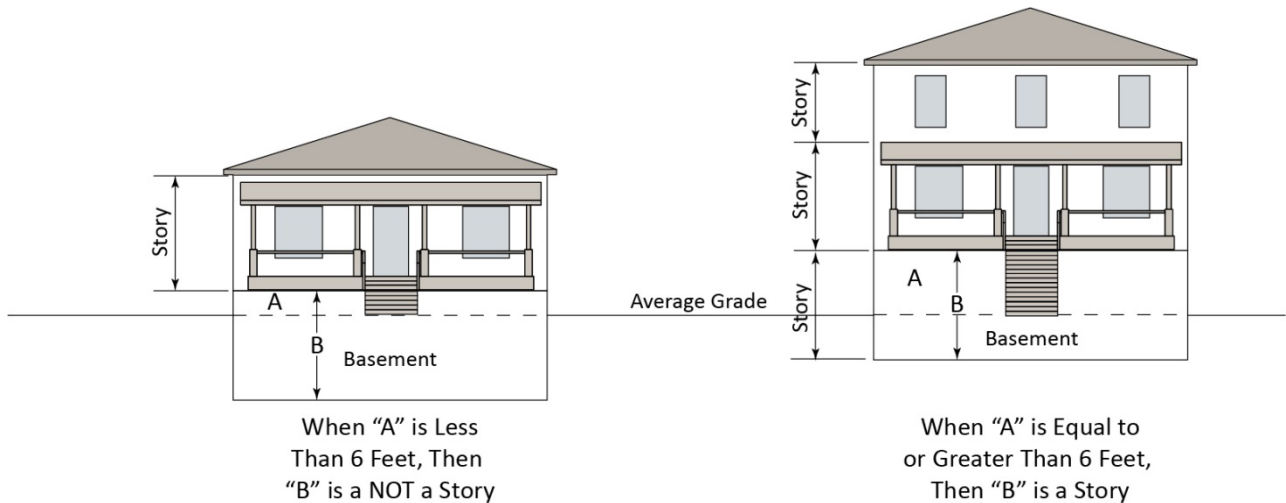
B

BAR, TAVERN, OR LOUNGE

A business enterprise physically separated into a free-standing building or separated by a permanent or temporary wall from the restaurant portion of an establishment permitted to sell beer, wine, and spirituous liquor.

BASEMENT

That portion of a building that is partly or completely below grade. A basement is not deemed a story unless the ceiling is six (6) feet or more above the average grade.



BED AND BREAKFAST ESTABLISHMENT

An owner-occupied residential single-family, detached structure where lodging and breakfast only are provided to transient guests for compensation and the provision of lodging and breakfast are subordinate to the principal use of the structure. The provision of lodging and breakfast shall be subordinate to the principal use of the structure.

BOARD

The Board of Appeals of the City of Lawrenceville, Georgia.

BODY ART STUDIOS - BODY ART

A tattoo or piercing placed on the body of a person for aesthetic or cosmetic purposes.

BODY ART STUDIOS - ARTIST

Any person who performs body art. Such term shall not include in its meaning any physician or osteopath licensed under O.C.G.A. Chapter 34 of Title 43, nor shall it include any technician acting under the direct supervision of such licensed physician or osteopath, pursuant to subsection (a) of Code Section 16-5-71.

BODY ART STUDIOS - STUDIO

Any facility or building on a fixed foundation wherein a body artist performs body art.

BODY ART STUDIOS - MICROBLADING OF THE EYEBROW

A form of cosmetic tattoo artistry where ink is deposited superficially in the upper three layers of the epidermis using a handheld or machine powered tool made up of needles known as a microblade to improve or create eyebrow definition, to cover gaps of lost or missing hair, to extend the natural eyebrow pattern, or to create a full construction if the eyebrows have little to no hair.

BODY ART STUDIOS - TATTOO

To mark or color the skin by pricking in, piercing, or implanting indelible pigments or dyes under the skin. Such term includes microblading of the eyebrow.

BREWERY

An establishment where malt liquors are produced.

BUFFER

A strip of land, identified in this Ordinance, established to protect one type of land use from another with which it is incompatible. A buffer may include additional transition uses, yard space, fences, landscapes areas, or height restrictions.

BUILDABLE AREA

The portion of a lot remaining after required yards have been provided.

BUILDING AREA

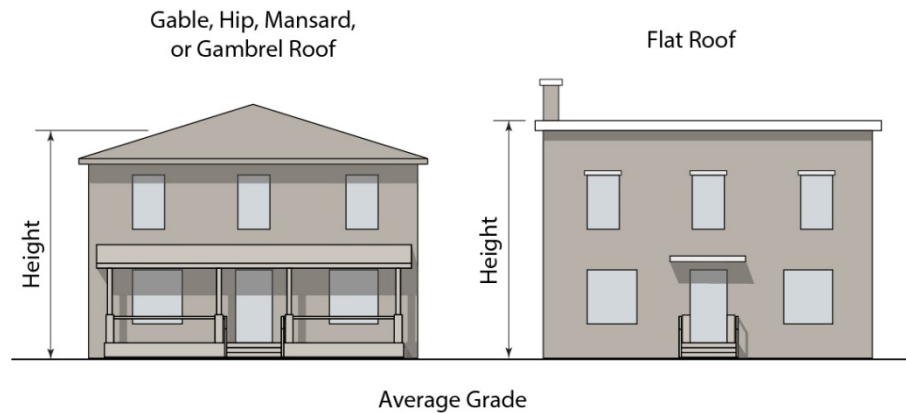
The area of the face of a building (height x width), not including the roof.

BUILDING FRONTAGE

The side of the building on the primary roadway.

BUILDING HEIGHT

The vertical distance from the average grade at the exterior wall to the average height of the highest roof surface of a gable, hip, mansard, or gambrel roof, or to the highest point of the roof surface of a flat roof.



BUILDING AND CONSTRUCTION MATERIALS AND HARDWARE

Retailing, wholesaling, or rental of building supplies or construction equipment, typically with outdoor bulk materials and lumberyards. This classification includes lumberyards, home improvement sales and services, tool and equipment sales, and rental establishments.

BUILDING OFFICIAL

The individual appointed by the City Council of the City of Lawrenceville, Georgia, and charged with the responsibility of building permit and certificate of occupancy issuance.

C

CANOPY

See AWNING.

CAR WASH

See AUTOMOBILE WASH.

CARPORT

A permanent, open-sided shelter for an automotive vehicle, usually formed by a roof projecting from the side of a building.

CEMETERY

An area and use of land set apart for the purpose of burial plots for deceased persons or animals and for the erection of customary markers, monuments and/or mausoleums related thereto; and which may be maintained by a church or other place of worship, or a private corporation.

CERTIFICATE OF COMPLETION

Document issued by the Department to indicate that the construction work authorized by a building permit has been completed which is either applicable to a non-occupied building, structure, building/structure addition, or any portion thereof, or involves a limited scope of renovation that does not change the occupancy or configuration of the affected space.

CERTIFICATE OF OCCUPANCY

A permit issued by the Department indicating that the use of the building or land in question is in conformity with this Ordinance or that there has been a legal variance therefrom as provided by this Ordinance.

CHECK CASHING, PAYDAY LOAN, AND WIRE TRANSFER FACILITIES

An establishment primarily engaged in facilitating credit intermediation (e.g., check cashing services, loan servicing, money order issuance services, money transmission services, payday lending services, traveler's check issuance services)

Exceptions: mortgage and loan brokerage; and financial transactions processing, reserve, and clearinghouse activities.

CHILD-CARING INSTITUTION (CCI)

See also “Group Home.” A State licensed child-welfare agency that is any institution, society, agency, or facility, whether incorporated or not, which either primarily or incidentally provides full-time care (room, board, and watchful oversight) for children through 18 years of age outside of their own homes. (Source: Georgia Department of Human Resources)

CIVIC USES

Public parks, squares, plazas, greens, lawns, amphitheaters, stages, churches, or places of worship, public or private schools, gymnasiums, assembly halls, community meeting rooms, community service centers, post offices, fire stations, libraries, museums, public libraries, or other government or public service buildings and facilities except for those requiring outdoor storage or maintenance yards.

CLUB

A nonprofit association of persons who are bona fide members, paying regular dues, and are organized for some common purpose, but not including a group organized solely or primarily to provide a place of residence or render a service customarily carried on as a commercial enterprise.

CLUSTER

A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation and/or common open space, as well as to preserve environmentally sensitive features.

CLUSTER SINGLE-FAMILY DEVELOPMENT

A form of development for single-family residential subdivisions that permits a reduction in lot area requirements, provided there is no increase in the number of lots that would normally be permitted under conventional zoning and subdivision requirements and the resultant land area is devoted to open space.

COMMERCIAL EQUIPMENT AND MACHINERY SALES, RENTAL, LEASING, AND REPAIR

A business primarily engaged in renting or leasing machinery for use in general business or residential activity. Examples include the leasing of furniture, trucks and trailers, moving and storage services, party supplies, limousines, etc.

COMMERCIAL ENTERTAINMENT

A facility for any indoor profit-making activity which is providing participatory and/or spectator activities, such as, but not limited to, motion picture theaters, live performances, bowling alleys, video game rooms, billiard halls, indoor skating rinks, bingo parlors, and similar entertainment activities. Commercial entertainment shall not include Adult Uses.

COMMISSION

The Planning Commission of the City of Lawrenceville, Georgia.

COMMON SPACE

Natural or improved land that provides continuous public access.

CONVALESCENT FACILITY

See NURSING HOME.

CONVENIENCE STORE

A facility primarily engaged in retailing a limited line of goods that generally includes milk, bread, soda, and snacks.

COMMUNITY GARDEN

A private, public, or non-profit facility for cultivation of fruits, vegetables or ornamental plants cultivated by more than one household.

COMMUNITY LIVING ARRANGEMENT (CLA)

A State-licensed residence, whether operated for profit or not, that undertakes through its ownership or management to provide or arrange for the provision of daily personal services, support, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the Georgia Department of Human Resources, Division of Mental Health, Developmental Disabilities, and Addictive Diseases. (Source: Georgia Department of Human Resources)

CONDITIONAL ZONING

The granting or adoption of zoning for a property subject to compliance with restrictions as to use, size, project design, or timing of development, stipulated by the City Council to mitigate adverse impacts that could be expected without the imposition of such conditions.

CONDOMINIUM

A form of property ownership in which the buildings or portions of the buildings, whether residential or non-residential in use, are owned by individuals separate from the lands which surround the buildings, said lands held in common ownership by the owners of the several buildings.

CONTINUING CARE RETIREMENT COMMUNITY

See RETIREMENT COMMUNITY, CONTINUING CARE.

COUNCIL

The City Council of the City of Lawrenceville, Georgia.

CORNER LOT

See LOT, CORNER.

CULTURAL INSTITUTION

A nonprofit institution engaged primarily in the performing arts or in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis, with or without a charge for admission. Cultural institutions include performing arts centers for theater, dance and events, museums, historical sites, art galleries, aquariums, and the like.

D

DAYCARE CENTER

A private establishment that provides supervision and care of more than six children or adults for periods of less than twenty-four (24) hours per day. The facility typically charges tuition, fees, or other forms of compensation for the care of the children or adults and is licensed or approved to operate as a care facility in the State of Georgia. (Source: Georgia Department of Human Resources)

DEVELOPMENT REGULATIONS

The adopted regulations providing for the subdivision and development of real property within the City of Lawrenceville, as amended from time-to-time by the City Council of the City of Lawrenceville.

DIRECTOR

See PLANNING AND DEVELOPMENT DIRECTOR.

DIRECT BURIAL GROUND FIXTURE

Upward directed lighting assembly that is installed such that the lens or outermost portion of the fixture is flush with the grade of the ground or surrounding surface in which it is installed.

DIRECT LIGHT

Light or illumination emitted directly from a fixture's light source, including the lens and globes associated with the fixture.

DISTRIBUTION FACILITY

A warehouse established where individual tenants engage in the receipt, storage, and distribution of their goods, products, cargo, and materials, including transshipment by boat, rail, air, or motor vehicle.

DISTILLERY/WINERY

A facility that: (1) ferments juices from grapes and/or other fruit; (2) blends wines; (3) distills and/or blends alcoholic liquors; (4) manufactures, bottles, labels, and packages wine and/or alcoholic liquors; and/or (5) performs any other similar activity authorized by the Alcohol and Tobacco Division of the Georgia Department of Revenue.

DOUBLE FRONTAGE LOT

See LOT, DOUBLE FRONTAGE.

DRIVE-IN or DRIVE-THRU

A facility at which the service or business transaction occurs while the customer remains sitting in a vehicle.

DRUG ABUSE TREATMENT FACILITY

A residential facility staffed by professional and paraprofessional persons offering treatment or therapeutic programs for drug-dependent persons who live on the premises. A Drug Abuse Treatment Facility must be approved and licensed by the Georgia Department of Community Health.

DUMP

A commercial operation of a parcel of land on which junk, waste material, inoperative vehicles, and/or other machinery are collected, stored, salvaged, or sold. This includes the terms junkyard and landfill.

DUMPSTER, RECYCLING, OR TRASH CONTAINER

A mobile bin designed to be brought and taken away, or lifted and emptied, by a special truck for the disposal of trash, refuse, garbage, and junk.

DWELLING

A building which is designed or used exclusively for residential purposes, including single-family, multifamily residential buildings, rooming and boarding houses, fraternities, sororities, dormitories, manufactured homes, but not including hotels and motels.

DWELLING - APARTMENT

A multifamily dwelling unit constructed in a group of twelve attached units or more, including single-level units located in a multistory building. Each unit is accessed internally, via a double-loaded corridor; a building design in which there are apartments or other individual units on both sides of a passage corridor connecting twelve or more attached units. This definition shall not include Dwelling Duplex, Dwelling Residential/Business, Dwelling Townhouse or Dwelling Villa.

DWELLING - ATTACHED

See Dwelling Apartment, Dwelling Duplex, Dwelling Unit Studio, Dwelling Residential/Business, Dwelling Townhouse or Dwelling Villa.

DWELLING - DUPLEX

A dwelling containing two and only two dwelling units. This definition shall not include Dwelling Apartment, Dwelling Residential/Business Dwelling Townhouse or Dwelling Villa).

DWELLING - FOURPLEX

A residential building designed for four (4) or more families or housekeeping units, living independently of each other in separate dwelling units.

DWELLING - LIVE-WORK

A dwelling in which a significant portion of the space includes non-residential use that is operated by the tenant. A dwelling or sleeping unit that includes an office that is less than 10 percent of the area of the dwelling unit shall not be classified as a live/work unit.

DWELLING - MOBILE HOME

A detached single-family dwelling unit having all of the following characteristics:

- A.** Designed for long term occupancy as opposed to transient location, containing sleeping accommodations, toilet facilities, with plumbing and electrical connections provided.
- B.** Designed to be transported after fabrication on its own wheels or flatbed or other trailer or on detachable wheels; and
- C.** Built to arrive at the site where it is to be occupied as a dwelling unit complete, including major appliances, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on a permanent foundation, or integration into a prepared structure.

DWELLING - ONE-FAMILY

See “Dwelling Single-Family”.

DWELLING - RESIDENTIAL/BUSINESS

A type of attached dwelling in which a commercial business or office may be operated in the basement or first floor/story of the structure. Each unit is separated from any other unit by one or more vertical common fire-resistance-rated walls. The business need not be operated by the resident of the dwelling. This definition shall not include Dwelling Apartment, Dwelling Duplex, Dwelling Residential/Business, Dwelling Townhouse or Dwelling Villa.

DWELLING - SINGLE-FAMILY

A dwelling containing one and only one dwelling unit, other than a manufactured home.

DWELLING - TOWNHOUSE

A multifamily dwelling unit constructed in a group of three attached units, but not more than eight attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. Each unit is separated from any other unit by one or more vertical common fire-resistance-rated walls. A townhouse shall have at least two stories. This definition shall not include Dwelling Apartment, Dwelling Duplex, Dwelling Residential/Business or Dwelling Villa.

DWELLING - TWO-FAMILY

See “Dwelling, Duplex”.

DWELLING UNIT

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

DWELLING - APARTMENT STUDIO

A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities (see Dwelling Attached).

DWELLING - VILLA

A multifamily one-family dwelling unit with at least three, but no more than four, attached units in which each unit has at least two exterior walls and each unit is separated from any other unit by one or more vertical common fire resistance-rated walls. Villas are exclusively single-story but may include a bonus room over a garage or covered porch. This definition shall not include Dwelling Apartment, Dwelling Duplex, Dwelling Residential/Business, Dwelling Townhouse or Dwelling Villa).

E

EASEMENT

The Right of a person, government agency, or public utility company to use public or private land owned by another for a specific purpose.

ELECTRONIC MESSAGE CENTER (EMC)

A computer programmable sign capable of displaying words, symbols, figures, or picture images that can be altered or rearranged on-site or by remote means without altering the face or surface of the sign.

ENFRONT

To place an element along a build-to-line.

ESSENTIAL PUBLIC SERVICES AND UTILITIES

An agency that, under public franchise or ownership or governmental control, provides essential services such as electricity, natural gas, heat, steam, communications, transportation, water sewage collection or another similar service to the general public. This includes transmission lines, generation buildings, stations, substations, lay down, and maintenance yards.

ESTATE SALES - ESTATE SALE

The sale of personal property, which is open to the public and conducted from or on any property located on any residential lot by an individual, company, firm, corporation, or other entity for a profit and on behalf of another person or persons. The term "estate sale" shall not include yard sales, garage sales or carport sales which are conducted directly by individuals who own the goods or merchandise to be sold.

ESTATE SALES - PERSONAL PROPERTY

Any property which is owned, utilized, and maintained by an individual and acquired in the normal course of living in or maintaining a residence. Such term includes, but is not limited to, clothing, furniture, jewelry, artwork, household items, dishes, antiques, and other similar goods owned by the person or persons who reside or formerly resided in the residence where such estate sale is to take place.

F

FACADE

The face or elevation of a building.

FAMILY

One or more people living together as a single housekeeping unit. No more than two unrelated persons shall reside in a single housekeeping unit. The term “family” does not include any organization or institutional group and is distinguished from “joint living,” defined below.

FAMILY DAY CARE HOMES

A private residence operated by any person who receives therein for pay for supervision and care fewer than twenty-four hours per day, without the transfer of legal custody, at least three but not more than six children under thirteen years of age, who are not related to such person and whose parents or guardians are not residents of the same private residence; provided however, that the total number of unrelated children cared for in such home for pay and not for pay may not exceed six children under thirteen years of age at one time. (Source: Georgia Department of Human Resources).

FAMILY PERSONAL CARE HOME

See PERSONAL CARE HOME, FAMILY.

FEE SIMPLE

A form of property ownership in which the buildings and surrounding lands are owned with absolute title without limit to inheritance or heirs, and unrestricted as to transfer of ownership.

FENCE

A structural barrier for enclosure, screening or demarcation, presenting a solid face or having openings amongst or between its constituent members; also, a wall separate from or extending from a building.

FINANCIAL INSTITUTION

A state or federally chartered bank, savings association, credit union, or industrial land company located in a building, or portion of a building, which provides for the custody, loan, exchange, or issue of money, the extension of credit, or facilitating the transmission of funds, and which may include accessory drive-up customer service facilities on the same premises. This does not include small loan lenders, title loan companies, or check cashing facilities.

FINANCIAL INSTITUTION, SMALL

A company that specializes in consumer loans of any type, and that may accept as security an interest in personal property (e.g. a lien on an automobile, tax refunds, checks, notes, or any other chattel or intangible property). This definition shall exclude insured, full-service banking institutions and licensed credit unions. These shall include but are not limited to, Pawn Shop, Check Cashing Facility, Title Loan Facility, Small Loan Lender (see definitions).

FLAG LOT

A lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way or driveway.

FLOOD PLAIN

That area within the intermediate regional flood contour elevations subject to periodic flooding as designated by the Department of Housing and Urban Development.

FLOODLIGHTS

Fixtures that project light in a broad, directed beam, typically of two lamp types:
Simple lamps where the supporting optic elements are part of the fixture casement, having wide beam angles up to 110 degrees; or
Sealed-beam lamps with internal parabolic reflectors, having narrower beam-spread angles of 25 to 55 degrees.

FLUORESCENT LIGHTING

A lamp that produces visible light by fluorescence, especially a glass tube whose inner wall is coated with a material that fluoresces when an electrical current causes a vapor within the tube to discharge electrons.

FOOD TRUCK PARK

An area where two or more licensed, motorized vehicles which prepare and sell food on a lot privately or publicly owned to the general public.

FOOT-CANDLE

Measure of illumination equivalent to one lumen produced uniformly on a surface of one square foot, as measured by a light meter.

FOURPLEX

See DWELLING, FOURPLEX.

FREE-STANDING AUTOMATED TELLER MACHINE (ATM)

An automated device which performs banking and financial functions at a freestanding location which is remote from the controlling financial institution.

FRONT YARD

See YARD, FRONT.

FULL-CUTOFF LIGHT FIXTURE

The class of lighting fixture defined by the Illuminating Engineering Society of North America (IESNA) according to technical photometric criteria. Included among those design criteria is a pattern of light distribution which does not permit any light to project at or above the horizontal plane from the lowest light-emitting point of the lighting fixture either dispersed directly from the lamp source or an integrated diffusing element, or indirectly from an integrated reflector surface, refractive lens, or refractive globe. These fixtures are also often referred to as "horizontally cutoff fixtures".

FUNERAL HOME

An establishment primarily engaged in the provision of services involving the care, preparation, or disposition of human dead. Typical uses include funeral parlors, crematories, mortuaries, or columbaria.

G

GARAGE

A permanent enclosed area primarily for parking or storing motor vehicles.

GARAGE, RUMMAGE, YARD, AND SIMILAR SALES

The sale of personal property, which is open to the public and conducted from or on any property located on any residential lot by an individual company, firm, corporation, or other entity for a profit and on behalf of another person or persons. The term "garage, rummage, yard, and similar sales" shall not include estate sales which are conducted directly by individuals who own the goods or merchandise to be sold.

GARAGE, RUMMAGE, YARD, AND SIMILAR SALES - PERSONAL PROPERTY

Any property which is owned, utilized, and maintained by an individual and acquired in the normal course of living in or maintaining a residence. Such term includes, but is not limited to, clothing, furniture, jewelry, artwork, household items, dishes, antiques, and other similar goods owned by the person or persons who reside or formerly resided in the residence where such garage, rummage, yard, and similar sales is to take place.

GOVERNMENT OFFICE BUILDING

Administrative, clerical, or public contact offices of a government agency.

GREEN

A type of public space

GROSS FLOOR AREA

The total floor area is included within surrounding exterior walls of a building. Areas of a building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.

GROUP HOME

A state-licensed Child Care Institution (for six or more children) or Child Care Institution for Medically Fragile Children (up to 12 children) either residential or institutional in character that provides full-time group home care for children through 18 years of age outside their own homes. (Source: Georgia Department of Human Resources)

GROUND COVERAGE

The area of a zoning lot occupied by all buildings expressed as a percentage of the gross area of the zoning lot.

GROUND TRANSPORTATION

The transportation of passengers, baggage, cargo, goods, products, or other items for a fee.

GROUP LIVING

A dwelling including shared living quarters such as rooming houses, dormitories, sororities, fraternities, and patient family homes.

GROWLER

Any glass, plastic, or other types of containers, not less than 12 ounces or more than 64 ounces, used to hold specialty malt beverages such as beer and hard cider, which are dispensed from a tap and sealed airtight before being sold to the customer for off-premises consumption.

GROWLER RETAILER

A person or entity that holds a current retail package (malt beverage) license from the city for the sale of malt beverages pursuant to the laws of the State of Georgia and a valid current alcohol license from the state and sells specialty malt beverages in growlers. A growler retailer does not include any retailer that sells distilled spirits or that holds a consumption license from the city.

H

HABITABLE SPACE

Covered building floor area utilized for any principal permitted use except parking, storage, digital industry switchboards, power generators, and other relay equipment.

HANDWRITING ANALYSTS AND FORTUNE TELLERS - FORTUNE TELLING

The prediction of the future for a fee, gift, or donation.

HANDWRITING ANALYSTS AND FORTUNE TELLERS - HANDWRITING ANALYSIS

The interpretation of human experience based upon an examination of handwriting or other inscription done by hand for fee, gift, or donation.

HARD SURFACE

A surface made of solid, impermeable material that significantly impedes or prevents the natural infiltration of water into soil such as asphalt, concrete, or traditional pavers.

HELIPORT OR HELICOPTER LANDING PAD

A facility or landing place for helicopters.

HOME OCCUPATION

Any use conducted entirely within a dwelling and carried on by the occupants thereof, which is clearly incidental and secondary to the use of the dwelling for residential purposes and operated in accordance with applicable provisions. Distinguished from Office.

HOSPITAL

An institution providing health services primarily for in-patient medical or surgical care of the sick or injured and including related facilities such as laboratories, out-patient facilities, training facilities, central service facilities, and staff offices which are an integral part of the facility.

HOTEL OR MOTEL

A facility offering transient lodging accommodations to the general public which may provide additional, accessory services such as restaurants, bars, meeting rooms, entertainment, and recreation facilities.

IESNA

Abbreviation for Illuminating Engineering Society of North America, a professional society of individuals, academics, and businesses engaged in the lighting industry.

INDEPENDENT LIVING FACILITY

See RETIREMENT COMMUNITY (INDEPENDENT LIVING).

INDUSTRIAL EQUIPMENT SALES, RENTAL AND LEASE

A building, lot, or portion of a lot used or intended to be used for the display, sale, rent, or lease of new or used truck and industrial equipment, in operable condition and where repair service is accessory to the sale, rental, or lease. This includes semi-tractors, trailers, and construction equipment. This excludes body work.

INDOOR CLIMATE CONTROLLED STORAGE FACILITY

A storage facility where all storage units are climate controlled.

INDUSTRIALIZED HOME

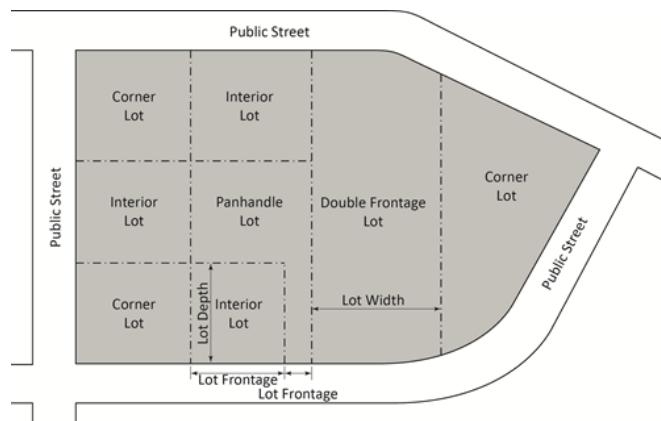
An industrialized home or modular home is a factory-fabricated transportable building consisting of units designed to be incorporated at a building site on a permanent foundation into a structure to be used for residential purposes.

INTERIOR LOT

See LOT, INTERIOR.

INTERMEDIATE CARE FACILITY

See NURSING HOME.



J

JUNK

Old, dilapidated, scrap, or abandoned materials that shall include, but are not limited to, metal, paper, building material and equipment, bottles, glass, appliances, rags, rubber, motor vehicles, and parts thereof.

JUNK VEHICLE

Any vehicle, automobile, truck, van, trailer of any kind or type, or contrivance or part thereof which is wrecked, dismantled, partially dismantled, stripped, partially stripped, inoperative, abandoned, discarded, or kept parked, stored, or maintained on any premises or public right-of-way without a current license plate and/or decal displayed on the vehicle.

JUNK OR SALVAGE YARD

A place where waste, discarded or salvaged metals, building materials, paper, textiles, used plumbing fixtures, used cars or trucks in inoperable condition, are bought, sold, exchanged, stored, baled, or cleaned.

K

KENNEL

An establishment for the breeding or boarding of dogs or cats. Any property where there are four (4) or more dogs or cats over the age of three (3) months kept, maintained, or housed shall be deemed to constitute a kennel, regardless of whether such dogs are kept for business or profit purposes.

L

LABORATORY, RESEARCH OR TESTING ESTABLISHMENT

A facility primarily conducting medical, pharmaceutical, optical, orthotic, prosthetic, or dental laboratory services, photographic, analytical, or testing services or a facility engaged in the research, development, and controlled production of high technology electronics, industrial, or scientific products or commodities.

LAMP

Component, tube, or bulb of a lighting fixture that produces the light. Multiple lamps within a single fixture are lumen-rated cumulatively as if a single lamp.

LAND DISTURBANCE

Any activity that comprises, facilitate, or result in land disturbance, and which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, clearing and grubbing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices. Each clearing, clearing, and grubbing, grading, or development permit shall include the required erosion and sediment control measures and practices.

LANDSCAPE STRIP

Land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.

LANDFILL

See DUMP.

LIGHT FIXTURE

Complete lighting assembly consisting of a lamp or lamps, together with the parts designed to power, position, house, and protect the lamp; and other parts (such as a lens, reflector, or globe) which function together with the lamp as a light source to emit, control, direct, and disperse light. Not included is the support assembly (pole, arm, or mounting bracket) to which the lighting unit is attached. If multiple lighting units are attached to a common support assembly, each unit shall be considered to be an individual lighting fixture. A fixture with multiple lamps comprises only a single fixture.

LIGHT POLLUTION

A general expression for any and all uncontained light; both directed and reflected, that increases ambient light.

LIGHT SOURCE

The point of origin from which illumination emanates, usually a lamp.

LIGHT TRESPASS

Intrusion of direct light projected from one property or roadway onto another property or roadway.

LIMITED USE

Principal permitted uses subject to additional restrictions that are identified in this Zoning Ordinance.

LOADING SPACE, OFF-STREET

Space logically and conveniently located for bulk pickups and deliveries.

LOT

A zoning lot unless the context shall clearly indicate a contrary definition.

LOT - CORNER

A lot situated at the intersection of two (2) streets or bounded on two or more adjacent sides by street right-of-way lines.

LOT - DOUBLE FRONTAGE

A lot, other than a corner lot, which fronts on two streets that are parallel to each other. Also known as a “through lot”.

LOT - INTERIOR

A lot other than a corner lot.

LOT - LOT DEPTH

Considered to be the distance between midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

LOT - LOT FRONTAGE

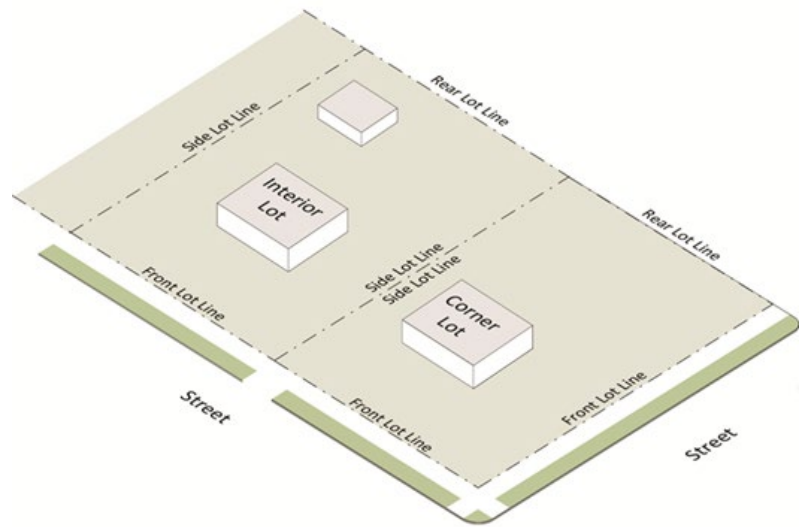
The portion of a lot adjacent to a street.

LOT - LOT LINE

A boundary of a lot. Lot line is synonymous with property line.

LOT - LOT OF RECORD

Land designated as a separate and distinct parcel in a subdivision, the plat of which has been recorded in the office of the Clerk of the Superior Court of Gwinnett County, or a parcel of land, the deed to which was recorded in said office prior to the adoption of this Ordinance.



LOT - LOT WIDTH

The distance between side lot lines measured at the rear of the required front yard line on a line parallel with a line tangent to the street right-of-way line.

LOT - PANHANDLE

A lot that is setback from the street and is only accessible via a long, narrow drive. Also known as a “flag lot”.

LUMEN

Unit of illumination measuring the rate at which a lamp emits light where one lumen per square foot is one foot-candle.

M

MAINTENANCE

The act of keeping property, structures, or vegetation in a proper condition so as to prevent their decline, failure, or uncontrolled growth.

MANUFACTURED HOME

A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems connected therein. The term "manufactured home" includes the term "mobile home".

MANUFACTURED HOME LOT

A parcel of land for the exclusive use of the occupants of a single manufactured home.

MANUFACTURED HOME PARK

A manufactured home park is a parcel of land that has been planned and improved for the placement of manufactured homes for non-transient use.

MANUFACTURED HOME SUBDIVISION

A tract of land that is used, designated, maintained, or held out for sale of lots to accommodate manufactured homes. Services such as water, sewage, recreational facilities, and solid waste collection may be provided for a service charge.

MANUFACTURING - ARTISAN

A business primarily engaged in the limited on-site production of goods, by-hand manufacturing, which involves the use of hand tools and small-scale equipment.

MANUFACTURING - GENERAL

A facility engaged in the production of products, from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. This classification includes food, beverage, and tobacco product manufacturing; textiles, apparel, leather, and allied products; wood products, paper, chemicals, plastics, rubber, nonmetallic mineral products, fabricated metal products, and transportation equipment.

MANUFACTURING - HIGH INTENSITY

A business engaged in the production of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, and radioactive materials. This group also includes smelting, animal slaughtering, and oil refining.

MARQUEE SIGN

Any sign attached to, in any manner, or otherwise made a part of any permanent roof-like structure which projects beyond a building or extends along and projects beyond the wall of the building, generally designed and constructed to provide protection from the weather.

MASSAGE THERAPY BUSINESSES - ACT

The Georgia Massage Therapy Practice Act, enacted by and defined in O.C.G.A. § 43-24A-1 et seq. as amended.

MASSAGE THERAPY BUSINESSES - BOARD

The Georgia Board of Massage Therapy, enacted by the provisions of O.C.G.A. § 43-24A-4.

MASSAGE THERAPY BUSINESSES - FOR HIRE

A reasonable expectation that the person to whom the massage is provided, or some third person on his or her behalf, will pay money, give other consideration, or provide any gratuity, therefore.

MASSAGE THERAPY BUSINESSES - LICENSED MASSAGE THERAPIST

A person who holds a valid, current, unrevoked, and unsuspended State license in the practice of massage therapy issued by the Board pursuant to the Act.

MASSAGE THERAPY BUSINESSES - MASSAGE THERAPY

The application of a system of structured touch, pressure, movement, and holding to the soft tissue of the body in which the primary intent is to enhance or restore health and well-being. The term "massage therapy" includes complementary methods, including, without limitation, the external application of water, superficial heat, superficial cold, lubricants, salt scrubs, or other topical preparations and the use of commercially available electromechanical devices which do not require the use of transcutaneous electrodes and which mimic or enhance the actions possible by the hands. The term "massage therapy" also includes determining whether massage therapy is appropriate or contraindicated, or whether referral to another health care provider is appropriate. The term "massage therapy" does not include the use of ultrasound, fluidotherapy, laser, and other methods of deep thermal modalities (O.C.G.A. § 43-24A-3).

MASSAGE THERAPY BUSINESSES - MASSAGE THERAPY BUSINESS

A business with a location in the City at which any person engages in or offers massage therapy, regardless of the name of the business or the words used to describe the business through signage or advertisement or in filings with the Secretary of State. Massage therapy businesses are subject to regulation by a local government, pursuant to O.C.G.A. §§ 43-24A-22(a) and 48-13-9(b)(17), as amended.

MASSAGE THERAPY BUSINESSES - MASSAGE THERAPIST, MASSEUSE, MASSEUR, MASSAGE PRACTITIONER, OR PERSON PRACTICING MASSAGE

A person who performs or engages in the practice of massage.

MASSAGE THERAPY BUSINESSES - PROVISIONAL PERMIT

A permit issued pursuant to Chapter 24A of Title 43 of the O.C.G.A. allowing the holder to practice massage therapy in this state.

MASSAGE THERAPY BUSINESSES - SEXUAL OR GENITAL AREA

The genitals, pubic area, anus, perineum of any person, or the vulva or breast of a female.

MASSAGE THERAPY BUSINESSES - STATE LICENSE

A license to practice massage therapy issued by the Board, pursuant to the Act.

MEDICAL OR DENTAL OFFICE OR CLINIC

A facility other than a hospital where medical, mental health, surgical, and other personal health services are provided on an outpatient basis. Examples of these uses include offices for physicians, dentists, chiropractors, or other health care professionals; outpatient care facilities; urgent care facilities; and other allied health services.

MOBILE HOME

See, DWELLING, MOBILE HOME.

MODULAR HOME

See INDUSTRIALIZED HOME.

N

NON-CONFORMING USE

A use which lawfully occupies a building or land at the time this Ordinance or an amendment thereto becomes effective but does not meet the requirements of this Ordinance or any amendment thereto.

NON-CONFORMING BUILDING

A building or structure or portion thereof, lawfully existing at the time this Ordinance or an amendment thereto becomes effective, which does not meet the bulk, height, yard, parking, loading, or other requirements of this Ordinance or any amendment thereto.

NON-CONSTANT LIGHTING

Light fixtures meant not to operate continuously, and operated only briefly, irregularly, intermittently, or occasionally by a switching device. Fixture activation by a motion sensor may provide non-constant lighting.

NURSING HOME

A State licensed facility which admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision; it maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental supervision of the home; and otherwise complies with the rules and regulations of the Georgia Department of Human Resources. (Source: Georgia Department of Human Resources)

0

OCCUPANCY

The purpose for which a building is utilized or occupied.

OFFICE

A building or portion of a building wherein service is performed involving predominately administrative, professional, or clerical operations. Distinguished from Home-Based Occupation.

OFF-STREET PARKING

All parking accommodations that are not located on the street, including parking decks, driveways, parking garages, and/or parking lots that allow cars to park on or near the place of use.

OIL, GAS, AND CHEMICAL STORAGE, BULK

A tank farm or other similar outdoor facility for the storage of oil, gas, chemicals, and related bulk products.

ON-STREET PARKING

Spaces on the street that are officially designated for parking by street paint, signage, parking meters, or a combination of the three.

OUTBUILDING

An ancillary building or structure located towards the rear of the same lot as a principal structure.

OUTDOOR DISPLAY AND SALES OF MERCHANDISE

The placement of goods, materials, merchandise, or equipment for sale, rental, or lease in a location not enclosed by a structure consisting of walls and roof. "Outdoor display" shall not mean yard sales or vehicle sales lots.

OUTDOOR LIGHTING

Illumination of an exterior area. Included are open-air spaces which are under a roof or other cover and not fully enclosed, such as a canopy, pavilion, drive-through bay, or parking deck.

OUTDOOR STORAGE

The storage, outside of a fully enclosed lawful structure, of vehicles, items, equipment, materials, supplies, merchandise, vending machines, or similar items.

P

PARCEL

A designated lot, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.

PARK

A publicly accessible open space that provides recreation and gathering places.

PARKING GARAGE

A structure or portion thereof, other than a private or storage garage, designed or used for the storage of motor-driven vehicles for a fee.

PARKING LOT

A parcel of land containing one or more unenclosed parking spaces whose use is principal to the lot.

PARKING SPACE, OFF-STREET

An off-street space for the temporary storage of a motor vehicle with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering spaces.

PAWNBROKERS AND SECONDHAND DEALERS - EMPLOYEE

Shall mean and include any of the following:

- A.** Any owner or pawnbroker who, in the performance of his duties or the management of the business affairs of a pawnshop, comes into contact with members of the public.
- B.** Any person working for an owner or pawnbroker; or
- C.** Any person who is employed on a part-time or full-time basis, either with or without remuneration, by a pawnshop.

PAWNBROKERS AND SECONDHAND DEALERS - PAWN OR PLEDGE

A bailment of personal property as security for any debt or engagement, redeemable upon certain terms and with the power of sale on default.

PAWNBROKERS AND SECONDHAND DEALERS - PAWNBROKER

Any person, whether an owner or not, who works in a pawnshop on a regular basis and in a managerial capacity whereby he has charge of the business or daily operations of the pawnshop, and whose business or occupation it is to take or receive, by way of pledge, pawn, or exchange, any goods, wares, or merchandise, or any kind of personal property whatever, as security for the repayment of money lent thereon.

PAWNBROKERS AND SECONDHAND DEALERS - PAWNSHOP

Any business wherein a substantial part thereof is to take or receive, by way of pledge, pawn, consignment or exchange, any goods, wares, merchandise, or any kind of personal property whatever, as security for the repayment of money lent thereon.

PERSONAL CARE HOME

Any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage. (Source: Georgia Department of Human Resources). The term Personal Care Home shall also encompass the term Assisted Living Facility.

PERSONAL CARE HOME - FAMILY

Any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for up to eight adults who are not related to the owner or administrator by blood or marriage. (Source: Georgia Department of Human Resources)

PERMEABLE SURFACE

A surface made of material such as gravel, permeable pavers, turf, planting bed, or mulched beds that allows storm water to infiltrate into the ground.

PLANNING AND DEVELOPMENT DIRECTOR

The person responsible for the administration and enforcement of this Zoning Ordinance. This includes the Director's designee unless otherwise specified herein.

PLAT

A map indicating the subdivision, resubdivision, or recombination of land.

PLAZA

A publicly accessible open space that is available for civic and commercial activities but may have access limited for the purpose of providing outdoor dining areas.

PORTABLE STORAGE CONTAINER

Any secure portable container used for the temporary storage of personal or commercial goods that is filled on site and transferred to an off-site facility for storage.

PRECIOUS METALS DEALERS

Any person, partnership, sole proprietorship, corporation, association, or other entity engaged in the business of purchasing, bartering, or acquiring in trade any precious metals from persons or sources, other than from manufacturers of or licensed dealers in precious metals, for re-sale in its original form or as changed by melting, reforming, remolding, or for re-sale as scrap or in bulk.

PRECIOUS METALS DEALERS - NONPERMANENT LOCATION

Any location used to conduct business in a temporary location or for a limited time. The term "nonpermanent location" includes, but is not limited to, moveable vehicles, temporary or moveable structures, tents, awnings, hotels, or motels and the like.

PRECIOUS METALS DEALERS - PERMANENT LOCATION

A business domiciled within a properly constructed building located within an area zoned for such business.

PRECIOUS METALS DEALERS - PRECIOUS METALS

Any metals, including, but not limited to, in whole or in part, silver, gold and platinum.

PREMISES

A designed parcel, tract, lot, or area of land, together with improvements located thereon, if any, established by plat, subdivision, or as otherwise permitted by law, to be used, developed, or built upon as a unit.

PRIMARY ROADWAY

The public right-of-way, which is identified as the address of the premises.

PRINCIPAL PERMITTED USE

The primary use of a lot which is among the uses allowed as a matter of right under the zoning classifications.

PUBLIC SAFETY FACILITY

A facility for public safety and services, including police and fire protection, jail, reformatory and related training facilities.

PUBLIC SPACES

Exterior and interior spaces appropriately improved for pedestrian amenity or for aesthetic appeal and not including areas used for vehicles, except for incidental service, maintenance, or emergency actions only.

PUBLIC WORKS AND MAINTENANCE FACILITY

A government-owned facility providing maintenance and repair services for government vehicles and equipment and areas for storage of equipment and supplies. This classification includes government-owned construction yards, equipment service centers, and similar facilities.

Q

QUARRYING AND MINERAL EXTRACTION

The removal of minerals, aggregates, sand, limestone, gravel, stone, clay overburden, topsoil, and the like from the ground for storage, processing, and sales.

R

RAILROAD TRAIN YARD, SPUR, SIDING, RIGHT-OF-WAY

Land used for classification yards, switch tracks, team tracks, storage tracks, through tracks, and areas for the transfer and storage of freight, locomotives, and railcars.

REAR YARD

See YARD, REAR.

RECREATION FACILITY - PRIVATE

A place, indoor or outdoor, designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities. Private recreational facilities are operated by a non-profit organization and open only to bona fide members and guests of such non-profit organization.

RECREATION FACILITY - PUBLIC

A place, indoor or outdoor, designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities. Public recreational facilities are operated by a governmental unit and are open to the public for free or through a membership fee.

RECREATIONAL VEHICLE

A vehicle which is:

- A.** Built on a single chassis.
- B.** 400 square feet or less when measured at the largest horizontal projection.
- C.** Designed to be self-propelled or permanently towable by light-duty truck; and,
- D.** Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATED USE

Any building or structure or portion of any building or structure used or proposed to be used for adult use as defined in this Article.

RELIGIOUS PLACE OF WORSHIP

A permanently located church, cathedral, synagogue, temple, mosque, or other place dedicated to religious worship. As part of its functions, it may include the following incidental and subordinate uses subject to applicable federal, state, and local regulations: offices, residences for clergy, religious instruction, schools, daycare centers, shelters, and community and recreational activities.

RESTAURANT

An establishment that serves food prepared on-site and beverages primarily for consumption on- or off-premises.

RESOLUTION

Means by which a local legislature or other board expresses its policy or position on a subject.

RETAIL SALES AND SERVICE

A business engaged in sales of goods or the provision of services directly to consumers. This classification includes the retail sale or rental of merchandise not specifically listed under another use classification.

RETIREMENT COMMUNITY - CONTINUING CARE

A managed residential facility for elderly adults that allows residents to age in one community, with on-site access to healthcare services and a transition to greater levels of care over time. These facilities provide distinct levels of care: independent living in which residents live on their own and have access to a wide array of amenities; assisted living, which provides help with daily tasks such as bathing and dressing; and 24-hour nursing home-style care. As the resident's health needs increase, they transition from one level to the next, all within the same community.

RETIREMENT COMMUNITY - INDEPENDENT LIVING

A managed housing complex designed for older adults who are generally able to live independently and care for themselves. Limited or no personal or healthcare services are offered; however, activities and socialization opportunities may be provided.

ROAD FRONTAGE

The distance, measured in a straight line, from the two furthest property corners located on the same public right-of-way, excluding parcels.

RUNWAY

A paved or cleared strip of land on which aircraft may take off and land.

S

SCHOOL, COLLEGE, UNIVERSITY, VOCATIONAL AND TECHNICAL

An institution of higher education providing curricula of a general, religious, or professional nature, typically granting recognized degrees, licensure, or certifications. This classification also includes business and computer schools; management training; technical, vocational, and trade schools; but excludes personal instructional services.

SCHOOL, ELEMENTARY AND SECONDARY

An institution having regular sessions with regularly employed instructors teaching subjects which are fundamental and essential for general academic education, under the supervision of, and in accordance with, the applicable statutes of the State of Georgia.

SCREENING

A method of shielding or obscuring one abutting or nearby structure or use from another by opaque fencing, walls, berms, densely planted vegetation, or the like.

SHELTER - EMERGENCY

A nonprofit institutional use, comprised of a building, institutional in nature, which provides overnight shelter, sleeping accommodations, and services, and not otherwise mandated by the state government for related or nonrelated individuals for a period of time not to exceed 15 hours every 24 hours. The stay of the individuals is presumed to be of a temporary nature.

SHELTER - HOMELESS

A type of homeless service agency which provides temporary residence for homeless individuals and families. Distinguished from emergency shelters, which are operated for specific circumstances and populations.

SIDE YARD

See YARD, SIDE.

SIGN

Any surface, fabric, device, or display which bears letters, numbers, symbols, pictures, or sculptured matter, whether illuminated or unilluminated; designed to identify, announce, direct, or inform; and that is visible, from a public right-of-way. For purposes of this Ordinance, the term "sign" does not include all structural members.

SIGN - ATTENTION GETTING DEVICE

Any balloon, figurine, inflatable sign (static), pennant, propeller, ribbon, searchlight, spinner, statue, streamer, or other similar device or ornamentation designed to or having the effect of attracting the attention of potential customers or the general public. An Attention-Getting Device shall be considered a sign and shall meet all requirements of this ordinance for a sign.

SIGN - ANIMATED SIGN

Any sign that utilizes the appearance of movement using lighting to depict action or to create a special effect or scene.

SIGN - BANDIT SIGN

Any sign of any material whatsoever that is attached or painted in any way to a natural object or feature, plant, post, rock, shrub, street sign or marker, traffic control sign or device, tree, utility pole or any object located or situated on any public road right-of-way, easements, or alleys. This shall include guerilla and snipe signs.

SIGN - BANNER

A sign either enclosed or not enclosed in a rigid frame and secured or mounted to allow movement caused by the atmosphere. Flags are not banners.

SIGN - BILLBOARD

A sign larger than 200 square feet in area.

SIGN - CONSTRUCTION SIGN

A temporary sign erected on premises where construction is taking place.

SIGN - DIRECTORY SIGN

A sign located on developed premises, adjacent to exits, entrances, driveways, or off-street parking facilities.

SIGN - DOOR SIGN

A sign that is applied to or attached to the exterior or interior of a door or located in such a manner within a building that it can be seen from the exterior of the structure through a door.

SIGN - DOUBLE POST SIGN

A sign located at a site during construction or sale where the primary support is supplied by two wooded posts.

SIGN - EXPOSED NEON

Any display which utilizes bulbs or glass to directly illuminate without any form of color translucent covering including, but not limited to, being placed directly on or in a sign structure or located on a building as accents. This definition shall include LED linear rope lights or similar devices intended to imitate Exposed Neon.

SIGN - FALL ZONE

A Fall Zone is defined as an area large enough and set back far enough from any buildings, structures, or property lines equal to 133% of the height of the entire structure in every direction.

SIGN - FLAG

A cloth with colors and patterns, which does not meet any other sign definition under this Ordinance. A flag is not a banner.

SIGN - FLASHING SIGN

A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits marked changes in lighting effects. Illuminated signs which indicate only the time, temperature, date, or any combination thereof shall not be considered as flashing signs.

SIGN - FREESTANDING SIGN

A permanent sign supported by any structure or support placed in or anchored in the ground and not attached to any building or structure. All freestanding signs must meet the requirements of a ground sign or a double post sign unless specifically approved through the granting of a variance.

SIGN - GROUND SIGN

A permanent, freestanding sign with a solid supporting base. This definition shall not include a Subdivision Sign.

SIGN - HEIGHT

The distance in vertical feet from the average elevation of the ground level at the base of the sign to the highest point of the sign structure.

SIGN - ILLUMINATED SIGN

A sign illuminated in any manner by an artificial light source.

SIGN - INFLATABLE-STATIC

Any sign inflated or supported by air, pneumatic noncombustible pressure or winds which is securely anchored to the ground and does not move.

SIGN - INFLATABLE-ANIMATED

Any sign inflated or supported by air, pneumatic noncombustible pressure or winds which moves or is caused to move in any way to thereby distract or draw attention.

SIGN - MOTOR VEHICLE SIGN

A sign mounted, placed, written, or painted on a vehicle or trailer whether motor-driven or not.

SIGN - MOVABLE PANEL SIGN

Any sign which utilizes movable discs, panels, or other similar methods, which allows a machine or device to change the message by a control rather than manually changing the message.

SIGN - MURAL-PUBLIC ART

A painted or otherwise attached or adhered image or representation on the exterior of a building that is visible from a public right-of-way or neighboring property, does not contain commercial advertisement, and is designed in a manner so as to serve as public art, to enhance public space, and to provide inspiration.

SIGN - PENNANT

Any long, narrow flag which does not meet any other sign definition in this Ordinance.

SIGN - POLE SIGN

A Ground Sign where the primary support is one post or column.

SIGN - PORTABLE SIGN

Any sign which is not permanently attached to the ground or other permanent structure including, but not limited to, signs attached to vehicles, trailers, securely anchored into the ground, or any sign which may be transported or is designed to be transported. Such signs include, but are not limited to, "A" and "T" type, sidewalk, sandwich, trailer signs, curb type signs, banners, balloons, or other commercial advertisement attached to vehicles.

Exceptions: Signs which are painted, bolted, screwed, or magnetically attached to the top, sides, or rear of the vehicle. Signs which are placed in the bed of a truck or trunk of an automobile, or a banner attached to the vehicle regardless of the information contained thereon or method of attachment are not included in this exception.

SIGN - PROJECTING SIGN

A sign that projects from a wall, that may be parallel or perpendicular to a wall or surface to which it is attached to.

SIGN - ROOF SIGN

A sign projecting over the coping of a flat roof, or wholly or partially over the ridge of a gable, hip, or gambrel roof, and erected or installed upon the roof of any building or a structure.

SIGN - SIGN AREA

The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color-forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning Ordinance regulations and is clearly incidental to the display itself.

SIGN - SURFACE AREA

The entire area within a continuous perimeter, enclosing the extreme limits of sign display, including any frame or border but excluding any supports. A curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals, or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letters or devices as well as spaces between each letter, words, lines, or device. The calculation for a double-faced sign shall be the area of one face only where the sign faces are parallel or whether the interior angle formed by the faces is 60 degrees or less. The area of the larger side shall be computed in cases in which the two sides do not coincide.

SIGN - TEMPORARY SIGN

A display, sign, banner, or other device with or without a structural frame, not permanently mounted, and intended to be displayed for only a limited time.

SIGN - WINDOW SIGN

A sign placed inside or upon the windowpanes of any window or door.

SINGLE-FAMILY ATTACHED DWELLING

See DWELLING, SINGLE-FAMILY ATTACHED.

SINGLE-FAMILY DETACHED DWELLING

See DWELLING, SINGLE-FAMILY DETACHED.

SKILLED NURSING FACILITY

See NURSING HOME.

SMALL LOAN LENDER

An establishment which is engaged exclusively in the business of making consumer loans of \$3000 or less.

SOLID WASTE

Putrescible and non-putrescible wastes, except water-carried body waste, and shall include garbage, rubbish, ashes, street refuse, dead animals, sewage sludge, animal manures, industrial wastes, abandoned automobiles, dredging wastes, construction wastes, hazardous wastes, and other waste material in a solid or semi-solid state not otherwise defined in this Ordinance.

SOLID WASTE TRANSFER STATION

Any facility which collects, consolidates, and ships solid waste to a disposal facility or processing operation.

SPECIAL EVENTS FACILITY

A facility designed to accommodate guests, that can be rented by patrons as a venue for social or professional events or occasions.

SPECIAL USE

A use which is permitted if it meets stated conditions and is approved by the City Council of the City of Lawrenceville.

SPOTLIGHTS

Fixtures that project light in a narrow beam, contained and centered on a directional axis. Related lamps typically are sealed-beam with internal parabolic reflectors and beam-spread angles of 9 to 15 degrees.

STOP WORK ORDER

An order to cease and desist building, development, and land disturbing that is issued by the Department of Planning and Development pursuant to the requirements of this Ordinance and Construction Codes.

STORY

That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above, or if there is no floor above, the space between the floor and the ceiling next above. Each floor or level in a multi-story building used for parking, even if below grade, shall be classified as a story.

STREET FAÇADE

The exterior wall of a building that fronts the street.

STRUCTURE

Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

STRUCTURE – MIXED-USE AND OCCUPANCY

A mixed-use structure consisting of two or more distinct uses and occupancies. Each portion of a mixed-use structure is required to be classified in accordance with the use and occupancy classification groups and constructed to a minimum applicable standard.

STUDIO OR MEETING FACILITY

A building typically accommodating groups of students in multiple instructional spaces. Examples of these facilities include individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment. This definition also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

SUBDIVISION

The process (and the result) of dividing a parcel of raw land into smaller buildable sites, blocks, streets, open space, and public areas, and the designation of the location of utilities and other improvements.

T

TEMPORARY OUTDOOR ACTIVITY

For-profit activities involving the temporary outside sale of goods and merchandise in association with an existing business located on the premises is the principal use of the premises. The term "temporary outdoor activity" includes the sale of farm produce, carnivals, or sale of Christmas trees or Halloween pumpkins from property which is vacant, or which contains a separate and distinct primary use, such activities continuing for a period not exceeding 20 consecutive days, except Christmas tree sales shall be allowed between November 1 and December 31 and pumpkin sales shall be permitted from September 15 and October 31. Temporary outdoor activities shall occur in non-enclosed areas.

TEMPORARY OUTDOOR ACTIVITY - GOODS AND MERCHANDISE

Tangible or movable personal property, other than money.

TEMPORARY OUTDOOR ACTIVITY - TEMPORARY

A period of not to exceed 20 consecutive days. A second permit for a temporary outdoor activity on the same property may not be applied for or renewed within six months from the date of any prior approval of a temporary outdoor activity.

TEMPORARY OUTDOOR ACTIVITY - TEMPORARY OUTDOOR ACTIVITY PERMIT

Written authorization by the Director of the Planning and Development Department or his/her designee, for the applicant to engage in temporary outdoor activities at a specific, fixed location meeting all the requirements of this division.

TITLE LOAN LENDER

Establishments which engage in the business of providing money to customers on a temporary basis, where such loans are secured by a car title or a lien against a car title. Includes Title Pawn Lenders.

TOP-SHIELDED LIGHT FIXTURE

A lighting fixture that, either by its top-most shielding or by its sheltered placement under a soffit, cornice, roof, canopy, or other structural element, limits light at or above the horizontal plane.

TRUCK TERMINAL - TRANSFER FACILITY

A facility for the storage of commercial goods within an enclosed building for distribution by truck.

TUBE LIGHTING

Gas-filled glass tube that becomes luminescent in a color characteristic of the particular gas used, such as neon, argon, krypton, etc. Excluded from this lighting class are common fluorescent tubes.

U

UNDISTURBED

Land in its natural state of vegetation.

USE

The purpose or purposes for which land or a building is designed, arranged, or intended, or to which said land or building is occupied, maintained, or leased.

URGENT CARE FACILITY

An outpatient facility, operated by a hospital or health organization, and staffed with individuals that provide immediate emergency care services similar to what would be expected in a hospital.

V

VARIANCE

A resolution which grants a property owner relief from certain provisions of a zoning ordinance when, because of the particular physical surroundings, shape, or topographical condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or desire to make more money.

VEHICLE

Any device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

VEHICLE - ALL-TERRAIN VEHICLE

Any motorized vehicle originally manufactured for off-highway use which is equipped with three or more nonhighway tires is 80 inches or less in width with a dry weight of 2,500 pounds or less and is designed for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain.

VEHICLE - BUS

Any motor vehicle designed for carrying more than ten passengers and used for the transportation of persons and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

VEHICLE - BUSINESS

Any Vehicle, Passenger Car, SUV, Truck, or Van containing an exterior logo, design, lettering, or other depiction for advertising.

VEHICLE - COMMERCIAL

Any self-propelled or towed motor vehicle used on a highway in intrastate and interstate commerce to transport passengers or property when the vehicle:

- 1.** Has a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight of 4,536 kg (10,001 lbs.) or more.
- 2.** Is designed or used to transport more than eight passengers, including the driver, for compensation.
- 3.** Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation: or
- 4.** Is used to transport material determined to be hazardous by the secretary of the United States Department of Transportation under 49 U.S.C. Section 5103 and transported in a quantity that requires placards under regulations prescribed under 49 C.F.R., Subtitle B, Chapter I, Subchapter C.

VEHICLE - FORMER MILITARY MOTOR VEHICLE

A motor vehicle that operates on the ground, including a trailer, that was manufactured for use in any country's military forces and is maintained to represent its military design, regardless of the vehicle's size, weight, or year of manufacture. Such term shall not include motor vehicles armed for combat or vehicles owned or operated by this state, the United States, or any foreign government.

VEHICLE - FULLY AUTONOMOUS VEHICLE

A motor vehicle equipped with an automated driving system that can perform all aspects of the dynamic driving task without a human driver within a limited or unlimited operational design domain and will not at any time request that a driver assume any portion of the dynamic driving task when the automated driving system is operating within its operational design domain.

VEHICLE - GOLF CAR/CART

Any motorized vehicle designed for the purpose and exclusive use of conveying one or more persons and equipment to play the game of golf in an area designated as a golf course. For such a vehicle to be considered a golf car or golf cart, its average speed shall be less than 15 miles per hour (24 kilometers per hour) on a level road surface with a 0.5% grade (0.3 degrees) comprising a straight course composed of a concrete or asphalt surface that is dry and free from loose material or surface contamination with a minimum coefficient of friction of 0.8 between tire and surface.

VEHICLE - GROSS WEIGHT

The weight of a vehicle without load plus the weight of any load thereon.

VEHICLE - LIMOUSINE

Any motor vehicle that meets the manufacturer's specifications for a luxury limousine with a designed seating capacity for no more than ten passengers and with a minimum of five seats located behind the operator of the vehicle, and which does not have a door at the rear of the vehicle designed to allow passenger entry or exit; further, no vehicle shall be permitted to be operated both as a taxicab and a limousine.

VEHICLE - PASSENGER CAR, SUV, TRUCK OR VAN

Any motor vehicle, except all-terrain vehicles, motorcycles, motor-driven cycles, multipurpose off-highway vehicles, personal vehicles, and low-speed vehicles, designed for carrying ten passengers or less and used for the transportation of persons.

VEHICLE - POLE TRAILER

Any vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle utilizing a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

VEHICLE - RECREATIONAL

Any vehicle designed for recreational use (e.g., camper, caravan, motor home, RV, trailer).

VEHICLE - RECREATIONAL OFF-HIGHWAY VEHICLE

Any motorized vehicle designed for off-road use which is equipped with four or more nonhighway tires and which is 65 inches or less in width.

VEHICLE - SEMITRAILER

Any vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

VEHICLE - SPECIAL MOBILE EQUIPMENT

Any vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch-digging apparatus, well-boring apparatus, and road construction and maintenance types of machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earth-moving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

VEHICLE - TAXICAB

Any motor vehicle for hire which conveys passengers between locations of their choice and is a mode of public transportation for a single passenger or small group for a fee. Such term shall also mean taxi or cab, but not a bus or school bus, limousine, passenger car, or commercial motor vehicle.

VEHICLE - TRACTOR

Any self-propelled vehicle designed for use as a traveling power plant or for drawing other vehicles but having no provision for carrying loads independently.

VEHICLE - TRAILER

Any vehicle with or without motive power, other than a pole trailer, designed for carrying property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

VEHICLE - TRUCK

Any motor vehicle designed, used, or maintained primarily for the transportation of property.

VEHICLE - TRUCK TRACTOR

Any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

VEHICLE - WRECKER

Any vehicle designed, equipped, or used to tow or carry other motor vehicles utilizing a hoist, crane, sling, lift, or roll-back or slide back platform, by a mechanism of a like or similar character, or by any combination thereof, and the terms "tow truck" and "wrecker" are synonymous.

VEHICLE SALES - RENTAL, AND LEASE

A building, lot, or portion of a lot used or intended to be used for the display, sale, rent, or lease of new or used motor vehicles in operable condition and where repair service is accessory to the sale, rental, or lease. This excludes bodywork.

VEHICLE SERVICE AND REPAIR FACILITY

A building or premises where products necessary for automobile service or maintenance are sold, provided there is no storage of automobiles, and only minor services are rendered. An automobile service station is not a repair garage or a body shop.

VESSEL

A watercraft, other than a seaplane on the water or a sailboard, used or capable of being used as a means of transportation on water and specifically includes, but is not limited to, inflatable rafts and homemade vessels.

VESSEL - HOMEMADE

Any vessel that is built by an individual for personal use from raw materials does not require the assignment of a federal hull identification number by a manufacturer according to federal law. A person furnishing raw materials under a contract may be considered the builder of a homemade vessel. Antique boats, boats reconstructed from existing boat hulls, and rebuilt or reconstructed vessels are not considered homemade vessels.

VESSEL - MECHANICALLY PROPELLED

Any vessel propelled by machinery using a volatile liquid for fuel.

VESSEL - NONMOTORIZED

Any vessel, other than a sailboat which has no motor attached in a manner to make it readily available for operation.

VESSEL - POWERBOAT

Any boat, vessel, or water-going craft which is propelled by mechanical rather than manual means whether or not such a propulsion device forms an integral part of the structure thereof.

VESSEL - WATERCRAFT

A vessel for transport by water constructed to provide buoyancy by excluding water and shaped to give stability and permit propulsion. This definition includes but is not limited to watercraft both mounted and not mounted, as well as boats, air boats, jet skis, wave runners, Sea Doo, and the like.

VETERINARIAN CLINIC

A facility or premises utilized for the diagnosis and treatment of ill and injured animals and the short-term boarding incidental to clinical use.

W

WAREHOUSE, PERSONAL STORAGE/MINI

A facility for the storage of personal property in a secure, individual unit with each unit having direct access to the service drive.

WAREHOUSING

A facility for the storage and distribution of property, merchandise, or equipment, without direct sales to the public.

WASTE INCINERATION

A building or facility used for the combustion of organic substances found in waste materials.

WIRELESS TELECOMMUNICATIONS ANTENNA, FACILITY OR TOWER

Public and private transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including commercial earth stations for satellite-based communications. Wireless communication facilities include antennas, satellite dish antennas, and equipment buildings. Wireless communication facilities do not include telephone, telegraph and cable television transmission facilities that utilize hard-wired, fiber optic, or direct cable connections.

WRECKING YARD

See JUNK AND SALVAGE YARD.

WHOLESALE AND DISTRIBUTION

An establishment that engages in the sale of goods, merchandise, and commodities for resale by the purchaser.

Y

YARD

A required open space located on the same lot as the principal building, unoccupied and unobstructed except for accessory uses and for shrubs, fences, etc.

YARD - FRONT

The area of a lot extending across the full width of the lot and measured between the building line and the front lot line.

YARD - REAR

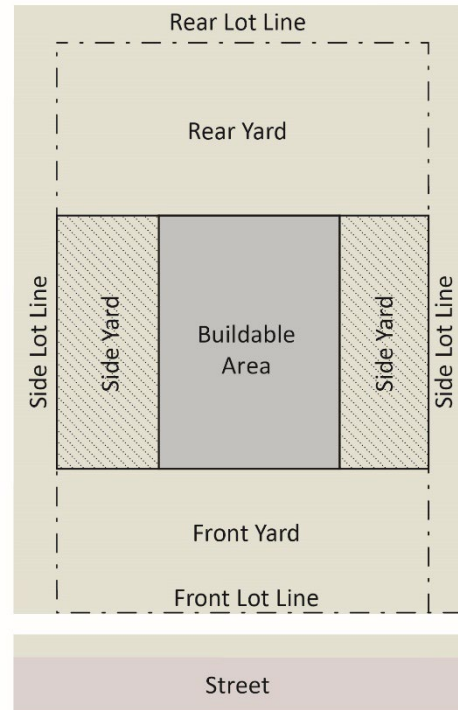
The area of a lot extending across the full width of the lot and measured between the building and the rear lot line.

YARD - SETBACK

Distance from property line to the nearest point of any sign or structure as defined by the Ordinance.

YARD - SIDE

The area of a lot extending from the front yard to the rear yard and measured between the building and the side lot line.



Z

ZONING DISTRICTS

Zoning districts defined in this Zoning Ordinance.

ZONING LOT

A single tract of land, located within a single block which, at the time of filing for a building permit or a certificate of occupancy, is designated by the owner or developer as a tract to be used, developed, or built upon as a unit, under single or unified ownership or control, and assigned to the particular use, building or structure, for which the building permit or certificate of occupancy is issued and including such area of land as may be required by the provisions of this Ordinance for such use, building or structure.

IT IS SO ORDAINED, this _____ day of _____, 2023.

David R. Still, Mayor

Attest:

Karen Pierce, City Clerk