

Article 15. - Definitions

Sec. 1501 - Definitions.

Abandonment: The relinquishment of property, or a cessation of the use of the property, by the owner or lessee without any intention of transferring rights to the property to another owner or of resuming the use of the property.

Abut: To physically touch or border upon; or to share a common property line but not overlap.

Access: A way or means of approach to provide physical entrance to a property.

Accessory Apartment: A dwelling or apartment within or detached from the principal dwelling, the use of which is associated with and subordinate to the principal dwelling and which is located upon the same lot as the principal dwelling, established subsequent to the establishment of the principal dwelling.

Accessory Building or Use (also Outbuilding): A building or use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Accessory Farm Structure: Any building or other structure commonly used for agricultural purposes in relation to an active farming operation, such as a barn or stable, poultry house, silo, water tank, farm equipment storage shed, or irrigation system.

Accessory Retail Uses: Retail sales and services accessory to the operation of an office building, industrial or warehouse complex, institutional use, motel, hotel, apartment building or complex, conducted wholly within the building housing the use to which such activities are accessory.

Accessory Structure Setback Line: A line delineating the minimum allowable distance between a property line or the right-of-way line of an abutting street, and an accessory structure.

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

Adjacent Land, Lot, or Parcel: See "Adjoining Land, Lot, or Parcel."

Adjoining Land, Lot, or Parcel: A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land. See also "Abut."

Administrative Review: means ministerial review of an application by Douglas County relating to the review and issuance of a permit, including review by the appropriate city staff to determine whether the issuance of a permit is in conformity with the applicable provisions of this UDC.

Agricultural Activities : (See also "Tree Harvesting.") The production, keeping, or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops, grains and seed crops, dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program.

Agricultural Produce Stand: A structure not greater than 500 square feet for the purpose of seasonal sales of products grown or produced on the premises on which it is located. See FARM STAND: A structure for the display and sale of farm products.

Airfield: In this Code the terms "airfield" and "airport" are interchangeable and mean airfields in Douglas County.

Alley: A service roadway providing a secondary means of public access to abutting property and not intended for general traffic circulation.

Alteration of Building: Any change in the supporting members of a building (such as bearing walls, beams, columns or girders) except such changes as may be required for its safety; any addition to a building; any change in use from that of one district classification to another; or of a building from one location to another.

Alternative Tower Structure: includes man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennae or towers.

Americans with Disabilities Act (ADA): A 1990 federal law designed to bring disabled Americans into the economic mainstream by providing them equal access to jobs, transportation, public facilities, and services.

Amusement and Theme Parks: Facilities including water parks, skateboard parks, and other outdoor amusement facilities.

Amusement Parlor: A business establishment providing leisure entertainment utilizing video games, pinball machines or other coin-operated amusement devices.

Animal Boarding and/or Breeding Kennel: An indoor establishment or outdoor structure in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, or sold, all for a fee or compensation.

Animal Hospital: A place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use.

Annexation: The incorporation of a land area into an existing municipality with a resulting change in the boundaries of that municipality.

Antenna: Any exterior apparatus designed for the sending and/or receiving of electromagnetic waves for telephonic, radio, television, personal wireless or other telecommunication services. Personal wireless services include but are not limited to cellular telephone, Personal Communications Services (PCS), Specialized Mobile Radio (SMR), Enhanced Specialized Mobile Radio (ESMR), Private Mobile Radio (PMR) and paging.

Appeal: A request for a review of the community development director's interpretation of any provision of this UDC.

Applicable Codes: uniform building, fire, safety, electrical, plumbing, or mechanical codes adopted by a recognized national code organization to the extent such codes have been adopted by Douglas County, including any amendments adopted by Douglas County, or otherwise are applicable in the jurisdiction.

Applicant: A property owner or their authorized representative who has petitioned the County for approval of a zoning change, development permit, building permit, hardship variance, special exception or appeal, or any other authorization for the use or development of their property under the requirements of this Development Code.

Applicant, Stormwater: A person submitting a post-development stormwater management application and plan for approval.

Application: A petition for approval of a zoning change, development permit, building permit, hardship variance, special exception or appeal, or any other authorization for the use or development of a property under the requirements of this Development Code.

Approach-Departure Clearance Surface: This surface is symmetrical about the runway centerline extended. It begins as an inclined plane (glide angle) two hundred (200) feet beyond the end of the runway at the same elevation as the runway end, and extends for 50,000 feet. The slope of this surface is fifty to one (50:1) (glide angle) for military airports, along the runway centerline extended for 25,000 feet, at which point it reaches an elevation of 500 feet above the elevation of the runway end. It then continues horizontally at this elevation for an additional 25,000 feet. The width of this surface at the starting point (200 feet from the runway end) is 2,000 feet. It flares uniformly and the width at 2.5 miles is 2,696 feet. Glide angles for other types of airports shall be determined by consultation with the county engineer.

Appurtenances: The visible, functional, or ornamental objects accessory to and part of buildings.

Aquifer: Any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.

Area of Shallow Flooding: A designated AO or AH zone on the flood insurance rate map (FIRM) with base flood depths from 1 to 3 feet, or where a clearly deemed channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of Special Flood Hazard: The land in the flood plain within a community subject to a 1 percent or greater chance of flooding in any given year.

As-Built Survey Drawings: Drawings specifying the dimensions, location, capacities, and operational capabilities of structures and facilities as they have been constructed.

Attic: That part of a building that is immediately below and wholly or partly within the roof framing.

Auction House: A place where objects of art, furniture, and other goods are offered for sale to persons who bid on the object in competition with each other.

Automobile Parking Lot, Commercial: An area or structure dedicated to the temporary storage of automobiles or other vehicles for periods of less than 24 hours for a fee, operated as the principal use of the property or structure.

Automobile Sales and Service: The use of any building or premises for the display and sale of new or used automobiles, panel trucks, vans or busses, and which may include any repair service conducted as an accessory use. See also "boat dealers," "motorcycle sales and service," and "recreational vehicle dealer."

Automobile Service Station: Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of vehicular fuels; servicing and repair of vehicles; and including as an accessory use tile sale and installation of lubricants, tires, batteries, and similar vehicle accessories for cars, vans, and light trucks only.

Automobile Storage Yard And Wrecker Service: An establishment used for the short-term storage of damaged or confiscated vehicles. See in contrast "Scrap Yards and Junkyards."

Automotive Repair Shop: The use of a building or premises for the repair of automobiles or other motorized vehicles, or the installation or repair of equipment or parts on motorized vehicles such as mufflers, brakes, tires, radios, transmissions, glass, and engines or engine parts. Automotive repair shops also include:

A. Automotive paint or body shop: The use of a building or premises for the repair of automotive bodies and/or major mechanical works, straightening of body parts, painting, welding, or storage of automobiles not in operable condition.

B. Tire sales or repair shop: The use of a building or premises for the selling or repairing of automotive tires, with or without automotive tune-up services.

Awning: A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway, or window from the elements. Awnings are often made of fabric or flexible plastic supported by a rigid frame, and may be retracted into the face of the building.

Awning sign: See "Building Sign."

Bakeries or Pastry Shops, Retail: A location where breads, cakes, pies, pastries, and other baked goods are baked, displayed, and/or sold.

Bank, Savings, Loan or Credit Union: A financial depository institution or related banking facility that accepts money for deposit into accounts from the general public or other financial institutions, and may include personal or business loans, wire transfers and safe deposit boxes as accessory uses. Institutions such as payday loan, checks cashed and car title loan establishments are not considered as banks, savings and loan or credit unions.

Banner: A sign other than an official flag, made of paper, cloth, thin plastic, or similar lightweight material, and usually containing a message or logo.

Banquet Hall: A commercial meeting hall establishment where food and drink may be provided to guests by staff, by the lessee/host, or by independent caterers, for pre-planned events only, and not for walk-in customers; a banquet hall is not a restaurant.

Bar: Premises used primarily for the sale or dispensing of liquor by the drink for on site consumption and where food may be available for consumption on the premises as accessory to the principal use. Also called a tavern, pub or public house, or saloon.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year (i.e., the "100-year flood").

Base Flood Elevation: The highest water surface elevation anticipated at any given point during the base flood.

Base Zone: The primary zoning designation of a property that confers restrictions on buildings and land uses. All property in Douglas County has one base zone (such as R-LD Low Density Single Family Residential or C-G General Commercial), but properties may be further regulated by one or more overlay zoning districts.

Basement: That floor of a building having a portion of its floor subgrade (below ground level) on at least one side. See also "Cellar."

Bed and Breakfast Inn: A business establishment operated within a dwelling by the owner-occupant, offering temporary lodging and one or more meals to guests while away from their normal places of residence, and containing no more than 4 guest rooms. See also "Country Inn" and "Hotel or Motel."

Bedroom: A private room planned and intended for sleeping, separated from other rooms by a door, and accessible to a bathroom without crossing another bedroom.

Berm: A mound of earth, or the act of pushing earth into a mound.

Best Management Practices (BMP's): A collection of structural measures and vegetative practices which, when properly designed, installed and maintained, will provide effective erosion and sediment control for all rainfall events up to and including a 25-year, 24-hour rainfall event.

Biomedical Waste: Any solid waste which contains pathological waste, biological waste, cultures, and stocks of infectious agents and associated biologicals, contaminated animal carcasses (body parts, their bedding, and other wastes from such animals), chemotherapy waste, discarded medical equipment and parts, not including expendable supplies and materials, which have not been decontaminated in accordance with the rules of the Georgia Environmental Protection Division.

Biomedical Waste Disposal or Transfer Facility: A facility engineered and designed for the collection and/or transfer of biomedical waste such as used gauze, syringes, needles, bandages, test tubes and surgical wastes from a collector vehicle to a larger transport vehicle to another destination for incineration or disposal.

Block: A piece or parcel of land entirely surrounded by public streets, other than alleys, or other major physical barriers.

Boarder: An individual who lives in a part of a dwelling unit at the behest of the resident family and is provided lodging or lodging and meals for pay or other consideration on a temporary basis.

Boarding House: See "Rooming or Boarding House."

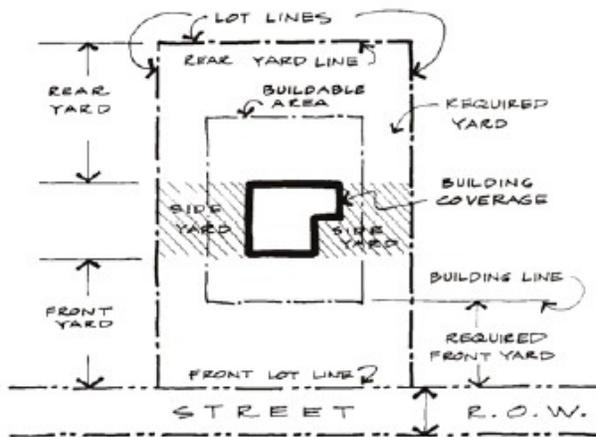
Boat Dealer: The use of any building or premises for the display and sale of new or used motorboats or other watercraft, and which may include the sale of marine supplies or outboard motors and repair service conducted as accessory uses.

Bond: A bond, letter of credit or approved surety method approved by the county attorney.

Breakaway Wall: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Buffer: See "Stream Buffer" and "Zoning Buffer."

Buildable Area of Lot: That portion of a lot bounded by and interior to the required rear, side and front building setback lines for a principal building.



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

Building, Principal: A building or structure in which is conducted the principal use of the lot on which said building is located.

Building Code: The technical codes approved for enforcement or otherwise adopted or adopted as amended by the County under the Georgia Uniform Codes Act, which regulate the construction of buildings and structures.

Building Floor Area: The gross floor area of all heated spaces within a building. Heated floor area does not include garages, unheated basements, attic storage areas and partially unenclosed decks, patios or lanais. Gross floor area comprises the area within the inside perimeter of the exterior walls with no

deduction for corridors, stairs, closets, thickness of walls, columns or other features, exclusive of areas open and unobstructed to the sky.

Building Height: The vertical distance measured to the highest point of a building from the average finished grade across those sides of a building that face a street. See also "Structure Height."

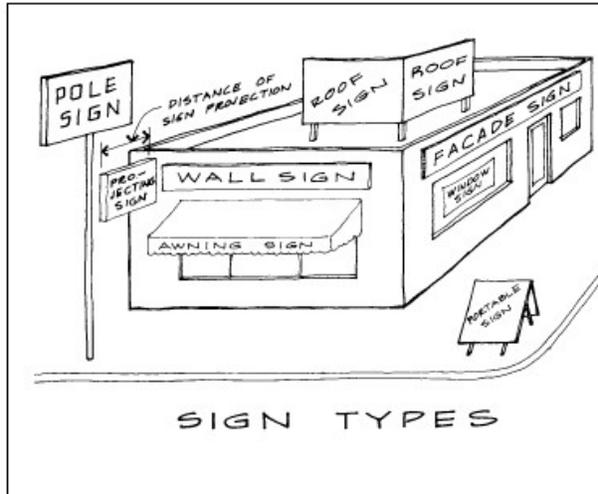
Building-Integrated System: A solar photovoltaic system that is constructed as an integral part of a principal or accessory building or structure and where the building-integrated system features maintain a uniform profile or surface of vertical walls, window openings, and roofing. Such a system is used in lieu of a separate mechanical device, replacing or substituting for an architectural or structural component of the building or structure that appends or interrupts the uniform surfaces of walls, window openings and roofing. A building-integrated system may occur within vertical facades, replacing view glass, spandrel glass or other facade material; semitransparent skylight systems; into roofing systems, replacing traditional roofing materials; or other building or structure envelope systems. See Solar.

Building-Mounted System: A solar photovoltaic system attached to any part or type of roof on a building or structure that is either the principal structure or an accessory structure on a recorded property. This system also includes any solar-based architectural elements. See Solar.

Building Materials Sales: An establishment offering lumber or other construction materials used in buildings for sale to contractors or the general public.

Building Sign: A sign that in any manner is fastened to, projects from, or is placed or painted upon the exterior wall, window, door, or roof of a building. The term "building sign" includes but is not limited to the following:

- (1) *Awning Sign:* A sign imposed, mounted or painted upon an awning.
- (2) *Canopy Sign* . A sign affixed to, imposed upon, or painted on any canopy, such that the sign is mounted in such a manner that a continuous face with the canopy is formed.
- (3) *Mansard Sign:* A sign imposed, mounted or painted upon a mansard and not extending above the top of the mansard.
- (4) *Marquee Sign:* Any sign attached flat against the marquee or permanent sidewalk canopy of a building and not extending above the top of the marquee.
- (5) *Parapet Sign:* A sign imposed, mounted or painted on a parapet and not extending above the top of the parapet.
- (6) *Projecting Sign:* A sign affixed to a wall and extending more than 18 inches from the surface of such wall, usually perpendicular to the wall surface.
- (7) *Roof Sign:* A sign that is mounted on, applied to, or otherwise structurally supported by the roof of a building.



- (8) *Under-Canopy Sign*: A display attached to the underside of a marquee or canopy and protruding over private sidewalks.
- (9) *Wall (or Fascia) Sign*: A sign that is fastened directly to or is placed or painted directly upon the exterior wall of a building, with the sign face parallel to the wall, and extending from the surface of the wall no more than 18 inches.
- (10) *Window Sign*: A sign that is placed on or behind a windowpane or glass door and intended to be viewed from outside the building.

Building System: Any utility, mechanical, electrical, structural, egress, or fire protection safety system.

Bulk Storage Facility: The storage of chemicals, petroleum products, grains, or other materials in structures for subsequent resale to distributors or retail dealers or outlets.

Business, Professional or Trade Association: A private organization that promotes the interests of business groups, such as the Chamber of Commerce; professions, such as the Bar Association; or members of a trade, such as a labor union.

Business Service: The use of a building or premises primarily for rendering a service to other business establishments on a contract or fee basis, such as advertising, credit reporting, computer programming, photocopying, and employment services.

Caliper: The diameter of a proposed tree (usually nursery stock) measured at a point 6 inches above the ground or top of root ball for up to and including 4-inch caliper trees, and at a point 12 inches above the ground or top of root ball for larger sizes.

Canopy: A permanent roof-like structure projecting from a building and open on at least one side for the purpose of shielding a pedestrian walkway from the elements, or a freestanding roof-like structure supported by columns intended to shield a vehicular driveway or service area from the elements.

Capacity, Roadway: The maximum hourly rate at which vehicles can reasonably be expected to traverse a point or uniform section of a lane or roadway during a given time period under the prevailing roadway, traffic, and control conditions.

Carport: A roofed structure providing space for the parking of motor vehicles and enclosed on not more than 3 sides.

Car Wash: A structure containing facilities for washing automobiles and automatic or semiautomatic application of cleaner, brushes, rinse water, and heat for drying.

Cellar: A space with less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than 6½ feet. See Also "Basement."

Cemetery: A facility for the burial of deceased human beings or animals.

Centerline of Street or Road: The centerline of a street or road is the line surveyed and monumented by the governing body as such or, if a centerline has not been surveyed and monumented, it shall be that line running midway between the outside curbs or ditches of the street.

Changeable Copy Sign:

- (1) *Automatic Changeable Copy Sign:* A sign on which the copy changes automatically on a lamp bank or through mechanical means, e.g., electrical or electronic time and temperature units. Copy shall mean words and numbers.
- (2) *Manual Changeable Copy Sign:* A sign on which copy is changed manually in the field, e.g., reader boards with changeable letters. Copy shall mean words and numbers.

Channel: A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

Channeled Letters:

- (1) *Internally Channeled Letters:* Letters or other symbols with recessed surface designed to accommodate incandescent bulbs or luminous tubing.
- (2) *Reverse Channeled Letters:* Letters or other symbols with raised surface designed to be lighted from behind by incandescent bulbs or luminous tubing.

Charitable Organization: means an organization that is exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code, 26 USC 501(c)(3).

Church or Other Place of Worship: A building or structure, or groups of buildings or structures, that by design and construction is primarily intended for conducting organized religious services and associated accessory uses.

Civic, Social or Fraternal Association: An organization dedicated to public activities of a civic and non-profit nature, such as an alumni association, American Legion, Hibernian Society, Masonic Lodge or Oddfellows.

Clearing: The removal of vegetation from a property.

Co-Location: The placement of two or more antennae, micro telecommunications facilities or macro telecommunications facilities in the same location, tower, or monopole tower.

Commercial and Industrial Structures: include warehouses, factories, retail outlets, supermarkets, banks, garages or service stations.

Common Open Space: See "Open Space."

Communications Facility: Collectively, the equipment at a fixed location or locations within the public ROW that enables communications services, including: (i) radio transceivers, antennas, coaxial, fiber-optic or other cabling, power supply (including backup battery), and comparable equipment, regardless of technological configuration; and (ii) all other equipment associated with any of the foregoing. A communications facility does not include the pole, tower or support structure to which the equipment is attached.

Communications Service: Cable service, as defined in 47 U.S.C. § 522(6); information service, as defined in 47 U.S.C. § 153(24); or telecommunications service, as defined in 47 U.S.C. § 153(53).

Component: Any assembly, subassembly, or combination of parts for use as a part of a building, which may include structural, electrical, plumbing, mechanical, and fire protection systems and other systems affecting health and safety.

Composting: The controlled biological decomposition of organic matter into a stable, odor free humus.

Composting Center: A site or facility in which composting activities take place under controlled conditions.

Comprehensive Plan: The Comprehensive Plan for the County, prepared, adopted and as amended from time to time in accordance with the Georgia Comprehensive Planning Act.

Condition of Zoning Approval: A requirement adopted by the Board of Commissioners at the time of approval of a rezoning or Special Use, placing greater or additional requirements or restrictions on the property than provided in this Development Code in order to reduce an adverse impact of the rezoning or Special Use and to further the protection of the public health, safety, or general welfare.

Condominium: A building, or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

Congregate Personal Care Home: See under "personal care home."

Conservation Easement: An agreement between a land owner and the Authority or other government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.

Construction: Any building or erection of a structure or preparation of a property for same.

Construction Contractor: An establishment engaged in the construction of buildings, engaged in heavy construction (such as streets, bridges or utilities), or specialized in such construction trades as plumbing, heating and air-conditioning, electrical wiring, masonry, roofing or gutters, well drilling, or house painting.

Construction/Demolition Waste: Waste building materials and rubble resulting from construction, remodeling, repair, and demolition operations on pavements, houses, commercial buildings and other structures. Such wastes include, but are not limited to asbestos containing waste, wood, bricks, metal, concrete, wall board, paper, cardboard, inert waste landfill material, and other nonputrescible wastes which have a low potential for groundwater contamination.

Convalescent Home: An intermediate care facility primarily engaged in providing inpatient nursing or rehabilitative services to residents who require watchful care or medical attention or treatment, but not on a continuous basis, although staff is on duty 24-hours per day.

Convenience Store: Any retail establishment with or without fuel sales offering for sale prepackaged food products, beverages, household items, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption.

Convenience Goods: Those items that are purchased frequently and generally in small amounts. Grocery stores handle a large percentage of this type of sales; also included are drugstore sales, restaurant sales and small variety store sales.

Conveyor car wash: A commercial car wash where the car moves on a conveyor belt during the wash. The driver of the vehicle can remain in the vehicle or wait outside of the vehicle. (Amended 08/02/2011 - TXT-2011-01, § 18)

Country Inn: A business establishment operated within a dwelling by the owner-occupant, offering temporary lodging and one or more meals to guests while away from their normal places of residence, and containing no more than 10 guest rooms. See also "Bed and Breakfast Inn" and "Hotel or Motel."

County Arborist: The Director of Development Services or his/her designee responsible for administering the provisions of Article 8.

Creek: See "Stream."

Crematorium: A licensed facility in which human or animal remains are reduced to ash through thermal processes.

Critical root zone (CRZ): The minimum area beneath a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The CRZ will typically be represented by a concentric circle centering on the tree's trunk with a radius equal in feet to one and one-half times the number of inches of the trunk diameter. Example: The CRZ radius of a 20-inch diameter tree is 30 feet.

Crosswalk: A right-of-way or public easement within a block dedicated to public use, ten feet or more in width, intended primarily for pedestrians and from which motor-propelled vehicles are excluded.

Cul-de-Sac: A street with a single common ingress and egress and with a turnaround at the end.

Curb Break or Curb Cut: Any interruption or break in the line of a street curb for the purpose of connecting a driveway to a street, or otherwise to provide vehicular access to abutting property.

Custom Service Restaurant: See under "restaurant, custom service."

Cut: A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to excavated surface. Also know as "excavation."

Cutting: The removal of any soil or other solid material from a natural ground surface.

DHR: The Georgia Department of Human Resources.

DNR: The Georgia Department of Natural Resources.

Day Care Facility: The use of a building or premises for the care and supervision of children or elderly adults who do not reside on the property, for periods of less than 24 hours.

- (1) *Day Care Center:* A day care facility that enrolls for pay, supervision and non-medical care, 19 or more children or elderly adults with no overnight stays.
- (2) *Family Day Care Home:* An accessory use within a private residence operated by the occupant of the dwelling that enrolls for pay, supervision and non-medical care, 5 or fewer children or elderly adults with no overnight stays, or no more than 6 children or elderly adults if the structure meets the Building Code requirements for institutional uses.
- (3) *Group Day Care Home:* A day care facility that enrolls for pay, supervision and non-medical care, up to 18 children or elderly adults with no overnight stays.

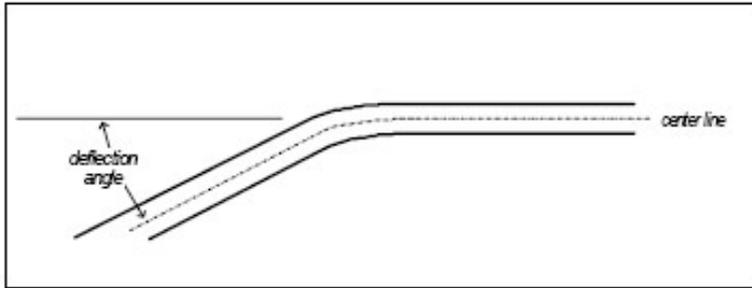
Dead End Street: A street connected to another street at only one end.

Dead Plant or Tree: Any living plant material that has lost 33% or more of its branches or leaves, as determined by the Director of Engineering, shall be considered dead.

Deck: A roofless accessory attached or detached platform without exterior walls, generally constructed of wood, which adjoins a residence. Rails or safety features shall not be deemed to be exterior walls.

Decorative Pole: A Pole that is specially designed and placed for aesthetic purposes.

Deflection Angle: The angle between a deviation in the direction of the center line of a street and the extension of the center line along a straight course from the point from which the center line changed direction. (See illustration)



Density:

A. Residential—The number of dwelling units per acre within a development or defined area;

B. Nonresidential—The number of square feet of building floor area per acre.

Design Head: The depth of water at the entrance to a pipe that was used in design to force a rate of flow through the pipe needed in the design.

Detention: The temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

Detention Facility: A detention basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates.

Developer: (1) Any person who undertakes land development activities and who is authorized to act on behalf of and with the full authority of the property owner in connection with the development of one or more tracts or parcels of land, including but not limited to construction activities associated with the installation of water, wastewater, and/or stormwater management structures, facilities, and measures and implementation and maintenance of soil erosion and sedimentation control practices. (2) The person, corporation or other legal entity that undertakes the subdivision of property, the alteration of land or vegetation in preparation for construction activity, or the construction of streets, utilities, buildings or other improvements required for the habitation or use of property.

Development: (1) A land development project involving the construction of streets, utilities, buildings, or other improvements required for the habitation or use of property, such as a residential neighborhood, an apartment complex, a store, or a shopping center; (2) any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials; (3) the act of constructing or carrying out a land development project, including the alteration of land or vegetation in preparation for construction activity.

Development Permit: The authorization necessary to initiate and conduct a land-disturbing activity and to carry out the planned development of land and structures.

Development Review Committee: This body is composed of representatives from the Development Services department, health department, fire department, public works department, the chief building official's office, the WSA and other agencies as appointed from time to time.

Development Site: That portion of a tract of land that will be dedicated to a proposed development, including the land containing trees that will be counted toward satisfying the requirements of these provisions.

Diameter Breast Height (DBH): The diameter of an existing tree trunk measured at a height of 4½ feet above the ground. If a tree splits into multiple trunks below 4½ feet, the trunk is measured at its most narrow point beneath the split.

Director: Means Director of the Development Services Department of Douglas County or designee.

Distance: The measurement in lineal feet from the closest point of one reference such as a lot or building to the closest point of a second or subsequent reference point.

District, Zoning: A part, zone, or geographic area within the municipality within which certain zoning or development regulations apply.

Donation Bin: Means any unattended container, receptacle, or similar device that is located on any property within unincorporated Douglas County used for soliciting and collecting donations of clothing or other salvageable personal property. This term does not include recycle bins for the collection of recyclable materials governed or regulated by the Douglas County Code of Ordinances or this UDC.

Double-Faced Sign: A sign structure with two sign faces that are parallel (back-to-back) or that form an angle to one another, where each sign face is designed to be seen from a different direction and the two sign faces are separated from each other at their nearest point by no more than three feet.

Drainage: A general term applied to the removal of surface or subsurface water from a given area either by gravity or by pumping; most commonly applied to surface water.

Drainage Easement: An easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

Drainage Structure: A device composed of a virtually nonerodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, drainage control or flood control purposes.

Drainage System: The surface and subsurface system for the removal of water from the land, including both the natural elements of streams, marshes, swales and ponds, whether of an intermittent or continuous nature, and the man-made element which includes culverts, ditches, channels, detention facilities and the storm sewer system.

Drip Line: A line on the ground established by a vertical plane extending from a tree's outermost branch tips down to the ground, i.e., the line enclosing the area directly beneath the tree's crown from which rainfall would drip.

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

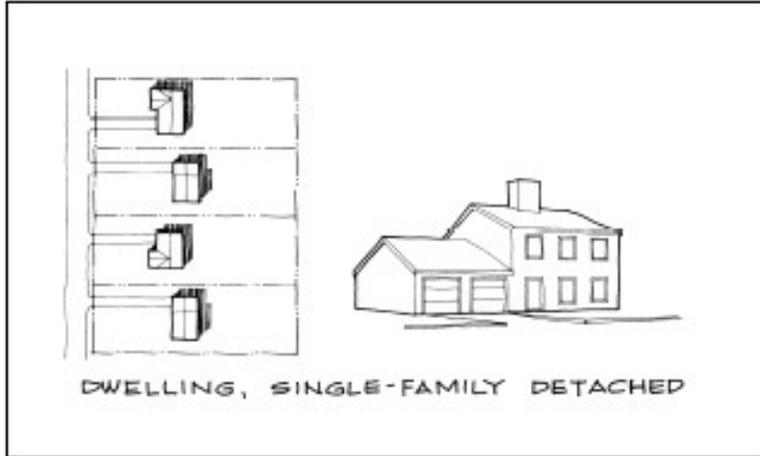
Driving Range: A tract of land dedicated to driving of golf balls off tees into a designated landing area.

Drug Addiction Rehabilitation Center: A halfway house, drug rehabilitation center or any other facility for treatment of drug dependency.

Duplex: A two-family dwelling (see under "Dwelling, Two-Family Dwelling"). *Dwelling:* A building or portion of a building arranged or designed to provide living quarters for one or more families on a permanent or long-term basis.

- (1) *Single-Family Detached Dwelling:* A residential building, whether site-built or a manufactured home or an industrialized building, designed for occupancy by one family.

- a. *Site-Built or Modular Single-Family Detached Dwelling*: A single-family detached dwelling constructed on the building site from basic materials delivered to the site or as a modular home, and which is constructed in accordance with all requirements of the Building Codes as adopted by the County.
- b. *Manufactured Home*: See "Manufactured Home," below.



(2) *Single-Family Attached Dwelling* :

- a. *Two-Family Dwelling (Duplex)*: A residential building designed exclusively for occupancy by two families in separate dwelling units living independently of each other.
- b. *Townhouse*: A residential building in which the dwelling units may adjoin one another only at the vertical walls and no dwelling unit may be located above another, such as in a fee-simple townhouse subdivision or a townhouse condominium.



- (3) *Multi-Family Dwelling*: A residential building designed exclusively for occupancy by three or more families in separate dwelling units living independently of each other, and in which a dwelling unit may be located above another, such as in a garden apartment building.
 - a. *Low-Rise Multi-Family Dwelling*: An apartment building containing no more than 2 stories.
 - b. *Mid-Rise Multi-Family Dwelling*: An apartment building containing from 3 to 7 stories.
 - c. *High-Rise Multi-Family Dwelling*: An apartment building of 8 or more stories.



Dwelling Unit: A dwelling unit consists of one or more rooms which are arranged, designed or used as living quarters for one family or four or less unrelated persons only. Individual bathrooms and complete kitchen facilities, permanently installed, shall always be included for each dwelling unit. There shall be at least 50 square feet of heated sleeping space per occupant, excluding bathrooms, complete kitchen facilities, closets, halls, storage areas, utility areas, unfinished basements and garages. (Amended 10/03/2006 - TXT2006-01)

Easement: A strip of land on which the property owner has granted to another entity the right to use such land for specific purposes.

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

EPD: The Environmental Protection Division of the Georgia Department of Natural Resources.

EPD Director: The Director of the Environmental Protection Division of the Georgia Department of Natural Resources.

Equestrian Facility, Commercial or Private: A commercial or private facility for the keeping, raising, and/or training of horses.

Erosion: The process by which land surface is worn away by the action of wind, water, ice or gravity.

Erosion and Sedimentation Control Plan: (1) A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity. (2) A plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.

Event Center or Facility: A public or private facility used for the purposes of private receptions or parties or similar types of gatherings.

Excavation: (1) The mechanical removal of earth material. (2) Any manmade cavity or depression in the earth's surface, including its sides, wall, or faces, formed by earth removal and producing unsupported earth conditions by reasons of the excavation. If installed forms or similar structures reduce the depth-to-width relationship, an excavation may become a trench.

Excavation and Trenching Certificate: The certificate issued upon satisfactory completion of a mandatory training/educational program regarding excavation and trenching safety practices, such program to be provided by or approved by the Douglas County Fire Department.

Excavation and Trenching Certificate Holder: The holder of the "excavation and trenching certificate" identified above.

Existing Construction: For the purposes of flood damage prevention requirements, any structure for which the start of construction commenced before ~~January 1, 2003~~ January 1, 1980.

Existing Manufactured Home Park: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before ~~January 1, 2003~~ January 1, 1980. Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Expansion to an Existing Manufactured Home Park or Subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

Extended Detention: The detention of stormwater runoff for an extended period, typically 24 hours or greater.

Extreme Flood Protection: Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

FAA: is the Federal Aviation Administration.

Family: An individual, or two or more persons related by blood, marriage, adoption or guardianship, or a group of up to four unrelated persons operating as a family unit, occupying a single dwelling unit and using the same cooking facilities; provided however, that domestic servants employed on the premises or two roomers or boarders, may be housed on the premises without being counted as a separate family of families. A family is distinguished from a group occupying a boardinghouse, rooming house, hotel, nursing home or convalescent home, or similar homes, regardless of whether said home provides charitable services or operates for profit. Up to six unrelated persons functioning as a single party renting rooms or up to an entire house within a licensed short term rental do not count as a family unit. (*Amended 10/03/2006 - TXT2006-01*)

Family Care: Watchful oversight and individual assistance with or supervision of self-administered medication and essential activities of daily living such as eating, bathing, grooming, dressing and toileting, provided by a family or family member to a relative.

Family Day Care Home: See under "Day Care Facility."

Family Personal Care Home: See under "Personal Care Home."

Farm Stand: A structure for the display and sale of farm products.

Fast Food Restaurant: See "restaurant, fast food."

FCC: The Federal Communications Commission.

Fence or Wall: An artificially constructed barrier of any durable material or combination of materials erected to enclose, screen, or separate areas.

- (1) *Fence, Chain Link:* A fence consisting of a series of joint and metal links secured to steel pipe.
- (2) *Fence, Board On Board:* A fence consisting of a series of posts and horizontal beams and covered by alternating vertical pickets.

FEMA: The Federal Emergency Management Agency.

Festoons: Strings of ribbons, tinsel, small flags, pennants, streamers, pinwheels, or other devices or long narrow strips of fabric, plastic, or other pliable material designed to move in the wind.

Fill: A portion of land surface to which soil or other solid material has been added; the depth above the original ground.

Filling: The placement of any soil or other solid material, either organic or inorganic, on a natural ground surface or excavation.

Finished Grade: The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

Flight Hazard: Any structure or natural growth or use of land that obstructs or restricts the airspace required for the safe flight of aircraft in landing, takeoff or maneuvering areas as or in the vicinity of the airfield.

Flea Market: An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM) : An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined.

Flood Insurance Rate Map (FIRM): An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard or the risk premium zones applicable to the community.

Flood Insurance Study (FIS): The official report provided by the Federal Emergency Management Agency evaluating flood hazards and containing flood profiles and water surface elevations of the base flood.

Floodplain: Any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown in the current land use plan (i.e., the regulatory flood).

Floodplain Variance: Refers to a grant of relief from the requirements of this Section, which permits construction in a manner otherwise prohibited by the Floodplain Management Regulations.

Floodplain Variance Board: The Appeal Panel designated by the WSA, which shall include the Executive Director, the Chief Financial Officer of the Authority, and Authority Counsel, or their designees, which shall hear and decide appeals and requests for variance from the requirements of the Floodplain Management Regulations.

Floodproofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood Resistant Materials: Building materials capable of withstanding direct and prolonged contact with floodwaters without sustaining significant damage. The term "prolonged contact" means at least 72 hours, and the term "significant damage" means any damage requiring more than low-cost cosmetic repair (such as painting). See FEMA Technical Bulletin 2-93, and subsequent revisions thereto.

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

Floor: The top surface of an enclosed area in a building, including basement, i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles or storage, or the floor area of an attic used exclusively for storage.

Floor Area, Building: See "Building Floor Area."

Floor Area, Gross: See "Gross Floor Area."

Floor Area Ratio: The gross floor area of all buildings or structures on a lot divided by the total lot area.

Flowering Trees: Ornamental trees that are known for their blooms and generally mature at a height of less than 40 feet.

Free-Flowing Creek, Stream, or River: See "Regulated Stream."

Freestanding sign: A sign permanently attached to the ground and that is wholly independent of any building or other structure. The term "freestanding sign" includes but is not limited to the following:

- (1) *Pole Sign:* A sign that is mounted on a freestanding pole, columns, or similar support such that the bottom of the sign face or lowest sign module is not in contact with the ground.
- (2) *Ground Sign:* A freestanding sign in which the entire bottom of the sign face or structure is in contact with the ground, providing a solid and continuous background for the sign face from the ground to the top of the sign. Also referred to as a "monument sign."

Freight Agency or Shipping Coordinator: An establishment primarily engaged in the remote arrangement of freight or cargo transportation, and not located where the freight or cargo is handled, stored or transported.

Frontage or Street Frontage: That side of a lot abutting on a street; the front lot line.

Functionally Dependent Use: A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water.

Furniture or Equipment Rental Establishment: A business establishment that rents or leases items of personal property such as furniture, tools, medical equipment, appliances and construction equipment to the general public, but not including automobiles or trucks.

Garage: A structure or any portion thereof in which one or more automobiles are housed, kept, or repaired, not including exhibition or showrooms, or storage of cars for sale.

Garbage: Food waste including waste accumulations of animal or vegetable matter used or intended for use as food, or that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetables.

Garden Apartment Building: See under "dwelling."

Garment Services: A business establishment engaged primarily in such activities as linen supply, dressmaking, custom tailoring, or fur cleaning and storage.

Gated Community: A subdivision approved as such, which may be served by private streets.

General Merchandise Store: A retail establishment that sells a number of lines of merchandise, such as dry goods, apparel, furniture, small wares, hardware and boutique foods (i.e. "department stores," "variety stores" and "country general stores.").

Georgia Stormwater Management Manual (GSMM): The latest edition of said manual, as defined on the GSMM website at www.georgiastormwater.com. Updates, errata and revisions will be provided on the website.

Grade: (1) The average elevation of the land around a building; (2) the percent of rise or descent of a sloping surface (see also "Slope").

Grading: Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping, or any combination thereof, and shall include the land in its cut or filled condition.

Grading Permit: Authorization necessary but limited to the initiation and conduct of a land-disturbing activity on a property (i.e., a development permit limited to grading only).

Grandfathered Use, Structure or Lot: A use, structure or lot that was legally established prior to the imposition of current regulations and that does not conform to the requirements of those regulations. Also known as a "nonconforming" use, structure or lot.

Greenhouse: A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants for subsequent sale or for personal enjoyment.

Greenspace or Open Space: Permanently protected areas of the site that are preserved in a natural state. See also "Open Space."

Greenway: An area along the course of any state waters to be maintained in an undisturbed and natural condition.

Gross Floor Area: The sum of the gross horizontal areas of the several floors of the building or structure from the exterior face of exterior walls, or from the centerline of the wall separating two buildings, but excluding any space where the average floor-to-ceiling height is less than 6 ft. See also "Building Floor Area."

Ground Cover: A low growing plant, other than turf grass, which forms a continuous cover over the ground surface.

Ground Elevation: The original elevation of the ground surface prior to cutting or filling.

Group Day Care Home: See under "day care facility."

Group Home: See under "personal care home."

Guest House: An accessory use to a dwelling designed and intended for the temporary housing of visitors to a property at the behest of the property residents for no fee or other consideration, and meeting or exceeding the Standards for Single-Family and Two-Family Dwellings under this Code.

Half Street: A right-of-way dedicated for a new street by a developer along such developer's perimeter property line equal to only one-half of the total right-of-way width required by this Code. Dedication of a "half street" presumes future dedication of a corresponding amount of right-of-way from adjoining land in order to provide the total right-of-way required for a proposed street. The dedication of additional right-of-way along an existing street is not considered a "half street."

Handicapped Parking Space: A space laid out and designated by signage in accordance with the requirements of the federal Americans with Disabilities Act.

Hardwood tree: A ny leaf bearing (not needle-bearing) tree that is not coniferous (cone bearing). This definition is based on the colloquialism, and does not reflect any true qualities of the tree.

Hazardous Material or Substance: Any substance or material that, by reason of its toxic, caustic, corrosive, abrasive, or otherwise potentially injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

Hazardous Waste: Solid or liquid waste material resulting from the manufacture or use of pesticides and drugs (other than normal household use); pathological wastes; highly flammable or explosive wastes; toxic wastes; sewage sludges; and other waste material that may be a hazard to the public health, safety or environment, except radioactive waste materials as defined by the State of Georgia.

Hazardous or Toxic Waste Transfer Station: A facility in which toxic or hazardous wastes are brought in to the site exclusively for transferal to a vehicle that will transport the wastes to another facility for disposal.

Health Club or Fitness Center: A business that provides facilities for aerobic exercises, such as running and jogging tracks, exercise equipment, game courts, gymnasium, or swimming facilities.

Health Services Facility: An establishment primarily engaged in outpatient health services and counseling, such as a kidney dialysis center, blood bank, or childbirth preparation center, but specifically excluding a "drug addiction rehabilitation center."

Heavily Landscaped Area: An area planted with a combination of shade and flowering trees, deciduous and evergreen shrubs, and flowering perennials such that the entire area is covered with landscape materials. The green space designated to be heavily landscaped shall have no more than 25% of its area covered in turf ((seed or sod). The remaining 75% shall contain shade trees (2 inch caliper minimum), flowering trees (1 inch caliper minimum), evergreen shrubs (3 gallon minimum), deciduous shrubs (3 gallon minimum), and perennials or non-turf groundcovers (2½ inch pot minimum). All plant materials shall be mulched.

Heavy Manufacturing Establishment: See under "Manufacturing."

Heavy Truck: A heavy truck is a commercial motor vehicle with two or more rear axles or other vehicles that have a gross vehicle weight of 10,001 pounds or more. For purposes of this definition, each component part of a heavy truck, such as the semi-trailer and truck tractor are considered heavy trucks, whether or not they are connected to another component or stand alone. School busses are not considered "heavy trucks." (Amended 08/03/2010 - TXT-2010-03, § 15)

High Density Districts: Any district that permits multi-family units of eight units per acre or more.

Highest Adjacent Grade: The highest natural elevation of the ground surface, prior to construction, next to the proposed foundation of a building.

Height of Telecommunication Tower: When referring to a tower, antennae or other structure, means the distance measured vertically from the highest point when positioned for operation to the lowest point which is defined as the bottom of the base of the structure being measured at either roof or ground level, whichever is applicable. The height of a tower shall include the height of any antennae positioned for operation attached or which may be attached to the highest point on the tower.

Heliport Primary Surface: The area of the primary surface coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.

Historic Structure: Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either: (a) by an approved state program as determined by the Secretary of the Interior, or (b) directly by the Secretary of the Interior in states without approved programs.

Hobby: An activity done regularly in one's leisure time for pleasure, and from which no financial gain is realized and no monetary return is generated.

Holiday: An official day of festivity or recreation when the offices of the Douglas County government are closed for business (other than a Saturday or Sunday).

Home Occupation: Any activity carried out for profit by the resident and conducted as an accessory use in the resident's dwelling unit.

- (1) *Home Office:* A home occupation that is limited to an office use and does not involve visits or access by the public, suppliers or customers, and does not involve the receipt, maintenance, repair, storage or transfer of merchandise at the home.
- (2) *Home Business:* A home occupation that is limited to the office use of a practicing professional, an artist or a commercial representative, and may involve very limited visits or access by clients or customers, but does not involve the maintenance, repair, storage or transfer of merchandise received at the home.

Hospital: An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.

Hotel or Motel: A business establishment offering temporary lodging to the traveling public while away from their normal places of residence, and often including a restaurant as an accessory use. See also "Bed and Breakfast Inn" and "Country Inn."

Hotspot: An area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.

Household: An individual living alone or a group of individuals living together in a single dwelling unit, sharing common use of and access to all living and eating areas, bathrooms, and food preparation areas, who mutually combine their efforts and share responsibilities for domestic chores such as child rearing, cleaning and cooking in a permanent and long-term relationship, as contrasted to one in a transient relationship who pays for lodging such as a boarder.

Household Waste: Any solid waste (including garbage, trash, and sanitary waste in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas).

Hunting: The activity of catching and/or killing wild animals or game, especially for food or sport.

Hydrologic Soil Group (HSG): A Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups, ranging from group A soils, which have high permeability rates and produce little runoff, to group D soils, which have low permeability rates and produce much more runoff.

Illuminated Signs:

- (1) *Internally Illuminated Sign:* Any sign that is illuminated by an artificial light source from within the sign structure, usually projected through a transparent or translucent sign face.
- (2) *Externally Illuminated Sign:* Any sign that is partially or completely illuminated at any time by an artificial light source that directly or indirectly illuminates the face of the sign from outside the sign structure.

Impermeable: Something that water cannot pass through or be absorbed by, such as a layer of rock.

Impervious Cover: A surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, streets and roads, and any concrete or asphalt surface.

Impervious Surface: Man-made structures, improvements and surfaces that prevent or significantly limit the infiltration of stormwater. Examples of impervious structures and improvements are: buildings, structures, roads, driveways, parking lots, decks, swimming pools, patios and sidewalks. Examples of impervious materials often used to construct such improvements are asphalt, concrete, gravel, brick, stone, wood, asphalt shingles, metal, and composite materials. Porous asphalt and concrete pavement are considered impervious surfaces.

Improvements: The physical addition and changes to land that may be necessary to produce usable, desirable and acceptable lots or building sites.

In-bay automatic car wash: A commercial car wash where the driver pulls into the bay and parks the car. The vehicle remains stationary while a machine moves back and forth over the vehicle to clean it, instead of the vehicle moving through the tunnel. (Amended 08/02/2011 - TXT-2011-01, § 18)

Incidental Sign: A small sign, emblem, or decal no larger than 2 square feet. Such signs are normally located on doors, windows, and gas pumps, and are generally not readily visible or legible from public rights-of-way.

Industrial Stormwater Permit: A National Pollutant Discharge Elimination System (NPDES) permit issued to an industry or group of industries, which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

Industrialized Building: A building manufactured in accordance with the Georgia Industrialized Building Act (O.C.G.A. Title 8, Chapter 2, Article 2, Part 1) and the Rules of the Commissioner of the Georgia Department of Community Affairs issued pursuant thereto. State approved buildings meet the State Building and Construction Codes and bear an insignia of Approval issued by the Commissioner.

Infiltration: The process of percolating stormwater runoff into the subsoil.

Installation (of an industrialized building): The assembly of an industrialized building on site and the process of affixing the industrialized building, component, or system to land, a foundation, footings, or an existing building.

Institutional Uses: A nonprofit, religious, or public use, such as a church, library, public or private school, hospital, or government owned or operated building, structure, or land used for public purpose.

Intermodal Container: A six-sided container used for the storage and/or transportation of goods and designed for transport or capable of being transported by a variety of transportation modes, i.e. on semi-trailer beds, rail cars or ships.

Internally Illuminated Letters: See "channeled letters."

Intersection: (1) the place where two streets cross; (2) the point at which the centerline of a street intersects the center line of another street or railway.

Inert Waste Landfill: A disposal facility accepting only wastes that will not or are not likely to cause production of leachate of environmental concern. Such wastes are limited to earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, stumps, limbs, and leaves. This definition excludes industrial and demolition waste not specifically listed above.

Issuing Authority: The Douglas County Board of Commissioners or its assigned or designated representative, which shall be responsible for administering this Article and has been certified by the director of the environmental protection division of the department of natural resources as the issuing authority, pursuant to the Erosion and Sedimentation Act of 1975, as amended.

Junk: Any scrap, waste, reclaimable material, or debris including but not limited to junk vehicles, junk vehicle parts, discarded appliances, and other mechanicals, whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition.

Junk Vehicles: Any vehicle that cannot be moved by its own power or does not have an updated license plate.

Junkyard or Salvage Yard: See "Scrap Yards and Junkyards."

Jurisdiction: That area over which the governing body has authority for planning, zoning and development permitting under the Constitution of the State of Georgia.

Kenel: A shelter where dogs or cats are bred, raised, trained or boarded as a business, which commonly include outside facilities.

Lake: A body of water one acre or more in surface area, created either by a manmade or natural dam or other means of water impoundment.

Land Development: Any land change, including but not limited to clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and any other installation of impervious cover.

Land Development Activities: Those actions or activities that comprise, facilitate, or result in land development. See also "Development."

Land Development Project: A discrete land development undertaking.

Land-Disturbing Activity: Any activity that 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, dredging, grading, excavating, transporting and filling of land but not including those practices that are exempt under Article 11 of this Code.

Land-Disturbing Permit: A development permit issued by Douglas County following approval by the Douglasville-Douglas County Water and Sewer Authority.

Landing Area: That part of the airfield that is used or intended to be used for landing and takeoff of aircraft.

Landscape Materials: Any combination of living plant materials and nonliving materials such as rock, pebbles, wood chips, mulch and pavers, and decorative features, including sculpture, patterned walks, fountains, and pools. Synthetic landscaping materials acceptable to the Director of Development Services may also be used.

Landscape Plan: A component of a development plan on which it is shown: proposed landscape species (such as number, spacing, size at time of planting, and planting details); proposals for the protection of existing vegetation during and after construction; proposed treatment of hard and soft surfaces; proposed

decorative features; grade changes; buffers and screening devices; and any other information that can reasonably be required in order that an informed decision can be made by the approving authority.

Landscaping: (1) An expanse of natural scenery; (2) lawns, trees, plants, and other natural materials, such as rock and wood chips, and decorative features, including sculpture, patterned walks, fountains, and pools. Synthetic landscaping materials acceptable to the Director of Development Services may also be used.

Land Use Categories:

Land use categories referred to in this Code have the following meanings. The use in this Article of the term "property" relative to a land use category includes both developed and undeveloped properties, while the term "use" means a property that is developed, occupied or otherwise in operation under the land use category.

- (1) *Agricultural:* A property used primarily for the cultivation of crops, dairying or the raising of livestock, or a vacant property zoned for such purpose.
- (2) *Single- and Two-Family Residential:* A property occupied primarily by one or more single-family dwellings or duplex dwellings, or a family personal care home, or a vacant property zoned for such purpose.
- (3) *Multi-Family Residential:* A property occupied primarily by one or more residential buildings containing three or more dwelling units, a nursing or residential care facility (other than a family personal care home), or a mobile home park, or a vacant property zoned for such purposes.
- (4) *Office or Neighborhood Commercial:* A property zoned OI-L, OI-H or C-N and occupied by one or more business establishments that are primarily engaged in the sale of goods; the provision of personal, professional, business, entertainment or other commercial services; the management of a business enterprise; or any other allowed use; or a vacant property zoned OI-L, OI-H or C-N.
- (5) *Heavy Commercial or Institutional:* A property zoned C-C, C-G, C-H or C-R and occupied by one or more business establishments that are primarily engaged in the sale of goods; the provision of personal, professional, business, entertainment or other commercial services; the management of a business enterprise; the provision of temporary housing to the traveling public (such as a motel); or any other allowed use; or a vacant property zoned C-C, C-G, C-H or C-R. This category also includes institutional uses: A property occupied by a nonprofit religious, recreational or philanthropic organization, club or institution.
- (6) *Industrial:* A property occupied by one or more business establishment that are primarily engaged in the fabrication, manufacture or production of durable or nondurable goods, or a vacant property zoned for such purpose.

Larger Common Plan of Development or Sale: A contiguous area where multiple separate and distinct construction activities are occurring under one plan of development or sale. For purposes of this term and its usage in this Chapter, "plan" means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.

Light Manufacturing Establishment: See under "Manufacturing."

Linear Development Project: A land development project that is linear in nature, including but not limited to (1) the construction of electric and telecommunication utility lines, natural gas and petroleum pipelines, water and sewer lines, and related facilities, including but not limited to electric substations and pumping stations; (2) construction of tracks, rights-of-way, bridges, communication facilities, and other related facilities of a railroad company; and (3) road and highway projects.

Litter: Includes, but is not limited to, sand, gravel, slag, brickbats, rubbish, waste material, tin or aluminum cans, refuse, garbage, trash, debris, dead animals, yard or vegetative waste or debris, weeds, junk vehicles, junk vehicle parts, and discarded materials of every kind and description.

Live Detention: The quantity of water capable of being effectively contained by a stormwater detention facility for a specified period of time.

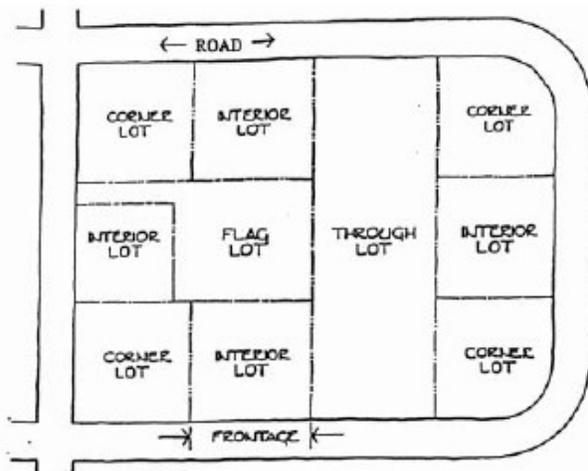
Live Entertainment: Music, comedy, readings, dancing, acting or other entertainment, excluding adult entertainment, performed on the site. This classification includes dancing by patrons to live or recorded music.

Livestock: Animals used for the production of food or products, such as cattle, sheep, goats, hogs or poultry.

Local Street: See under "Street."

Lot: A parcel or tract of land held in single or undivided ownership devoted to a common use or occupied by a building or group of buildings devoted to a common use, together with the customary accessories and open spaces belonging to the same.

- (1) *Corner Lot:* A lot or parcel of land abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than 135 degrees.
- (2) *Interior Lot:* A lot having frontage on only one street.
- (3) *Flag Lot:* A lot having a street frontage and initial lot width notably less wide than the body of the lot (usually where the principal building is intended to be located), such that the lot appears to be a "flag" on a "pole" extending to the street frontage.



- (4) *Through Lot (i.e., a "Double-Frontage Lot"):* A lot bounding on 2 or more streets, but not at their intersection, so that it is not a corner lot unless said corner lot has frontage on 3 or more sides.

Lot Area, Minimum, or Net Lot Area: The total horizontal area included within a lot or property, but excluding any area classified as a primary conservation area.

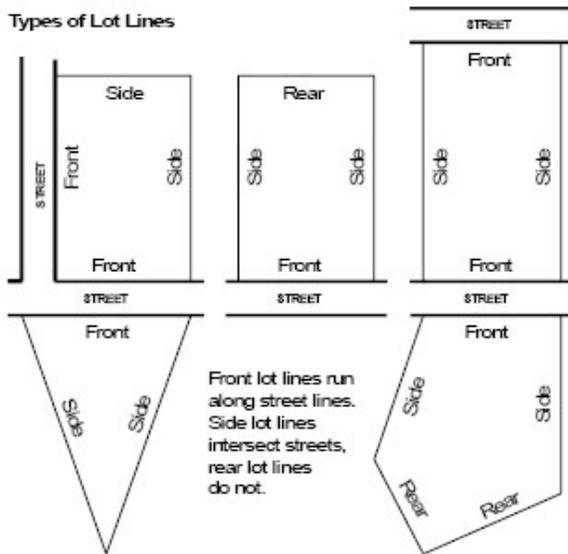
Lot Area, Gross, or Total Lot Area: The total horizontal area included within lot lines.

Lot Coverage: The percentage of a lot that may be covered with permitted or accessories buildings or structures, excluding walks, drives, and other similar uses, and recreational facilities that are accessory to a permitted use.

Lot Frontage: See "Frontage or Street Frontage."

Lot Line: The boundary dividing a given lot from the street or adjacent lots; the boundary defining the limit of ownership of a property.

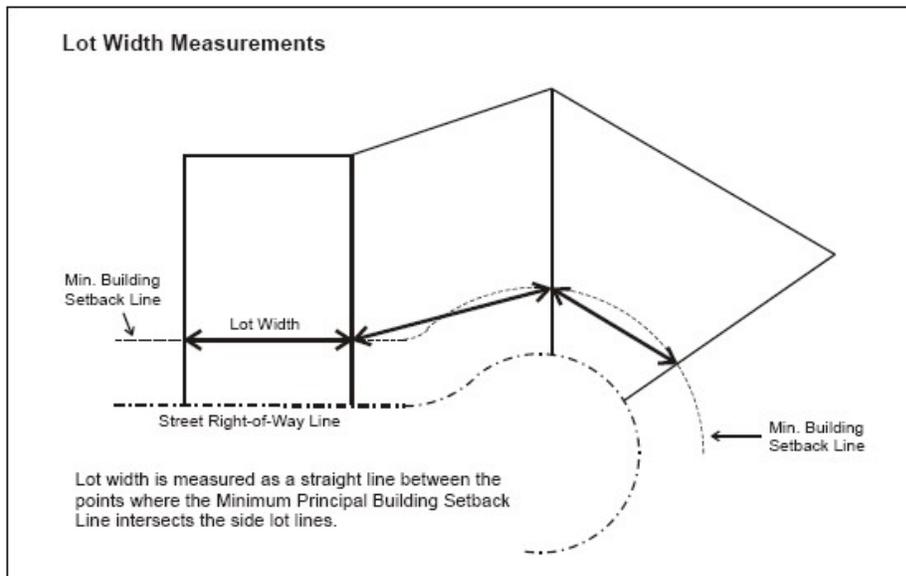
- (1) *Front Lot Line:* Any boundary line of a lot that abuts a street. A lot adjacent to more than one street will have more than one front lot line.
- (2) *Rear Lot Line:* Any boundary line of a lot that does not intersect with a street right-of-way line and is not a front lot line.
- (3) *Side Lot Line:* Any boundary line of a lot that intersects with a street right-of-way line and is not a front lot line.



Lot of Record: A lot that is part of a subdivision recorded in the office of the Clerk to the Superior Court, or a lot described by metes and bounds, the description of which has been so recorded.

- (1) *Legal lot of record:* A lot of record that is part of a subdivision approved by Douglas County under the procedures and requirements for such approval existing at the time of such approval, and has been recorded in accordance with the Georgia Maps and Plats Act; or, a lot of record that otherwise met all zoning and other requirements of Douglas County pertaining to the lot at the time of its recordation.
- (2) *Illegal lot of record:* A lot of record that was not created through the subdivision approval process required under Douglas County regulations at the time of the recordation of such subdivision; or, a lot of record that otherwise did not meet all zoning and other requirements of Douglas County pertaining to the lot at the time of its recordation.

Lot Width: The distance measured along the front principal building setback line between intersecting lot lines. The lot width shall be measured along a straight line between such points of intersection.



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

Macro Telecommunications Facilities: Those facilities located on existing buildings, poles or other existing support structures and which project more than 3 feet above the top of the structure but no more than 10 feet above the roof line, parapet or top of the structure. Macro telecommunication facilities may exceed the height limitation specified for the zoning district.

Major Street or Major Thoroughfare: An arterial or collector street.

Mansard: A steeply sloped, roof-like façade architecturally similar to a building wall.

Mansard Sign: See under "Building Sign."

Manual for Erosion and Sediment Control in Georgia: A publication of the same name published by the Georgia Soil and Water Conservation Commission, and as amended or supplemented from time to time.

Manufactured Home: A dwelling fabricated in an off-site facility for installation or assembly at the building site, bearing a label certifying that it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401, *et seq.*), which first became effective on June 15, 1976. The term "manufactured home" includes a structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term includes any structure which meets all the requirements of this definition except the size requirement and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401, *et seq.*

Manufactured Home Park: Any lot or parcel under single ownership on which 2 or more manufactured homes are to be located or intended to be located for purposes of residential occupancy.

Manufactured Home Sales Lot: A premises on which manufactured homes are displayed for sale.

Manufactured Home Subdivision: A planned development, similar to a single-family home subdivision, in which manufactured homes are permitted as-of-right.

Manufacturing: The process of making, fabricating, constructing, forming, or assembling a product from raw, unfinished, or semi-finished materials.

- (1) *Heavy Manufacturing Establishment:* Manufacturing establishments, other than those classified as light manufacturing, including those involving the conversion of raw materials into usable finished products, provided that manufacturing that will generate liquid waste from the manufacturing process or air pollutants shall comply with anti-pollution standards established by the state and county.
- (2) *Light Manufacturing Establishment:* An establishment for production, processing, assembly, manufacturing, compounding, preparation, cleaning, servicing, testing, or repair of materials, goods or products; however, the manufacturing and production of any product which emits noxious noise, odor or fumes, bulk storage of flammable materials for resale, and other heavy manufacturing uses listed herein, shall not be permitted.

Marquee: A permanent roof-like structure or canopy of rigid materials supported by and extending from the façade of a building.

Marquee sign: See under "Building Sign."

Masonry: Brickwork, stonework, stucco on block, adobe, or any combination of these materials.

Materials Recovery Facility: A solid waste handling facility that provides for the extraction from solid waste of recoverable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials.

Mean Sea Level: The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the flood plain. For purposes of this Code, the term is synonymous with National Geodetic Vertical Datum (NGVD).

Medical hardship: A physical or mental health condition that necessitates family care of such intensity or continuous duration that the person with the condition and the family providing the care must live in close proximity, either in the same dwelling or on the same lot.

Membership Organization: An organization that operates on a membership basis for the promotion of the members' interests.

Metropolitan River Protection Act: A state law referenced as O.C.G.A. 12-5-440 et seq. which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.

Microbrewery: A brewery that produces small amounts of beer, typically much smaller than large-scale corporate breweries, and is independently owned. Such breweries are generally characterized by their emphasis on quality, flavor and brewing technique.

Micro Telecommunications Facilities: Those facilities located on existing buildings, poles or other existing support structures where antennae do not project more than 3 feet above the top of the structure and there are no more than 6 antennae per site.

Minimum Front Setback: The minimum distance required by the zoning on a property between an adjoining street and the façade of a principal building on the property.

Mining: The extraction of minerals, including solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gases. The term "mining" includes stone mining and quarrying.

Mini-Warehouse: A structure containing separate storage spaces of varying sizes leased or rented on an individual basis to the general public.

Mixed Use Building: A building containing both residential and nonresidential uses; provided however, that for purposes of this ordinance, this shall not include in-home occupations.

Mixed-Use Development: The development of a tract of land, building, or structure with a variety of complementary and integrated uses, such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact urban form.

Mobile Home: A dwelling manufactured prior to June 15, 1976, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet in floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

Mobile Home Court: See "manufactured home park."

Modular Home: A dwelling manufactured in accordance with the Georgia Industrialized Building Act (see "Industrialized Building").

Monopole Tower: A telecommunications tower consisting of a single pole, constructed without guy wires or ground anchors.

Monument Sign: See "Ground Sign" under "Freestanding Sign."

Motor Freight Truck Terminal: A building or premises where trucks load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation.

Mulch: Pine straw, pine bark, pebbles, lava rock, processed cypress trees, or synthetic landscaping materials acceptable to the Director of Development Services may also be used. By products of unprocessed grinding operations may not be used for mulching under landscape plants or trees.

Multi-Faced Sign: A single sign structure consisting of two sign faces (see "double-faced sign") or three or more sign faces that are separated from each other at their nearest point by no more than three feet. Sign faces on a single sign structure that are separated by more than three feet are treated as separate signs.

National Geodetic Vertical Datum (NGVD): As corrected in 1929, is a vertical control used as a reference for establishing varying elevations within the flood plain.

Natural Ground Surface: The ground surface in its original state before any grading, excavation or filling.

Nature Preserve: Designated areas in which human activities are limited; animal and/or plant communities are protected, maintained, enhanced, and nurtured; and where the natural environment in general is protected from man-made or -influenced changes.

Neighborhood: An area of a community with characteristics that distinguish it from other areas and that may include distinct demographic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads or natural features, such as rivers.

Nephelometric Turbidity Units (NTU): Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extend of turbidity in water in which colloiddally dispersed particles are present.

New Construction: For the purposes of flood damage prevention requirements, any structure for which the start of construction commenced ~~January 1, 2003~~ January 1, 1980, and includes any subsequent improvements to the structure.

New Development: A land development activity on a previously undeveloped site.

New Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after ~~January 1, 2003~~ January 1, 1980. Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Nightclub: An establishment dispensing liquor and meals and in which music, dancing, or entertainment is conducted.

Non-Profit Animal Rescue Corporation: A licensed, non-profit corporation dedicated to the care, rehabilitation and adoption of abandoned, neglected, injured and abused animals. (Added 11/06/2008 - TXT2008-05, § 3)

Nonpoint Source Pollution: A form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollution such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials, and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal, and urban runoff sources.

Nonstructural Stormwater Management Practice or Nonstructural Practice: Any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, including but not limited to riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

North American Vertical Datum (NAVD) of 1988: A vertical control used as a reference for establishing varying elevations within the floodplain.

NPDES Permit: A national pollutant discharge elimination system permit issued by the State of Georgia, Department of Natural Resources, Environmental Protection Division or EPA pursuant to the Clean Water Act for the purpose of regulating the discharge of sewage, industrial wastes and other wastes (under the authority of Section 402 of the Clean Water Act), into the navigable waters of the United States.

Nuisance: An interference with the enjoyment and use of property. -

Nursery School: See "day care facility."

Nursing Home: A skilled nursing care facility primarily engaged in providing full-time convalescent or rehabilitative care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves and require continuous care under the direction of a physician.

O.C.G.A.: The Official Code of Georgia, annotated.

Off-Site Stormwater Facility: A stormwater management facility located outside the boundaries of the site.

On-Site Stormwater Facility: A stormwater management facility located within the boundaries of the site.

Office: A room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government and generally furnished with desks, tables, files, and communication equipment.

Office, Business: Structure or space wherein business services are performed involving predominately managerial, administrative, or clerical operations such as accounting, tax preparation, real estate, stock broker, financial consultant, manufacturers representative, insurance, contractor, employment agencies, advertising or public relations agencies, public opinion, business and other research firms, and national, regional, state and local office headquarters for commercial, manufacturing, charitable or other corporations or organizations.

Office, General: Structure or space wherein services are performed involving predominately managerial, administrative, professional, or clerical operations.

Office, Professional: Structure or space wherein professional services are performed involving predominately professional managerial, administrative, or clerical operations such as law, medicine, optician (including the sale of glasses and contact lenses as accessory to professional eye examinations and the prescription of lenses), audiologists, architect or landscape architect, professional consultant, engineer, professional counselor, dentist investigative services, photographer, contractor, land surveyor, or other professional services.

Office Park: A development on a tract of land that contains a number of separate office buildings, accessory and supporting uses, and open space designed, planned, constructed, and managed on an integrated and coordinated bases.

One-Hundred-Year Flood: A 100-year frequency flood that has the probability of occurring once every 100 years and thus has a 1 percent chance of occurring each year.

One-Hundred-Year Flood Plain: A land area subject to a 1 percent or greater statistical occurrence probability of flooding in and given year.

Opaque: Impenetrable to view, or so obscuring to view that features, buildings, structures, and uses become visually indistinguishable.

Open Space: An area of land or water that is permanently set aside through dedication, designation or reservation to remain in a natural and unimproved state or that may be improved only for active or passive recreation or enjoyment.

- (1) *Common Open Space:* Privately owned land or water areas within a development project that are available to or benefit all occupants of the development on a continuing and permanent basis, such as walking trails, community centers or clubhouses, golf courses and other recreation areas, protected flood plains or wetlands, and fishing or boating lakes. Common open space does not include any streets or public rights-of-way, or yard areas or landscape areas located on private property.
- (2) *Public Open Space:* Land reserved for preservation, leisure or recreational use but dedicated in fee simple to a governing body or agency to be responsible for operation and maintenance. Public open space is not reserved for or dedicated to the exclusive use of the residents of a particular development.

Operator: The party or parties that have operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or day-to-day operational control of those activities that are necessary to ensure compliance with a storm-water pollution prevention plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the storm-water pollution prevention plan or to comply with other permit conditions.

OSHA: The U.S. Department of Labor, Occupational Safety and Health Administration, or successor agency.

Outdoor Display Area: A portion of a property outside of any building where merchandise, goods or other items are placed in public view for the purpose of direct sale or lease to customers.

Outdoor Seating: A permitted seating area on a public sidewalk or pedestrian oriented area or outside of a food or drink establishment that is used for seating purposes to consume the purchased items on-site.

Outdoor Storage: The keeping within an unroofed and unenclosed area of any goods, material, merchandise or vehicles in the same place for more than 24 hours.

Outparcel: A lot deeded separately from a larger tract for individual development, but generally sharing access with the larger tract. Outparcels are most generally associated with shopping centers.

Overbank Flood Protection: Measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e., flow events that exceed the capacity of the channel and enter the floodplain) and that are intended to protect downstream properties from flooding for the 2-year through 25-year frequency storm events.

Owner: The legal or beneficial owner of a site, including, but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee, or other person, firm, or corporation in control of the site.

Owner-occupied: A property where the owner resides for the majority of the year, regardless of whether they operate a rental arrangement for part of or up to the whole property at any time during the year, whether or not they reside on the property during a rental arrangement.

Overlay Zone: A zoning district that may be placed on property in addition to its base zoning. Property may be regulated by a single or by multiple overlay zones.

Overstory Tree: Any deciduous or evergreen tree that has the potential to grow to a mature height of 40 feet or more (Reference *Landscape Plant Materials for Georgia* , Cooperative Extension Service, The University of Georgia College of Agriculture, Bulletin No. 625 or any similar publication.) Reference may also be made to the *Manual of Woody Landscape Plants* (Michael Dirr, 1983, Castle Books).

Owner: The legal or beneficial owner of a site, including, but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee, or other person, firm, or corporation in control of the site.

Paper Street: A street that has never been built shown on an approved plan, subdivision plat, tax maps, or official map.

Parapet Sign: See under "Building Sign."

Parcel: Any plot of land or acreage shown as a unit with a metes and bounds description on the latest county tax assessment records.

Parking Aisle: The traveled way, which is not the public right-of-way, by which cars enter and depart parking spaces.

Parking Area: Any public or private area at grade or within a structure used for the express purpose of temporarily parking automobiles and other vehicles otherwise in operation for personal or business use.

Parking Bay: Three or more parking spaces adjacent to one another and aligned side-by-side.

Parking Deck or Structure: A building or structure consisting of more than one level and used to store motor vehicles.

Parking Lot: Any public or private area at grade used for the express purpose of temporarily parking automobiles and other vehicles otherwise in operation for personal or business use.

Parking Lot Island: A landscaping strip located in a parking lot. Such islands must be sized to allow the plants and trees located within it to grow to their mature size.

Parking Space: A space identified and set aside for the temporary parking of an automobile or other motor vehicle.

Partial Destruction: A building or structure that because of fire, flood, explosion, or other calamity, requires the rebuilding of less than half of its floor area.

Pawn Shop: A type of used merchandise store in which merchandise is offered as collateral for obtaining loans, and (for other than title pawn) wherein such merchandise is offered for sale in recompense for default of loan repayment; see also "title pawn".

Pennant: Any lightweight plastic, fabric or similar material designed to move in the wind; pennants are often suspended from a rope, wire, or string in series. The term "pennant" shall not include a "banner" or an "official or personal flag" as regulated in this Article.

Perennial Stream: A stream that flows throughout the whole year. Perennial streams may be identified as shown as such on a United States Geologic Service Quad map.

Person: Any individual, firm, company, municipal or private corporation, partnership, co-partnership, joint stock company, trust, association, institution, enterprise, governmental agency, the State of Georgia, the United States of America, or other legal entity, or their representatives, agents, or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context.

Personal Care Home: A 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 care services for two or more adults who are not related to the owner or administrator by blood or marriage.

- (1) *Family Personal Care Home:* A personal care home in a family type residence, noninstitutional in character, that offers care for 2 to 6 adults.
- (2) *Group Personal Care Home:* A personal care home in a residence or other type of building that is noninstitutional in character and offers care for up to 15 adults.
- (3) *Congregate Personal Care Home:* A personal care home that offers care to 16 or more adults.

Personal Care Services: Individual assistance with or supervision of self-administered medication and essential activities of daily living such as eating, bathing, grooming, dressing and toileting.

Personal Service Establishment: A business primarily engaged in providing a service generally to individuals, such as a laundry, portrait photographic studio, or beauty or barber shop.

Pervious Surface: Surfaces capable of being significantly infiltrated by stormwater.

Pet: Any animal owned or kept for pleasure rather than sale, which is an animal of a species customarily bred and raised to live in the habitat of humans and is dependent upon them for food and shelter; except that livestock and wild animals shall not be deemed pets.

Place of Public Assembly: Any building, structure or parcel of land where people congregate for such purposes as celebration, worship, amusement, entertainment, or deliberation.

Planned Center: A single office, commercial, or industrial property or contiguous properties, planned, developed and managed as a unit for occupancy by two or more principal businesses that are separately owned and have no corporate relationship, such as a shopping center or office complex.

Plant Materials : Living plants, such as trees, shrubs, ground cover, grasses and perennial flowering plants, turf, and vines that are suitable for ornamental and/or functional use.

Plant Nursery: Land or greenhouses used to raise flowers, shrubs, trees, and other plants for sale to distributors or for subsequent replanting by the owner, a landscape company or others.

Plat, Final: A finished drawing of a subdivision showing completely and accurately all legal and engineering information and certification necessary for recording.

Plat, Preliminary: A drawing which shows the proposed layout of a subdivision in sufficient detail to indicate unquestionably its workability, but is not in final form for recording and the details are not completely computed. An approved planned unit development may be considered a preliminary plat if it is processed under the terms of the zoning ordinance.

Pole: A legally constructed pole, such as a utility, lighting, traffic, or similar pole made of wood, concrete, metal or other material, located or to be located within the public right-of-way. A pole does not include a tower or support structure and does not include a pole or structure that supports electric transmission lines.

Pole sign: See under "freestanding sign."

Political Organization: An organization established to promote the interests of a local, state or national political party or candidate.

Political Season: The time between the date of close of filing for qualification of candidates and final determination on each ballot issue or candidate.

Pollution Susceptibility: The relative vulnerability of an aquifer to being polluted from spills, discharges, leaks, impoundments, applications of chemicals, injections and other human activities in a recharge area.

Pond: A body of standing water less than one acre in surface area, created either by a natural dam, or other means of water impoundment.

Post-Development: Refers to the time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site, as the context may require.

Pre-Development: Refers to the time period, or the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

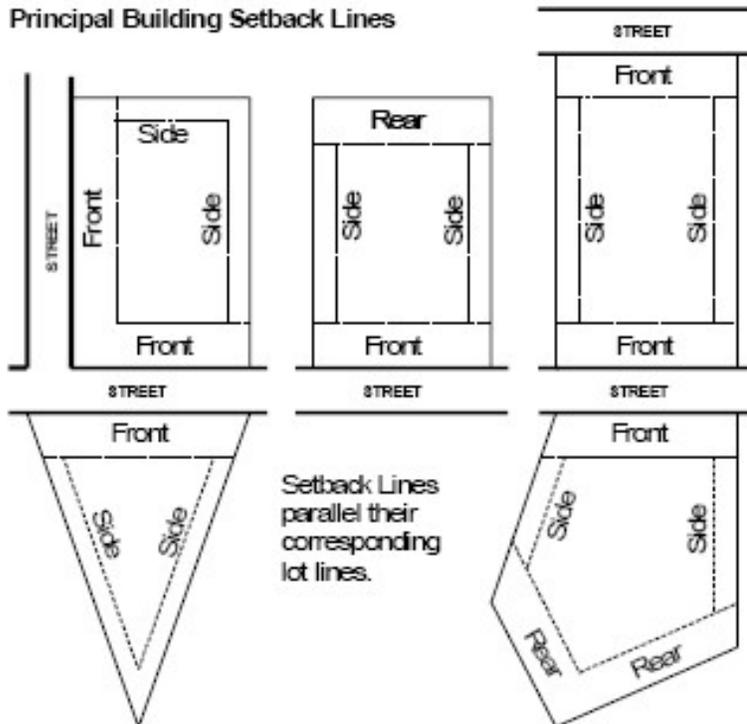
Premises: An area of land with its appurtenances and buildings which, because of its unity of use, is one unit of real estate.

Primary Dwelling: A habitable and occupied dwelling that exists on the property where the manufactured home is to be located.

Principal Building: A building in which is conducted a principal use.

Principal Building Setback Line: A line delineating the minimum allowable distance between a property line (or the right-of-way line) of an abutting street and a principal building on a lot.

- (1) *Front Building Setback:* The minimum allowable distance between the right-of-way line of any abutting street and any part of a principal building on a lot. The front setback distance is applied along the full length of the right-of-way line and is parallel to it.
- (2) *Rear Building Setback:* The minimum allowable distance between a rear lot line and any part of a principal building on a lot. The rear building setback extends along and is parallel to the full length of the rear lot line.
- (3) *Side Building Setback:* The minimum allowable distance between a side lot line and any part of a principal building on a lot. The side building setback extends along and is parallel to the side lot line between the front building setback and a rear building setback (if any).



Principal Freestanding Sign: The main, predominant or largest freestanding sign or signs on a property.

Principal Use: The specific, primary purpose for which land or a building is used.

Private Deed Restrictions or Covenants: Private deed restrictions or covenants are imposed on land by private land owners. They bind and restrict the land in the hands of present owners and subsequent purchasers. They are enforced only by the land owners involved and not by any county or other public agency.

Professional Engineer: An engineer licensed and registered to perform the duties of a professional engineer (P.E.) by the State of Georgia.

Professional Services: A business conducted for profit which primarily offers services to the general public, such as shoe repair, watch repair, barber shops, beauty parlors, dry cleaners, tax preparation and similar activities.

Prohibited Use: A use that is not permitted in a zoning district.

Project: The entire proposed development project regardless of the size of the area of land to be disturbed.

Project Entrance Sign: A permanent freestanding sign located at a discernible entrance into a multi-family development, or into a development containing multiple lots, such as but not limited to a particular residential or commercial subdivision, business center, office park or industrial park.

Projecting Sign: See under "Building Sign."

Property or Parcel of Land: See "Lot."

Public Improvement: The construction, enlargement, extension or other construction of a facility intended for dedication to the public, including but not limited to a street, curb and gutter, sidewalk, cross drain,

catch basin, traffic control and street name sign, or other roadway appurtenance other than a driveway apron connection; domestic water supply system main, fire hydrant, valve or other appurtenance other than a supply line to a building; or sanitary sewerage main or outfall, lift station, force main, manhole or other appurtenance other than a drain line from a building.

Public Open Space: See under "open space."

Public Right of Way or ROW: The area on, below, or above property that has been designated for use as or is used for a public roadway, highway, street, sidewalk, alley or similar purpose, and for purposes of this section shall include public utility easements, but only to the extent Douglas County permits use of the area or public utility easement for communications facilities or poles, towers and support structures that support communications facilities. The term does not include a federal interstate highway or other areas that are not within the legal jurisdiction, ownership or control of Douglas County.

Public Utility: A utility owned and operated by a government or public authority.

- (1) *Public Sewerage System:* A sanitary sewerage system for the collection of water-borne wastes complete with a sewage treatment plant that is owned and operated by a public agency or authority.
- (2) *Public Water System:* A system for the intake, treatment and distribution of potable water that is owned and operated by a public agency or authority.

Publicly Dedicated: Land or improvements that has or have been transferred by plat or deeded to and accepted by the appropriate government or public authority for public use and maintenance.

Publicly Used Structures: Structures that are owned by a governmental entity or a bona fide nonprofit organization and include, but are not limited to, facilities such as fire stations, libraries, community centers, convention centers, courthouses, utility structures, water towers, elevated roadways, bridges, flag poles, schools, hospitals, clock or bell towers, light poles and churches.

Quasi-public: A use that performs a government or public function but is under private ownership or control.

Qualified Personnel: Any person who meets or exceeds the education and training requirements of O.C.G.A. 12-7-19.

Putrescible Wastes: Wastes that are capable of being quickly decomposed by microorganisms. Examples of putrescible wastes include but are not necessarily limited to kitchen wastes, animal manure, offal, hatchery and poultry processing plant wastes, dead animals, garbage and wastes which are contaminated by such wastes.

Radio or TV Transmission Tower: See "telecommunications tower."

Radioactive Waste: The byproducts of nuclear reactors and military, industrial, and medical activities using radioactive material.

Recharge Area: Any portion of the earth's surface, where water infiltrates into the ground to replenish an aquifer.

Recreation Facility, Community: A swimming pool, tennis court, or other recreation facility owned by or provided for the use of the residents of a subdivision, apartment project, or other residential development.

Recreation Facility, Private: An accessory use to a dwelling designed and equipped for the conduct of personal leisure time activities such as a swimming pool, tennis court, deck, or patio. See also "community recreation facility."

Recreational Vehicle: A motorized camper, converted bus, tent trailer, motor home, or other similar vehicular or portable structure, provided with sleeping accommodations and used for temporary portable

housing or occupancy while on vacation or other recreational trip away from the occupant's place of residence.

Recreational Vehicle Dealer: The use of any building or premises for the display and sale of new or used recreational vehicles, and which may include any repair service conducted as an accessory use.

Recycled water system: A water system that captures and reuses water previously used in wash or rinse cycles. (Amended 08/02/2011 - TXT-2011-01, § 18)

Recycling: Any process by which materials that would otherwise become solid waste are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

Recycling Center: A lot or parcel of land, with or without buildings, upon which used materials are separated and processed for shipment for eventual reuse in new products. No smelting or other processing activities are permitted.

Recycling Collection Locations: Metal or heavy-duty plastic containers designed for short term holding of pre-bagged recyclable items such as tin, aluminum, glass, and paper (no perishable or food items allowed) for scheduled, minimum monthly pickup with no on-premise sorting.

Redevelopment: A land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate stormwater runoff or cause additional nonpoint source pollution.

Regional Stormwater Management Facility or Regional Facility: Stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

Registered Land Surveyor: A land surveyor licensed and registered to perform the duties of a registered land surveyor (R.L.S.) by the State of Georgia.

Regulated Stream: A natural, free-flowing watercourse that meets certain criteria as established within the Environmental Protection Article of this Code.

Regulatory Flood: The flood standard equal to or higher than the Base Flood. The Regulatory Flood is defined as the flood having a 1% or greater chance of being equaled or exceeded in any given year assuming the drainage basin is fully developed as shown on the current land use plan. Only structural stormwater control facilities that can be shown will remain (i.e. owned by the Authority) and are large enough to be included in the hydrograph routings shall be considered when determining the flood peak.

Regulatory Flood Elevation: The flood standard equal to or higher than the Base Flood Elevation. The Regulatory Flood Elevation is defined as the highest water surface anticipated at any given point during the regulatory flood.

Relative: A person related by blood, marriage or adoption, but extending in lineage no more than two generations (grandparent, parent, child or grandchild) or laterally no farther than sibling, niece or nephew.

Remodeling: To construct an addition or alter the design or layout of a building or make substantial repairs or alterations so that a change or modification of the entrance facilities, toilet facilities, or vertical access facilities is achieved.

Repair Shop, Miscellaneous: A business establishment primarily engaged in specialized repair services such as bicycle repair, leather goods repair, lock and gun repair, musical instrument repair, septic tank cleaning, furnace cleaning and taxidermists.

Replacement Tree : A new tree planted on a site to meet minimum tree density standard requirements (regardless of whether trees existed prior to any development).

Reserve Strip: A strip or tract of land reserved for the purpose of controlling or limiting access from properties to abutting streets.

Reside: The act of living in a dwelling unit at a specific point in time.

Residential Business: See "home business" under "home occupation."

Residential Lot: A lot, tract or parcel of land that is occupied by a primary dwelling and properly zoned for such use.

Restaurant, Custom Service: An establishment where food and drink are prepared to individual order, ordered and served at the table, and consumed primarily within the principal building or in established outdoor dining areas, as contrasted to a fast food restaurant.

Restaurant, Family: A Custom Service Restaurant primarily oriented to sit-down service, occasionally with take-out service but no drive-in or drive-through facilities, and having an average turnover rate generally of less than 1 hour. Family restaurants are usually moderately priced and frequently belong to chains such as Denny's, Pizza Hut and Shoney's.

Restaurant, Fast Food: Any establishment, building or structure where food or drink are served for consumption, either on or off the premises, by order from or service to persons either over an interior counter, outside the structure or from an outdoor service window or automobile service window, or by delivery. This definition shall not include otherwise permitted restaurants where outdoor table service is provided to customers in established outdoor dining areas or where drive-through or take-out service is provided incidental to a Custom Service Restaurant.

Restaurant, Quality: A Custom Service Restaurant primarily oriented to fine dining and often associated with a particular cuisine. Quality restaurants are characterized by table settings of better silverware, china, glassware and cloth tablecloths, and have average turnover rates generally of 1 hour or more.

Retail Sales, Outdoor: The display and sale of products and services primarily outside of a building or structure, including vehicles, garden supplies, gas, tires and motor oil, food and beverages, boats and aircraft, farm equipment, motor homes, burial monuments, building and landscape materials, and lumber yards.

Retail Sales, Seasonal: The temporary establishment of a retail use during a period for which the commodity sold is only available or appropriate to a specific season or period.

Retail Store: An establishment principally engaged in offering a category of similar goods or products for sale to the general public, such as a grocery store, hardware store, pharmacy, clothing shop, home furnishings store, office supplies store, and the like.

Retirement Community: An age-restricted residential development that offers significant services and facilities for the elderly, including social and recreational activities, personal care services, or health facilities limited to use by the development's residents. At least 80% of the units must be occupied by residents 62 years old or older, and the remaining units must be occupied by at least one resident 55 years old or older.

Review Staff: The representatives of the various departments on the Douglas County Development Review Committee.

Right-of-Way (R-O-W): (1) A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, and other similar uses; (2) generally, the right of one to pass over the property of another.

Riparian: (with regard to stream buffer protection) belonging or related to the bank of a river, stream, lake, pond or impoundment.

River: A natural, free-flowing watercourse that is typically of greater volume than a stream or creek. See also "State Protected River."

River Bank: The rising ground, bordering a river, which serves to confine the water to the natural channel during the normal course of flow.

Road Classification System: A functional system for the classification of public roads and rights-of-way as identified and described in the Transportation Plan for Douglas County, or as established by the Georgia Department of Transportation.

Roadbed: That portion of a street improved for vehicular travel, including the curbs and shoulders.

Roadway: The paved portion of a street improved for vehicular travel, measured from back of curb to back of curb, or from edge of pavement to edge of pavement for swale ditch roads.

Roadway Drainage Structure: A device such as a bridge, culvert or ditch, composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Roof Sign: See under "Building Sign."

Rooming or Boarding House: A dwelling within which a resident family or manager offers lodging or lodging and meals to two or more persons not under the resident's parental or protective care in exchange for monetary compensation or other consideration.

Runoff: Stormwater runoff.

School: Any building or part thereof which is designed, constructed, or used for education or instruction in any branch of knowledge.

Scrap Yards and Junk Yards: A building or premises used primarily for the collecting, storage or sale of waste paper, rags, scrap metal or other discarded material; or for the collecting, dismantling, storage, or salvage of machinery or vehicles not in running condition, or for the sale of parts thereof.

Screening: A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation. Screening may consist of any combination of the following, as approved by the Director of Development Services:

- (1) Fencing constructed of suitable all-weather material allowed under this Code (fencing required to meet a provision of this Code shall not be of wooden construction).
- (2) Masonry walls.
- (3) Plant materials or natural vegetation.
- (4) Earthen berms.

Sediment: Solid material, both organic and inorganic, that is in suspension, is being transported or has been moved from its site of origin by air, water, ice or gravity as a product of erosion.

Sedimentation: The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.

Self-service car wash: A commercial car wash where the customers wash their cars themselves with spray wands and brushes. (Amended 08/02/2011 - TXT-2011-01, § 18)

Semi-Public Use: A use owned or operated by a nonprofit, religious, or charitable institution for the purpose of providing educational, cultural, recreational, religious, or social services to the general public.

Semi-Trailer: A trailer with a set or sets of wheels at the rear, the forward portion of which is designed to be supported by the truck tractor or towing vehicle. For the purpose of this definition, flatbeds designed to be hauled by truck tractors are included as semi-trailers.

Service Establishment, Personal or Business: Businesses primarily engaged in providing assistance, as opposed to products, to individuals, businesses, industry, government, and other enterprises, such as personal, business, and repair services including shoe repair, leather goods repair, and small machinery, watch, and instrument repair; health and beauty including nail salon; key duplicating and locksmith; reupholstery and furniture repair; interior decorators, travel agents, technical and other professional services; educational and tutoring services; membership organizations.

Setback: The shortest straight-line distance between a street right-of-way or lot line and the nearest point of a structure or building or projection therefrom (excluding roof overhangs of 18 inches or less), measured at 90 degrees to the street or lot line.

Setback, Minimum: The shortest distance allowed between a street right-of-way line or any other lot line and any principal or accessory building on a lot. Minimum setback requirements for buildings are associated with the type of lot line from which the setback is taken; for instance, a "side yard setback" is measured from a side lot line.

Sexually-Oriented Adult Use: Any establishment that, as a regular and substantial business purpose, offers services, live performances or materials in print or in any photographic or recorded media that involves sexually-oriented activities or depicts sexually-oriented anatomical areas, with the intent of providing sexual stimulation or gratification to the customer. Such uses include but are not limited to: an adult bookstore, adult dancing establishment, adult mini-motion picture theater, adult motion picture arcade, adult motion picture theater, adult video store, lingerie modeling, erotic dance establishment, and an escort bureau.

- (1) *Sexually-Oriented Anatomical Area* : Uncovered or exposed human genitals, pubic region or pubic hair, vulva or anus; female breast or breasts below a point immediately above the top of the areola or nipple; or male genitals in a discernable erect state, even if completely and opaquely covered
- (2) *Sexually-Oriented Activity* : Actual or simulated act of masturbation, sodomy or sexual intercourse; physical contact, in an act of apparent sexual stimulation or gratification, with a person's clothed or unclothed genitals, pubic area, buttocks or female breasts; or any sadomasochistic abuse or acts including animals or any latent objects in an act of apparent sexual stimulation or gratification.

Shade Tree : A deciduous overstory tree.

Shopping Center: A commercial development containing at least three retail sales or services establishments located in one building, the total gross floor area of which is 25,000 square feet or greater.

Short Term Rental: Also known as residential vacation rentals. Residential or accessory structures, including any house, apartment, condominium, room, or lodging accommodation on any property, that provide single-party rentals for periods of less than 90-consecutive days.

Shrub: A self-supporting woody plant that normally reaches a height of less than 15 feet.

Sign: Any structure, display, or device that is used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event, or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, colors, movement, or illumination.

Sign Face: That portion of the surface of a sign structure where words, letters, figures, symbols, logos, fixtures, colors, or other design elements are or may be located in order to convey the message, idea, or intent for which the sign has been erected or placed. The sign face may be composed of two or more modules on the same surface that are separated or surrounded by open space or by portions of a sign structure not intended to contain any advertising message or idea and are purely structural or decorative in nature.

Sign Module: Each portion or unit of a sign face that is clearly and physically separable from other such units by virtue of the expression of a complete thought, message, logo, or idea.

Sign Structure: All elements of a freestanding sign, including the sign face, background, or decorative elements related to the presentation or support of the sign's message, and the structural supports.

Significant Recharge Area: Those areas mapped by the Georgia Department of Natural Resources in Hydrologic Atlas 18 (1989 edition).

Single-Family Attached Dwelling: See under "Dwelling."

Single-Family Detached Dwelling: See under "Dwelling."

Site: The parcel of land being developed, or the portion thereof on which the land development project is located.

Slope: The degree of deviation of a surface from the horizontal, usually expressed in percent or degree.

Sludge: Any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant.

Small Wireless Facility: A Facility that meets both of the following qualifications: (i) each antenna could fit within an enclosure of no more than 5 cubic feet in volume and (ii) all other wireless equipment associated with the antenna, including the Provider's preexisting equipment, is cumulatively no more than 24 cubic feet in volume.

Softwood tree: Any coniferous (cone bearing) tree, such as pine, fir, hemlock, cedar, etc. This definition is based on the colloquialism, and does not necessarily reflect any true qualities of the tree.

Soil and Water Conservation District Approved Plan: An erosion and sediment control plan approved in writing by the West Georgia Soil and Water Conservation District.

Soils: The upper layer of earth that can be dug or plowed; the loose surface material of the earth in which vegetation normally grows.

Solar Building-Integrated System: A solar photovoltaic system that is constructed as an integral part of a principal or accessory building or structure and where the building-integrated system features maintain a uniform profile or surface of vertical walls, window openings, and roofing. Such a system is used in lieu of a separate mechanical device, replacing or substituting for an architectural or structural component of the building or structure that appends or interrupts the uniform surfaces of walls, window openings and roofing. A building-integrated system may occur within vertical facades, replacing view glass, spandrel glass or other facade material; semitransparent skylight systems; into roofing systems, replacing traditional roofing materials; or other building or structure envelope systems.

Building-Mounted System: A solar photovoltaic system attached to any part or type of roof on a building or structure that is either the principal structure or an accessory structure on a recorded property. This system also includes any solar-based architectural elements.

Solar-Grid-Interconnection: The technical and practical link between the solar generator and the grid providing electricity to the greater community.

Kilowatt (kW): A unit of electrical power equal to 1,000 Watts, which constitutes the basic unit of electrical demand. A watt is a metric measurement of power (not energy) and is the rate (not the duration) at which electricity is used. 1,000 kW is equal to 1 megawatt (MW). *Module:* A module is the smallest protected assembly of interconnected PV cells.

Photovoltaic (PV): A semiconductor based device that converts light directly into electricity. *Solar-Based Architectural Element:* Structural/architectural element that provides protection from weather that includes awnings, canopies, porches or sunshades and that is constructed with the primary covering consisting of solar PV modules, and may or may not include additional solar PV related equipment.

Solar Photovoltaic (PV) Related Equipment: Items including a solar photovoltaic cell, panel or array, lines, mounting brackets, framing and foundations used for or intended to be used for collection of solar energy.

Solar Photovoltaic (PV) System: A solar collection system consisting of one or more building- and/or ground-mounted systems, solar photovoltaic cells, panels or arrays and solar related equipment that rely upon solar radiation as an energy source for collection, inversion, storage and distribution of solar energy for electricity generation. A solar PV system is a generation system with a nameplate capacity of not greater than 50 kilowatts if installed at a residential service or not larger than 3,000 kilowatts at other customer service locations and do not produce excess on-site energy greater than currently permitted by Georgia Public Utility Commission guidelines unless expressly permitted for higher rating.

Solar-Tracking System: A number of photovoltaic modules mounted such that they track the movement of the sun across the sky to maximize energy production, either with a single-axis or dual-axis mechanism.

Solid Waste: Any garbage or refuse; sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility; and other discarded material including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities, but does not include recovered materials; solid or dissolved materials in domestic sewage; solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. Section 1342; or source, special nuclear, or by-product material as defined by the federal Atomic Energy Act of 1954, as amended (68 Stat. 923).

Solid Waste Disposal Facility: Any facility or location where the final disposition of solid waste occurs and includes, but is not limited to, landfilling and solid waste thermal treatment technology facilities.

Solid Waste Handling: The storage, collection, transportation, treatment, utilization, processing, or disposal of solid waste, or any combination of such activities.

Solid Waste Handling Facility: Any facility, the primary purpose of which is the storage, collection, transportation, treatment, utilization, processing, or disposal, or any combination thereof, of solid waste.

Solid Waste Transfer Station: A facility used to transfer solid waste from one transportation vehicle to another for transportation to a disposal facility or processing operation.

Special Use: A use allowed in a particular zoning district where the use is not otherwise permitted upon approval of the Board of Commissioners based on standards and requirements of this Code.

Sports Facility, Commercial: The use of any building, structure or premises for the conduct of a professional or semi-professional sport, such as a boxing pavilion, track and field racetrack, stadium or sports field, where admission is charged in order to pay the players or fund a prize purse.

Stabilization: The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

Stable, Neighborhood: A facility for the keeping of horses for the private use of the residents of the lot. Such facility may include the commercial boarding of (10) ten or fewer horses and no more than one (1) instructor engaged for the purpose of educating and training students in equitation.

Stable, Private: A facility for the keeping of horses for the private use of the residents of the lot. Such facility may include the commercial boarding of twenty (20) or fewer horses and no more than two (2) instructors engaged for the purpose of educating and training students in equitation.

Start of Construction: The date the permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date, for new construction or a substantial improvement as follows:

- (1) For New Construction: The actual start means the first placement of permanent construction of the structure, such as the pouring of slabs or footings, installation of pipes, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structures, such as garages or sheds not occupied as dwelling units or part of the main structure.
- (2) For a Substantial Improvement: The actual start of construction means the first alteration of any wall, ceiling, floor or other structural parts of a building, whether or not that alteration affects the external dimensions of the building.

State General Permit: The National Pollution Discharge Elimination System general permit or permits for storm-water runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the State's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, et seq., and O.C.G.A. 12-5-30(f).

State Protected River: A "state protected river" is any perennial river or watercourse that has an average annual flow of at least 400 cubic feet per second as determined by the State. In Douglas County, the Chattahoochee River is a protected river.

State Waters: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership or corporation.

Static Head: The depth of water at the entrance to a culvert when the depth is greater than the diameter of the pipe.

Steeple: A tower rising above the main structure of a building, especially a church or other house of worship, usually capped with a spire.

Storage: The placement, keeping, or retention of vehicles, equipment, materials, goods, or products on a temporary basis for intermittent use or subsequent distribution or transfer.

Stormwater Better Site Design: Nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. Stormwater better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover, and using natural features for stormwater management.

Stormwater Management: The collection, conveyance, storage, treatment, and disposal of stormwater runoff in a manner intended to prevent increased flood damage, stream bank channel erosion, habitat degradation, and water quality degradation and to enhance and promote the public health, safety, and general welfare.

Stormwater Management Facility: Any infrastructure that controls or conveys stormwater runoff.

Stormwater Management Measure: Any stormwater management facility or nonstructural stormwater practice.

Stormwater Management Plan: A document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of this Section.

Stormwater Management System: The entire set of structural and nonstructural stormwater management facilities and practices that are used to capture, convey, and control the quantity and quality of the stormwater runoff from a site.

Stormwater Retrofit: A stormwater management practice designed for a currently developed site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

Stormwater Runoff: The flow of surface water resulting from precipitation.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including those basements used for the principal use.

Stream: A natural, free-flowing watercourse with either constant or intermittent flow of moderate volume typically less than that of a river.

Stream, Regulated: See "Regulated Stream."

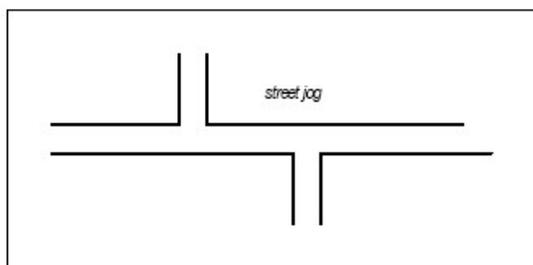
Stream Bank: The point where vegetation has been wrested by normal stream flow or wave action.

Stream Buffer: (1) A strip of natural indigenous vegetation (of width determined by the Watershed Protection regulations) adjacent and parallel to the bank of a regulated stream designed to preserve and improve the quality of water within the regulated stream and its watershed. (2) An area along the course of any state waters to be maintained in an undisturbed and natural condition.

Stream Channel: (with regard to stream buffer protection) means the portion of a watercourse that contains the base flow of the stream.

Street: A publicly dedicated road intended to accommodate vehicular traffic, or a private roadway approved as such by the Board of Commissioners.

Street Jog: the incidence where 2 streets or 2 portions of a single street are separated by a relatively short distance, usually at their intersection with another street. (See illustration.)



Street, Private: A roadway held in private ownership by the owners of the properties that the roadway serves.

Street, Public: A roadway located within a right-of-way dedicated to and accepted by a governmental entity such as a city, county or the State of Georgia.

Stucco: Plaster or cement, either fine or coarse, used for surfacing inside or outside walls or for molding relief ornaments, cornices, etc.

Structural Alteration: Any change in either the supporting members of a building, such as bearing walls, columns, beams, and girders, or in the dimensions or configurations of the roof or exterior walls.

Structural Erosion and Sedimentation Control Measures (Structural Practices): Measures for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sedimentation control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures, sediment traps and land grading. Such measures can be found in the publication *Manual for Erosion and Sediment Control in Georgia* .

Structure: An object, including a mobile object, constructed or installed by man, including, but without limitation, buildings, towers, cranes, smokestacks, and overhead transmission lines.

Structure Height: The vertical distance to the highest point of a structure (other than a building), as measured from the average grade at the base of the structure or from the average grade directly below a projecting structure. See also "Building Height."

Structural Stormwater Control: A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff, including, but not limited to, the quantity and quality, the period of release, or the velocity of flow of such runoff.

Subdivider: Any person, individual, firm, partnership, association, corporation, estate, or trust, or any group of trusts, or any group or combination of groups acting as a unit, dividing, or proposing to divide land so as to constitute a subdivision as herein defined, including any agent of the subdivider.

Subdivision: (1) The division of a property or tract of land into two or more tracts or lots; (2) a land development project in which two or more lots are created, along with the streets and utilities needed to support construction of buildings on the lots; (3) The division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership, or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before damage occurred.

Substantial Improvement: Any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during the life of a building, in which the cumulative cost equals or exceeds 50 percent of the market value of the building prior to improvement. The market value of the building means:

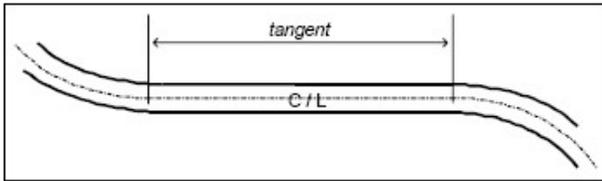
- (1) The appraised value of the building prior to the start of the initial repair or improvement; or
- (2) In the case of damage, the value of the building prior to the damage occurring. This term includes structures that have incurred "substantial damage," regardless of the actual amount of the actual repair work performed.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include those improvements of a building required to comply with existing health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, which have been pre-identified through enforcement of this Development Code and not solely triggered by an improvement or repair project.

Substantially Improved Existing Manufactured Home Park or Subdivision: Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, rehabilitation or improvement commenced.

Supermarket or Grocery Store: A retail establishment primarily selling fresh or prepackaged foods including meat, produce, canned goods, and dairy products as well as other convenience and household goods.

Tangent: the straight-line distance between the ending of one curve of a line (center line of a street) and the beginning of another curve of the same line (center line). (See illustration.)



Telecommunications Facilities: Antennae and towers, either individually or together.

Telecommunication Tower: Any structure designed and constructed primarily for the support of one or more antennae and including guyed, self-support (lattice) and monopole types. This term does not include Alternative Tower Structures.

Temporary Event: An activity having a specific duration or the end of which is related to a specific action, usually lasting for only a few days or months at a time. Temporary events include but are not limited to such activities as:

- (1) The offering of a property or premises for sale or rent;
- (2) An election, political campaign, referendum, or ballot proposition put to the voters as part of county, county, state, or federal governance;
- (3) Special business promotions, such as but not limited to "grand openings," "close-out sales," carnivals and seasonal sales events;
- (4) A yard sale;
- (5) The construction of a building or development project, or the rehabilitation, remodeling, or renovation of a building;
- (6) An announcement by a property owner or occupant to the general public; or
- (7) A special event by a nonprofit organization, such as a community fair or religious assembly.

Temporary Use: A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Temporary Wireless Communication Facility: Portable equipment without permanent foundation that is used for a limited period while a permanent facility is under construction, under repair or during a special public event or emergency. Also called a Cell-on-Wheels (COW).

Tenant: A natural person, business or other entity that occupies land or buildings by ownership, under a lease, or through payment of rent; an occupant, inhabitant, or dweller of a place.

Tent: A temporary or permanent structure having a roof and/or walls of fabric.

Theater: A building or interior space devoted to showing motion pictures, or for live dramatic or musical performances.

A. Motion picture theater: A building primarily used for the exhibition of movies or other prerecorded productions to the general public in an indoor setting.

B. Performing arts theater: A building primarily used for the presentation of live performances of plays or music.

Theater, Drive In: An open lot with its appurtenant facilities devoted primarily to the showing of motion pictures or other prerecorded productions to patrons seated in automobiles.

Timber Ordinance: The Douglas County, Georgia Timber Ordinance, which regulates the cutting of timber.

Townhome or Townhouse: See under "Dwelling."

Toxic Waste: Any combination of pollutants, including disease-carrying agents, that, after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, can cause death or disease, mutations, deformities, or malfunctions in such organisms or their offspring and that adversely affect the environment.

Trailer, Camping: Shall mean any portable structure or vehicle designed for highway travel which is used or intended to be used for either living, sleeping, cooking or eating purposes and which does not include all of the following facilities: A flush water closet, a lavatory, a bath or shower, and kitchen sink.

Travel Trailer: See "recreational vehicle."

Tree: any self-supporting perennial plant, usually having a main stem or trunk and many branches, and at maturity normally attaining a trunk diameter greater than three inches at any point and a height over ten feet.

Tree Density Standard: the minimum number of Tree Units per acre that must be achieved on a property or parcel after development is completed.

Tree Diameter: See "Caliper" for newly planted trees and "Diameter Breast Height (DBH)" for existing trees.

Tree Unit Value: the numerical credit assigned to a tree, based on the diameter of the tree, in accordance with the tables included in this Development Code.

Tree Harvesting: The planting, cultivating and harvesting of trees in a continuous cycle as a regular agricultural practice on a tract of land; not including the removal of trees for purposes of development or the removal of trees without replanting.

Tree Conservation Plan: a plan that identifies tree protection areas, existing trees to be retained and proposed trees to be planted on a property to meet minimum requirements, as well as methods of tree preservation to be undertaken on the site and other pertinent information.

Tree Protection Area: any portion of a site wherein are located existing trees which are proposed to be retained in order to comply with the requirements of this Development Code. The Tree Protection Area shall include the total area beneath the tree canopy as defined by the critical root zone of the tree or group of trees collectively.

Trench: A narrow excavation made below the surface of the ground. In general, the depth is greater than the width, but the width of a trench is not greater than 15 feet.

Tributary: A small creek, river, or stream flowing into a larger one, the smaller stream is considered a tributary

Trout Streams: All streams or portions of streams as designated by the Game and Fish Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. § 12-5-20, *et seq* . Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs. There are no trout streams designated in Douglas County.

Truck, Heavy: See "Heavy Truck."

Truck, Light: Any truck that is not a "heavy truck."

Truck Loading Docks: A portion of a building designed for the loading and unloading of trucks.

Truck Parking Facility, Heavy: Establishments catering solely to the parking needs of the trucking industry, and including parking facilities for heavy trucks for no more than one continuous week per vehicle.

Truck Tractor: A heavy motor vehicle consisting of a truck cab designed to tow semi-trailers.

Turf: Ground cover composed of one or more species of perennial grass that is grown as a permanent lawn.

Two-Family Dwelling: See under "dwelling."

Under-Canopy Sign: See under "Building Sign."

Understory Tree: Any deciduous or evergreen tree that has the potential to grow to a mature height of less than 40 feet (*Reference Landscape Plant Materials for Georgia* , Cooperative Extension Service, The University of Georgia College of Agriculture, Bulletin No. 625 or any similar publication.) Reference may also be made to the *Manual of Woody Landscape Plants* (Michael Dirr, 1983, Castle Books).

Use: The specific purpose for which land or a building is intended, arranged, designed or for which it may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

Used Merchandise Store: The use of a building or premises primarily for the retail sale of used merchandise or secondhand goods, such as used clothes, antiques, secondhand books or rare manuscripts, or items of architectural salvage, but not including used cars or other motorized vehicles. A pawn shop is a type of used merchandise store.

Utility Company: A private business providing electricity, natural gas, telephone, or other services under the regulation of the Georgia Public Services Commission.

Utility Company Substation: A facility used for the transmission or distribution of services provided by a utility company, such as an electrical transformer station, telephone junction box, cable television box or natural gas regulator station.

Utilities: All public and private, above or below ground, infrastructure systems providing water, stormwater, sewer, gas, telephone or cable television, and any other service controlled by the Georgia Public Services Commission.

Variance: A grant of relief from the requirements of this UDC which permits construction in a manner otherwise prohibited by this UDC.

Vegetation: All plant growth, such as trees, shrubs, mosses and grasses.

Vegetative Erosion and Sedimentation Control Practices: Practices for the stabilization of erodible or sediment-producing areas by covering the soil with:

- (1) Permanent seeding, sprigging or planting, producing long-term vegetative cover; or
- (2) Temporary seeding, producing short-term vegetative cover; or
- (3) Sodding, covering areas with a turf of perennial sod-forming grass.

Such practices can be found in the publication *Manual for Erosion and Sediment Control in Georgia* .

Vehicular Sign: Any sign placed, mounted, painted on or affixed to a motor vehicle, freight, flatbed or storage trailer or other conveyance when same are placed or parked in such a manner as to be viewed or intended to be viewed from the public right(s)-of-way except that this definition shall not apply when:

- (1) Such conveyances are actively being used to transport persons, goods or services in the normal course of business;
- (2) When such conveyances are parked in an inconspicuous area; or
- (3) When such conveyances are actively being used for storage of construction materials for, and on the same lot with a bona fide construction project for which building and other applicable permits have been issued and where construction is underway and provided said conveyances are located within designated storage areas.

Veterinarian: A hospital or clinic providing medical care and treatment for livestock or pets.

Walkway: A right-of-way within a block dedicated to public use, 10 feet or more in width, intended primarily for pedestrians and from which motor propelled vehicles are excluded.

Wall Sign: See under "Building Sign."

Warehouse: A building used primarily for the storage of goods and materials.

Watercourse: (1) Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater. (2) A channel in which a flow of water occurs, whether continuously or intermittently.

Watershed: The total area of land that is drained by a river or stream and its tributaries.

Water Supply Reservoir: A governmentally owned impoundment of water for the primary purpose of providing water to one or more governmentally owned drinking water systems. This definition specifically excludes the multipurpose reservoirs owned by the U.S. Army Corps of Engineers.

Water Supply Watershed: The area upstream of a governmentally owned public drinking water supply intake.

Waters of the State: All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies of accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof. See also "State Waters."

Wetlands: Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The ecological parameters for designating wetlands include hydric soils, hydrophytic vegetation, and hydrological conditions that involve a temporary or permanent source of water to cause soil saturation.

Wetlands, Jurisdictional: An area that meets the definitional requirements for wetlands as determined by the U.S. Army Corps of Engineers.

Wetlands, Protected: Those wetlands identified on the National Wetlands Inventory maps prepared by the U.S. Fish and Wildlife Service, or otherwise approved by the U.S. Army Corps of Engineers based on competent studies prepared by a registered and qualified professional engineer.

Window Sign: See under "Building Sign."

Wireless Facility: The equipment at a fixed location or locations in the public ROW that enables wireless services. The term does not include: (i) the support structure, Tower or Pole on, under, or within which the equipment is located or collocated; or (ii) coaxial, fiber-optic or other cabling that is between communications facilities or poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna. A small wireless facility is one type of a wireless facility.

Wireless Services: Any wireless services using licensed or unlicensed spectrum, whether at a fixed location or mobile, provided to the public.

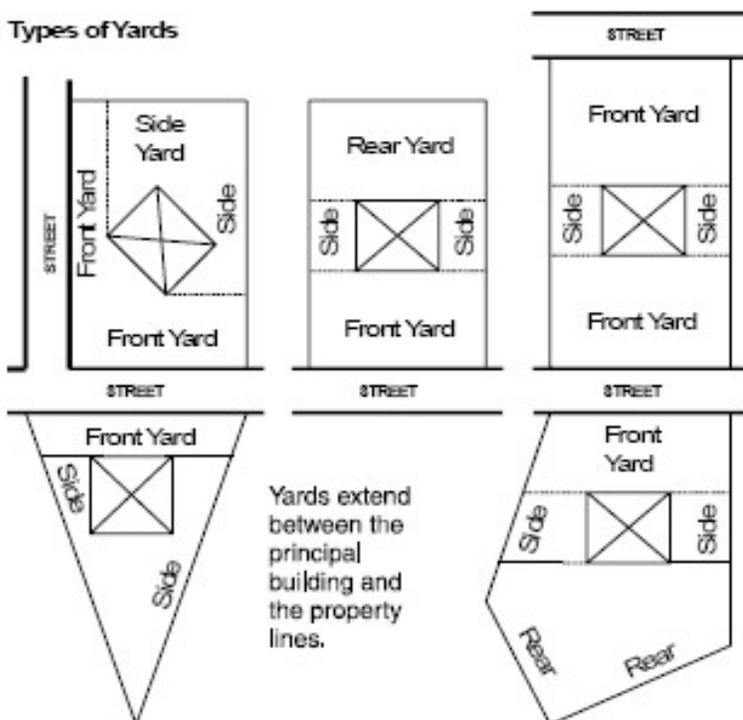
Wholesale Trade Establishment: A place of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

WSA: The Douglasville-Douglas County Water and Sewer Authority.

Yard: An area that lies between the principal building on a lot and the nearest lot line.

- (1) *Front Yard:* a yard extending the full width of the lot, located between the street line and the front line of a principal building, projected to the side lines of the lot.
- (2) *Rear Yard:* a yard extending the full width of the lot and situated between the rear lot line of the lot and the rear of a principal building projected to the side lines of the lot.
- (3) *Side Yard:* a yard located between the side of a principal building and the side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.
- (4) *Court Yard:* A yard that is semi-enclosed on two or more sides by the walls of a building or structure or the extension of such walls.

Types of Yards



Yard Sale: A one- or two-day sale of common household items from a residential lot or lots.

Yard Trimmings: Leaves, brush, grass, clippings, shrub and tree prunings, discarded Christmas trees, nursery and greenhouse vegetative residuals, and vegetative matter resulting from landscaping development and maintenance other than mining, agricultural, and silvacultural operations.

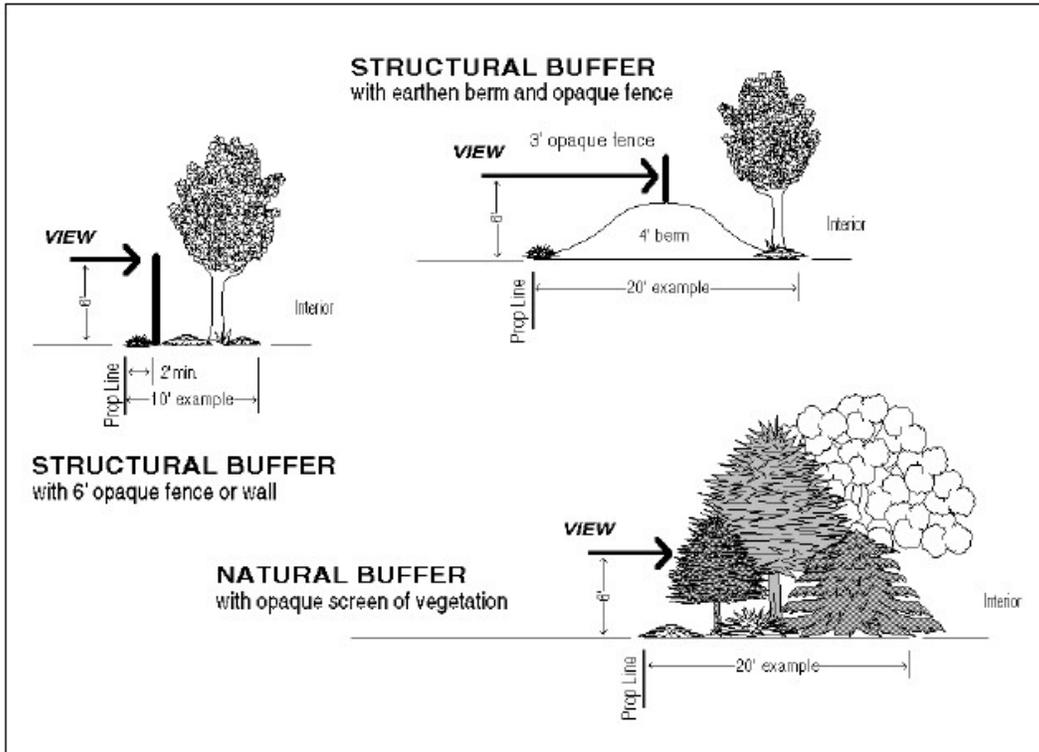
Zero Lot Line: The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line, such as "patio homes."



Zoning Buffer: An area of natural vegetation or man-made construction which is intended to provide a visual and dimensional separation between dissimilar land uses.

- (1) **Natural Buffer:** A visual screen created by vegetation of such density so as to present an opaque visual separation when viewed from one side to the other throughout the year.
- (2) **Structural Buffer:** A visual screen created through construction of a decorative masonry wall, earthen berm, or combination of a wall with an earthen berm, which may be supplemented with

vegetation, so as to present an opaque visual separation when viewed from one side to the other throughout the year.



Zoning Change: An amendment to the Zoning Map (rezoning), approval of a Special Use, or approval of a change in the conditions of approval associated with a rezoning or Special Use.