

City of Guyton, Georgia



**CITY COUNCIL MEETING  
September 8, 2020 at 7:00 p.m.**

**C.D. Dean, Jr., Public Safety Complex  
GUYTON GYMNASIUM  
505 Magnolia Street, Guyton, GA 31312**

**AGENDA**

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- 1. Call to Order**
- 2. Moment of Repose for Those Who Practice Some Other Faith**
- 3. Invocation**
- 4. Pledge of Allegiance**
- 5. Consideration to approve the Agenda**
- 6. Consideration to approve Minutes of Meetings**
  - a. August 11, 2020 Public Hearing – Notice of Property Tax Increase/Millage Rate
  - b. August 11, 2020 City Council Meeting
- 7. Reports from Staff or Committees**

City Manager – Bill Sawyer  
Historical Commission – Pearl Boynes  
Police Department – Chief James Breletic  
Public Works - EOM  
Fire Department- Chief Clint Hodges  
Health Department
- 8. Public Comments (will be limited to Agenda Items only)**
- 9. New Business**
  - a. Consideration to Adopt Ordinance Number 2020-08 – The City of Guyton to Amend and Restate the Zoning Ordinance and to Amend the Official Zoning Map of Guyton, Georgia
  - b. Consideration to Adopt Ordinance Number 2020-09 – The City of Guyton to Amend and Restate the Building Regulations

- c. Consideration to Adopt the City of Guyton to Amend and Restate the Subdivision Regulations
- d. Consideration to Adopt Ordinance Number 2020-12 – A Declaration of a State of Emergency Due to COVID-19; An Ordinance Taking Immediate Emergency Matters
- e. Consideration to Adopt Resolution Number R2020-06 – A Resolution by the Mayor and Council Members of the City of Guyton, Georgia to Authorize Submission of a FY 2021 Community Development Block Grant (CDBG) application to the Georgia Department of Community Affairs (DCA) for Funding under Title 1 of the Housing and Community Development Act of 1974, as Amended
- f. Consideration to Adopt Resolution Number R2020-07 – Fair Housing Resolution
- g. Consideration to Approve SPLOST Project – Crossgate Subdivision
- h. Consideration to Approve SPLOST Project – Guardrails
- i. Consideration to Approve SPLOST Project – Roundabout Light
- j. Consideration to Approve SPLOST Project – City of Guyton Gym
- k. Consideration to Approve CDBG Project – East Guyton Drainage
- l. Consideration to Approve CDBG Project – Housing Rehabilitation

**9. General Government**

City Hall is to resume normal business hours and is open to the public beginning Tuesday, September 8, 2020. Temperature checks will take place when you walk in the door at City Hall and you are required to wear a face mask when entering City Hall.

**10. Dates to Remember**

Tuesday, September 22, 2020 Planning and Zoning Committee Meeting at 7:00 p.m. located at C.D. Dean, Jr., Public Safety Complex, Guyton Gymnasium, 505 Magnolia Street, Guyton, GA 31312

Tuesday, October 8, 2020 City Council Workshop at 6:00 p.m. located at the C.D. Dean, Jr., Public Safety Complex, Guyton Gymnasium, 505 Magnolia Street, Guyton, GA 31312

- 11. Consideration to move from the Regular Meeting into an Executive Session reference personnel and litigation**
- 12. Consideration to take any action needed arising from Executive Session**
- 13. Public Comments (will be limited to Agenda Items only)**
- 14. Consideration to Adjourn this meeting**

CITY OF GUYTON  
STATE OF GEORGIA

ORDINANCE NUMBER 2020-08

AN ORDINANCE BY THE MAYOR AND COUNCIL FOR THE CITY OF GUYTON TO AMEND AND RESTATE THE CITY OF GUYTON, GEORGIA ZONING ORDINANCE AND TO AMEND THE OFFICIAL ZONING MAP OF GUYTON, GEORGIA; TO PROVIDE FOR NOTICE; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

WHEREAS, the duly elected governing authority of the City of Guyton, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government; and

WHEREAS, the duly elected governing authority of the City of Guyton, Georgia have the authority to amend the City of Guyton, Georgia Zoning Ordinance and The Official Zoning Map of Guyton, Georgia from time to time and where necessary to maintain adequate regulations; and

WHEREAS, the duly elected governing authority of the City of Guyton, Georgia have resolved to amend the City of Guyton, Georgia Zoning Ordinance and The Official Zoning Map of Guyton, Georgia;

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF GUYTON, GEORGIA in a regular meeting assembled and pursuant to lawful authority thereof, as follows:

- Section 1.** That the City of Guyton, Georgia Zoning Ordinance be amended and restated in its entirety to now read as stated on Exhibit A hereto, which is attached hereto, incorporated herein by reference as if set forth verbatim herein, and becomes part of this Ordinance.
- Section 2** That the City of Guyton, Georgia Zoning Ordinance be amended to reflect, adopt, and incorporate the zoning map titled “The Official Zoning Map of Guyton, Georgia”, which is accessible to the public for viewing at City of Guyton City Hall, is attached hereto as Exhibit B, is incorporated herein by reference as if set forth verbatim herein, and becomes part of this Ordinance. Upon adoption of this Ordinance, The Official Zoning Map of Guyton, Georgia will be maintained as a public record at City Hall.
- Section 3.** If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.
- Section 4.** This ordinance shall become effective immediately upon its adoption by the City Council.
- Section 5.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2020 by the duly elected governing authority of the City of Guyton, Georgia.

CITY OF GUYTON

\_\_\_\_\_  
Russ Deen, Mayor

ATTEST:

\_\_\_\_\_  
Tina L. Chadwick, City Clerk

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Mayor Pro Tem Michael Johnson

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Council Member Joseph Lee

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Council Member Hursula Pelote

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Council Member Marshall Reiser

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Bill Sawyer, City Manager



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## ARTICLE ONE

### Title

This ordinance shall be known and may be cited as "The City of Guyton, Georgia Zoning Ordinance."

## ARTICLE TWO

### Enactment, Purpose, Objectives, and Scope of Ordinance

#### Section 201 Enactment

Pursuant to the provisions of the Zoning Procedures Law, as codified in O.C.G.A. § 36-66-1 et seq., and in accordance with the authority granted by the Constitution of the State of Georgia as enacted by the Georgia General Assembly, the governing authority of the City of Guyton, Georgia, hereby ordains and enacts into law the City of Guyton, Georgia Zoning Ordinance. As part of this Ordinance so enacted into law is "The Official Zoning Map of Guyton, Georgia."

#### Section 202 Purpose

To provide for the best use of property promoting the health, safety, morals, convenience, order, prosperity, and general welfare of the people of Guyton.

#### Section 203 Objectives

These regulations are designed to:

- (1) Lessen congestion in the streets;
- (2) Secure safety from fire, panic, and other dangers;
- (3) Promote health and general welfare;
- (4) Provide adequate light and air;
- (5) Prevent overcrowding of the land and urban sprawl;
- (6) Avoid undue concentration of the population;
- (7) Facilitate the adequate provision of transportation, water, sewage, schools, parks, police, fire protection, and other public requirements;
- (8) Sustain the character of the city and its suitability for particular uses;
- (9) Promote desirable living conditions and stability of neighborhoods;
- (10) Protect property from blight and depreciation;
- (11) Secure economy in governmental expenditures;
- (12) Conserve the value of buildings and land;
- (13) Channel the most appropriate use of land and buildings throughout the city; and
- (14) For other purposes.

#### Section 204 Scope

An ordinance of the City of Guyton, Georgia regulating the location, height, bulk, number of stories and size of buildings and other structures; the percentage of lot which may be occupied; the sizes of yards and other open spaces; the density and distribution of population; and the uses of buildings; structures and lands for trade, industry, residence, recreation, conservation, water supply, sanitation, public safety, public activities, preservation of scenic areas, protection against floods, rising waters and erosion, and

other purposes; creating districts for said purposes and establishing the boundaries thereof; defining certain terms used herein; providing for the method of administration, appeal and amendment and duties; providing penalties for violation; and for other purposes.

## ARTICLE THREE

### General Provisions

#### Section 301 All Structures Must Conform to Ordinance

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

#### Section 302 Access to Public Street Required

No building shall be constructed or erected upon a lot, or parcel of land, which does not abut upon a public street or permanent easement of access to a public street, which easement shall have a minimum width of twenty-five (25) feet, unless an easement of lesser width was of record prior to the adoption of this ordinance.

#### Section 303 Projects Under Construction Not Affected

Nothing in this ordinance shall be deemed to require any change in the plans, construction, or designated use of any building upon which actual construction was lawfully begun prior to the adoption of this ordinance and upon which building actual construction has been diligently carried on, and provided further, that such building shall be completed within two (2) years from the date of passage and publication of this ordinance.

#### Section 304 Zoning Designation of Annexed Areas

Any area annexed to the City shall upon such annexation be automatically zoned R-1, Single Family Residential District, and shall be subject to all restrictions applicable in such districts, unless the ordinance annexing such area specifically designates a different land use district and, further, provided that the procedures established for zoning ordinance amendments herein have been followed.

#### Section 305 Public Utilities Allowed in All Districts

Unless otherwise stated by this ordinance, the following public utility uses shall be permitted within easements or dedicated public rights-of-way in any district: poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves, and any other similar transmission and distribution equipment (but not including distribution centers and substations), provided that the installation thereof shall conform with the rules and regulations of the applicable administrative authorities.

## ARTICLE FOUR

### Interpretation of Terms and Definitions

#### Section 401 Interpretation of Terms

For the purpose of this ordinance, the following definitions shall apply:

- (1) Words used in the singular shall include the plural, and the plural shall include the singular;
- (2) Words used in the present tense shall include the future tense and the past tense;
- (3) The word "shall" is mandatory and not discretionary;
- (4) The word "may" is discretionary;
- (5) The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for";
- (6) Words not defined herein shall be construed to have the meaning given by common and ordinary use.

Definitions:

- (1) AIRPORT shall mean those publicly owned airports.
- (2) AIRPORT HAZARD shall mean any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport, or which otherwise is hazardous to such landing or taking off of aircraft.
- (3) ACCESSORY BUILDING. A building customarily incidental and subordinate to the main buildings.
- (4) ACCESSORY USE. A use customarily incidental, appropriate and subordinate to the principal use of land or buildings located upon the same premises.
- (5) ADVERTISING SIGN OR STRUCTURE. Any cloth, card, paper, metal, painted, glass, wooden, plastic, plaster, stone sign or other sign, device, or structure of any character whatsoever, including statuary, placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building or structure. The term "placed" shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing, or making visible in any manner whatsoever. The area of an advertising structure other than a sign shall be determined as the area of the largest cross-section of the structure. Neither directional, warning, nor other signs posted by public officials in the course of their public duties nor merchandise or material being offered for sale, shall be construed as advertising signs for the purpose of this definition.
- (6) ADVERTISING SIGN, OUTDOOR (BILLBOARD). A sign which directs attention to a profession, business, commodity, service, or entertainment other than one conducted, sold, or offered upon the premises where such sign is located, or on the building to which such sign is affixed.
- (7) ALLEY. A minor right-of-way dedicated to public use which affords only a secondary means of vehicular access to the back or side of properties otherwise abutting on a street and which may be used for public utility purposes.
- (8) APARTMENT. A building designed for or occupied by four (4) or more families with separate housekeeping facilities for each family, including apartment houses, apartments and flats, efficiency apartments, and studio apartments, but not including boarding homes, hotels, or motels.
- (9) AUTOMOBILE SALES AND SERVICE GARAGE. Means a building or lot, or both, in or upon which the business of general motor vehicle sales, repair and service is conducted, but excluding a junk or auto wrecking business.
- (10) BOARDING HOUSE. A dwelling other than a hotel where, for compensation and by prearrangement for definite periods, meals or lodging and meals are provided for two (2) or more persons.



- (11) **BUILDABLE AREA OF LOT.** The buildable area of a lot is the space remaining after the minimum open space requirements of this ordinance have been met.
- (12) **BUILDING.** Any structure having a roof supported by columns or by walls and intended for shelter, housing, or enclosure of persons, animals, or personal property.
- (13) **BUILDING HEIGHT.** The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or the deck line of a mansard roof, or to the average highest point of roof line.
- (14) **BUILDING OFFICIAL OR BUILDING INSPECTOR.** Any person hired by the City of Guyton or employee or employees of the City of Guyton designated to inspect, determine compliance with, and render decisions concerning the compliance of structures, lots, and construction within the City of Guyton to the ordinances of the City.
- (15) **BUILDING, PRINCIPAL.** A building in which there is conducted the principal use of the lot on which said building is situated (see also accessory building).
- (16) **BUILDING SETBACK LINE.** A line establishing the minimum allowable distance between the front of the structure and the front property right-of-way line when measured perpendicularly thereto. The term "building line", where used in this ordinance, shall be synonymous with the term "building setback line."
- (17) **BUILDING SITE.** A single parcel of land under one ownership, occupied or intended to be occupied by a building or structure.
- (18) **BUSINESS SERVICES.** Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, including employment services, banking, advertising, management and consulting services, and equipment rental.
- (19) **CENTER LINE OF STREET.** The line surveyed and monumented by the City of Guyton or the Georgia Department of Transportation or if a center line has not been surveyed and monumented, it shall be that line running midway between the outside curbs or ditches of the street.
- (20) **CLUB.** Building and facilities owned or operated by a corporation, association, person, or persons for a social, educational, or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.
- (21) **CONDOMINIUM (BUILDING).** A building containing three (3) or more individually owned dwelling units and related, jointly-owned, common areas as defined by the laws of the State of Georgia.
- (22) **CONSTRUCTION.** For the purpose of Section 303, construction begins when a building permit is issued.
- (23) **CURB CUT.** Any interruption or break in the line of a street for the purpose of connecting a driveway to a street, or otherwise to provide vehicular access to abutting property.
- (24) **DAY CARE CENTER OR KINDERGARTEN.** Any place used for the daytime care or education of five (5) or more children under seventeen (17) years of age where the children's parents or guardians are not residents of the premises.

- (25) DWELLING. A building or portion thereof that provides living facilities for one or more families, including one-family, two-family and other multiple-family dwellings, but not including hotels and boarding houses.
- (26) DWELLING, SINGLE FAMILY. A detached building designed exclusively for occupancy by one (1) family.
- (27) DWELLING, MULTIFAMILY. A structure designed for the occupancy of two (2) or more families with separate housekeeping facilities for each family.
- (28) DWELLING UNIT. One or more rooms in a dwelling, apartment, boarding house, hotel or motel, designed primarily for occupancy by one family for living or sleeping purposes.
- (29) FAMILY. One or more persons occupying a dwelling unit, living as a single, nonprofit housekeeping unit, provided that a group of four or more persons who are not within the second degree of kinship shall not be deemed to constitute a family.

Notwithstanding the definition in the preceding paragraph, a family shall be deemed to include four or more persons not within the second degree of kinship occupying a dwelling unit and living as a single, nonprofit housekeeping unit, if said occupants have a disability recognized by the Americans with Disabilities Act, 42 U.S.C. Section 12101 et seq., and the Fair Housing Act, 42 U.S.C. Section 3601 et seq.,. Such unrelated individuals shall have the right to occupy a dwelling unit in the same manner and to the same extent as any family unit as defined in the first paragraph of this definition, except as would constitute a direct threat to the health and safety of the occupants or other individuals.

- (29) GAS STATION. A structure designated or used for the retail sale or supply of fuel, lubricants, air, water, and other operating commodities of motor vehicles and including the customary spacing and facilities for the installation of such commodities on, or in, such vehicles-but not including space or facilities or the storage, painting, repair, refinishing, body work, or other servicing of motor vehicles.
- (30) HOME BUSINESS OFFICE. An office within a dwelling which is secondary to the use of the structure for dwelling purposes. The office may be for the purposes of service or trade workers who customarily work at various locations, such as electricians, plumbers, appraisers, or individuals who work at home, such as writers or computer programmers. Home business offices are not offices for on-site customer servicing. Customers are prohibited from visiting the office and there may be no signs indicating the presence of such office on the premises.
- (31) HOME OCCUPATION. Any occupation or profession carried on by the inhabitants which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, which does not change the character thereof, and which is conducted entirely within the main or accessory buildings, provided that no trading in merchandise is carried on and in connection with which there is no display of merchandise or sign other than one non-illuminated nameplate not more than two square feet in area attached to the main or accessory building and no mechanical equipment is used or activity is conducted which creates any dust, noise, odor, or electrical disturbance beyond the confines of the lot on which said occupation is conducted.



- (32) HOTEL OR MOTEL. A building or group of buildings under one ownership containing sleeping rooms occupied, intended or designed to be occupied, as the more or less temporary abiding place of persons who are lodged with or without meals for compensation but not including an auto or trailer court or camp, sanitarium, hospital, asylum, orphanage, or building where persons are housed under restraint. Hotel and motel include tourist homes and bed and breakfasts.
- (33) INSTITUTION. A building occupied by a non-profit organization or corporation or a non-profit establishment for public or semi-public use.
- (34) JUNK YARD. An open area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber tires, and bottles. A "junk yard" includes automobile wrecking yards and includes any area for storage, keeping, or abandonment of junk but does not include uses established entirely within enclosed buildings.
- (35) LOADING SPACE, OFF-STREET. Space logically and conveniently located for pickups and deliveries scaled to delivery vehicles expected to be used and accessible to such vehicles.
- (36) LOT. A parcel or plot of land of varying size which is designated as a single unit of property and which is intended to be occupied by one building, or group of buildings, and its accessory buildings and uses as required by this ordinance.
- (a) LOT AREA. The total area included within lot lines.
- (b) LOT, CORNER. A lot situated at the intersection of two (2) or more streets.
- (c) LOT COVERAGE. The percentage of lot area covered by principal and accessory buildings and structures.
- (d) LOT, DOUBLE FRONTAGE. A lot, other than a corner lot, which has frontage on more than one street other than an alley.
- (e) LOT DEPTH. The mean distance between front and rear lot lines.
- (f) LOT FRONTAGE. The linear distance a lot or parcel abuts a public street or permanent easement from beginning to end at any one point. For lots that front a street at more than one point, this distance shall not be construed as a cumulative amount.
- (g) LOT LINES. Lines forming the boundaries of a lot as defined above.
- (h) LOT WIDTH. Distance between the side boundaries of the lot measured at the front yard setback line.
- (36) LOT OF RECORD. A lot which is part of a subdivision, a plat of which has been legally recorded in the records of the Clerk of Effingham County Superior Court, or a parcel of land, the deed of which has been legally recorded in the same office as of the effective date of this ordinance.
- (37) MANUFACTURED HOUSING. A factory-built, single-family structure that is manufactured under the authority of 42 U.S.C. S5401, the National Manufactured Home Construction and Safety Standards Act, is transportable in one or more sections, is built on a permanent chassis, and is designed to be used as a place of human habitation with or without a permanent foundation when connected to the required utilities. It is not constructed with a permanent hitch or other device allowing transportation of the unit other than for the purpose of delivery to a

- permanent site, and which does not have wheels or axles permanently attached to its body or frame.
- (38) **MOBILE HOME.** A transportable factory-built home, designed to be used as a year-round residential dwelling and built prior to the enactment of the Federal Manufactured Housing Construction and Safety Standards Act of 1974, which became effective June 15, 1976. Mobile Homes are not permitted uses in any district.
  - (39) **MODULAR HOME.** A factory fabricated transportable building consisting of units designed to be incorporated at a building site on a permanent foundation into a permanent structure to be used for residential purposes and which bears a seal of compliance with regulations of the Southern Building Code Congress International (SBCCI). For the purposes of this ordinance, modular home shall be construed to be a single-family dwelling.
  - (40) **MANUFACTURED HOUSING PARK.** A parcel of land which is used or intended to be used for the rental or lease of spaces, stands, or manufactured houses and the provision of services for two (2) or more manufactured houses.
  - (41) **MANUFACTURED HOUSING SPACE, STAND.** A plot of ground within a manufactured housing park designed for the accommodation of one manufactured house for rent or lease and not to be bought or sold individually.
  - (42) **NON-CONFORMING USE.** Any building structure or use of land or building lawfully existing at the effective date of this Ordinance, which does not conform with the provisions of this ordinance or amendments thereto.
  - (43) **NURSING HOME.** A home for aged or ill persons in which three (3) or more persons not of the immediate family are provided with food, shelter, and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to diagnosis and treatment.
  - (44) **PERSONAL PROPERTY.** Any property which is not real property.
  - (45) **PHYSICAL CONSTRUCTION.** Permanent emplacement of structural components.
  - (46) **PLANNING AND ZONING COMMISSION ADMINISTRATOR.** Shall be the City Manager or other designee of the City Council.
  - (47) **PUBLIC UTILITY.** Any person, firm, or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state, or municipal regulations to the public: natural gas, steam, electricity or other energy sources, water, sewage disposal, communication, including cable TV.
  - (48) **RIGHT-OF-WAY LINE.** The outside boundaries of a high right-of-way, whether such right-of-way be established by usage, dedication or by the official right-of-way.
  - (49) **SIGN.** Means any structure or part thereof or device attached thereto or painted or represented thereon or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, word, model, banner, emblem, insignia, device, trademark or other representation used as or in the nature of an announcement, advertisement, directory or designation of any person, group, organization, place, commodity, product, service, business, profession, enterprise or industry, which is located upon any land or any building or upon a window. The flag, emblem or other insignia of a nation, governmental unit or educational, charitable or religious group shall not be included within the meaning of this

definition. For the purpose of this chapter, sign types shall be identified as follows:

- (a) **BUS STOP BENCH SIGN.** Any sign not exceeding 22 square feet printed or fixed on a bench or seat located at a bus stop as designated by the local Area Transit Authority or the applicable Board of Public Education.
- (b) **TEMPORARY SIGN.** A display, informational sign, banner or other advertisement device with or without a structural frame, not permanently attached to a building, structure or the ground and intended for a limited period of display, including real estate signs, accessory temporary window or display case signs, and decorative displays for holidays or public demonstrations.
- (c) **FREESTANDING SIGN.** A sign supported by one or more upright poles, columns or braces placed in or upon the ground surface, and not attached to any building or structure.
- (d) **ILLUSTRATED SIGN.** A sign illuminated directly or indirectly by gas, electricity or other artificial light, including reflective or fluorescent light.
- (e) **CANOPY SIGN.** A sign attached or applied to or below a canopy, awning or other roof-like structure.
- (f) **DOUBLE FACED SIGN.** A sign more than one side of which is visible. A "V" sign shall be considered a double-faced sign providing the least angle of intersection does not exceed 90 degrees.
- (g) **PORTABLE SIGN.** A freestanding sign, with or without wheels, not permanently anchored or secured to either a building or to the ground.
- (h) **PROJECTING SIGN.** A double-faced sign end-mounted to an exterior wall of a building or structure and which projects out from the wall.
- (i) **ROOF-MOUNTED SIGN** means a sign erected wholly upon or above a roof of any building. Such signs shall not extend above the peak of the roof, nor shall any sign attached to the facade of a building extend more than four feet above the roofline or parapet.
- (j) **SIGN-FACED SIGN.** A sign only one side of which is visible.
- (k) **MARQUEE SIGN.** A sign with a changeable message board announcing an attraction or event or other information.
- (l) **WALL SIGN.** Any sign that is affixed to the wall or printed on the wall of any building. Any sign that is affixed to the face of a building marquee, building awning or building canopy shall be considered a wall sign.
- (50) **SPECIAL PERMIT USE.** A special permit use is that activity or use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in zoning districts as special permit uses, if specific provision for such special permit uses are made in this zoning ordinance. This is not to be confused with a **VARIANCE**. A permit for a special permit use runs with the land, i.e., goes with the property, not the property owner.
- (51) **STREET.** Any public or private thoroughfare which affords the principal means of access to abutting property.

- (52) STREET, INTERSECTING. Any street which joins another street at an angle, whether or not it crosses the other.
- (53) 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 be no floor above it, then the space between the floor and the ceiling.
- (54) STRUCTURE. Anything constructed or erected, the use of which requires location on the ground or attached to something having a location on the ground.
- (55) SUBDIVISION. The division of a parcel or tract of land into two or more lots for immediate or future use.
- (56) TOWNHOUSE. A building containing two or more attached, individually owned dwelling units with no related common areas.
- (57) TRAVEL TRAILER. Any single-family structure ordinarily towed by a motor vehicle or self-propelled and being no longer than thirty-six (36) feet, having a water closet toilet.
- (58) YARD. An open space on the same lot with a principal building, unoccupied, and unobstructed by buildings or structures from ground upward, except as otherwise provided in this ordinance.
  - (a) YARD, FRONT. An open, unoccupied space on the same lot with a principal building, extending the full width of the lot, and situated between the street right-of-way and the front line of the building projected to the side lines of the lot.
  - (b) YARD, SIDE. An open, unoccupied space on the same lot with the principal building, situated between the 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.
  - (c) YARD, REAR. An open, unoccupied space on the same lot with a principal building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot.
- (59) VARIANCE. A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the ordinance would result in unnecessary undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of structure, for size of yards and open spaces and for any rule or regulation herein involving distance, area, height, or any other dimension, to include by way of example but not limited to setback distances for buildings, distances of curb cuts from corners, etc.; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district. This is not to be confused with a SPECIAL PERMIT USE.

## ARTICLE FIVE

### Establishment of Land Use Districts and Interpretation of Land Use District Boundaries

#### Section 501 Establishment of Land Use Districts

For the purposes of these regulations, Guyton, Georgia is divided into the following land use districts:

- R-1 Single Family Residential
- R-2 Low Density Multifamily Residential
- R-3 Medium and High Density Multifamily Residential
- R-4 Single Family Residential
- M-H Manufactured Housing
- R-5 Town House
- PD Planned Development
- MU Mixed Use
- C-1 Central Business
- C-2 Highway Commercial
- C-3 Office - Apartment
- I-L Light Industrial
- I-G General Industrial
- I-A Airport Industrial
- CP Conservation-Preservation
- WD Waste Disposal

Section 502 Interpretation of Land Use District Boundaries

When uncertainty exists with respect to boundaries of any land use districts as shown on the official Zoning Map of the City, the following rules shall apply:

- (1) Where district boundaries are indicated as approximately following street or highway center lines, or street or highway right-of-way lines, said boundaries shall be construed as following such lines;
- (2) Where district boundaries are indicated as approximately following lot lines, said boundaries shall be construed as following such lines;
- (3) Where district boundaries are indicated as being approximately parallel to the center lines or right-of-way lines of streets, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto at the scaled distance indicated on the official Zoning Map;
- (4) All streets, alleys, and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such alleys, streets, or railroad right-of-way. Where the center line of a street, alley or railroad right-of-way serves as a district boundary the zoning of such street, alley, or railroad right-of-way, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line;
- (5) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- (6) It is the policy of the City that all fresh water marsh areas fall within the Conservation-Preservation Land Use District (CP). Where a boundary is indicated as following such fresh water area the boundary line shall be construed as following the actual limits of said fresh water marsh.

**ARTICLE SIX**

Intent of Land Use Districts and Specific Land Use District Regulation



Except as otherwise provided herein, the regulations set by this ordinance within each district shall be minimum regulations and shall apply uniformly, and to each class or kind of structure or land.

## Section 601 R-1, Single Family Residential District

### District Intent

This is the most restrictive residential district. The principal use of land is for single-family dwellings and related recreational, religious and educational facilities needed to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the single-family residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.

### A. Uses Permitted

The following uses shall be permitted in the R-1, Single Family Residential District:

- (1) Single family residences (must meet the requirements in D below) ;
- (2) Parks or playgrounds;
- (3) Country clubs, golf courses;
- (4) General purpose or gardening, but not the keeping of poultry or non-domestic animals;
- (5) Accessory buildings and structures; and
- (6) Home business offices.

### B. Special Permit Uses

The following uses may be permitted in accordance with the provisions contained in Article Ten, and if additional conditions which may be required are met:

- (1) Public and private schools;
- (2) Public buildings and utilities;
- (3) Churches, synagogues, temples, mosques or other places of worship provided that such use is housed in a permanent structure, and no structure on the lot is closer than 25 feet from any residential property line;
- (4) Day care centers or kindergartens;
- (5) General purpose farm or garden that includes the keeping of poultry or non-domestic animals; and
- (6) Home occupations and Home Business Offices provided that the conditions set forth in in this Ordinance, including within Section 707, are met.

### C. Area Regulation

Unless otherwise specified in this ordinance, uses permitted in R-1, Single Family Residential Districts shall conform to the following requirements:

- (1) Minimum lot area: 10,000 square feet;

- (2) Minimum lot width at building line: 75 feet;
- (3) Minimum front yard setback from street: 25 feet;
- (4) Minimum side yard, setback from street: 25 feet; setback from other property line: 15 feet;
- (5) Minimum rear yard, setback from street: 25 feet; setback from other property line: 15 feet;
- (6) Maximum percentage of lot coverage: 30%;
- (7) Maximum building height: 35 feet.

D. Single-Family Residential Standards

All single-Family Residences, whether site built or manufactured housing, must meet the following standards in the R-1 District:

- (1) All structures including the primary structure and accessory structures shall be constructed with a pitched roof having a pitch of 3 in 12 or greater;
- (2) The roof shall be covered with asphalt composition shingles, 5-V metal roofing, or tile materials. Corrugated metal or plastic panels are prohibited;
- (3) The exterior wall shall be material similar to traditional site-built housing. These materials may include clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles, shakes, stucco, brick, brick veneer, concrete block, or similar material: but shall not include smooth, ribbed or corrugated metal or plastic panels;
- (4) The minimum horizontal dimension of the structure as installed on the site shall be 24 feet;
- (5) The minimum floor area shall be 1200 square feet;
- (6) All principal structures shall be placed on a permanent foundation. For the purposes of this section, a permanent foundation shall mean a concrete slab, concrete footers, foundation wall, pilings or post construction, which complies with the County Building Code;
- (7) In no case shall wheels, chassis, any undercarriage or transporter unit be left on any structure;
- (8) All units must meet wind-loading requirements of Federal Emergency Management Administrator and the SBCCI Codes.

Section 602 R-2 Residential District

District Intent

This residential district is created to provide low density multifamily residential dwellings, primarily in the form of two and three dwelling unit structures. Single family and other permitted uses allowed in the R-1 district are also permitted. Persons residing in this district are entitled to protection from other types of uses which are detrimental to the residential characteristics of the district. The regulations which apply to this district are designed to encourage the formation and continuance of a stable, healthy living environment for its residents.

A. Uses Permitted

The following uses shall be permitted in the R-2 Residential District:

- (1) Any use permitted in the R-1, Single-Family Residential District, except that single-family residences are not required to meet the standard listed in Section 601(D)(5) of this Ordinance.
- (2) Two-family dwellings (duplex) ;
- (3) Three family dwellings (triplex) ;
- (4) Boarding houses (not to exceed four units); and
- (5) Accessory uses and structures.

**B. Special Permit Uses**

The following uses may be permitted in accordance with the provisions contained in Article Ten, and if additional conditions which may be required are met:

- (1) Any special use permitted in the R-1, Single-Family Residential District; and
- (2) Nursing homes.

**C. Area Regulations**

Unless otherwise specified in this ordinance, uses permitted in R-2 Residential District shall conform to the following requirements:

- (1) Minimum Lot areas:
  - (a) Single family dwellings: 10,000 square feet;
  - (b) Two and three family dwellings: 10,000 square feet for the first two units, 4,000 square feet for each additional unit;
  - (c) Boarding houses: 10,000 square feet for the first three units plus 4,000 square feet for each additional unit.
- (2) Minimum lot width at building line: 70 feet;
- (3) Minimum front yard setback from street: 25 feet;
- (4) Minimum side yard, setback from street: 25 feet; setback from other property line: 10 feet ;
- (5) Minimum rear yard, setback from street: 25 feet; setback from other property line: 15 feet;
- (6) Maximum percentage of lot coverage: 35%;
- (7) Maximum building height: 35 feet;
- (8) Minimum dwelling unit size (heated area):
  - (a) Single family dwellings: 600 square feet;
  - (b) Two and three family dwellings: 600 square feet per unit;
  - (c) Boarding houses: none.

**Section 603 R-3, Medium and High Density Multifamily Residential District**

**District Intent**

To provide for development of condominium dwelling units and medium to high density residential developments. This district's regulations are designed to encourage the formation and continuance of a stable and healthy residential environment while discouraging the encroachment of uses capable of adversely affecting the district's character.



A. Uses Permitted

The following uses shall be permitted in the R-3, Medium and High Density Multifamily Residential District:

- (1) All uses permitted in the R-1, Single Family Residential, and R-2 Residential Districts except that single family residences are not required to meet the standard listed in Section 601(D)(5);
- (2) Multiple family dwellings and apartments;
- (3) Single family condominium dwellings; and
- (4) Accessory uses and structures.

B. Special Permit Use

The following uses may be permitted in accordance with the provisions contained in Article Ten, and if additional conditions which may be required are met:

- (1) Any special use permitted in the R-1, Single Family Residential District or R-2, Low Density Multifamily Residential District.

C. Area Regulations

Unless otherwise specified in this ordinance, uses permitted in the R-3, Medium and High Density Multifamily Residential District shall conform to the following requirements:

- (1) Minimum lot area:
  - (a) Single family detached dwellings: 10,000 square feet;
  - (b) Two and three family dwellings: 10,000 square feet for the first two units and 4,000 square feet for each additional unit;
  - (c) Condominiums and multifamily dwellings of more than three units: 8,000 square feet for the first two units; plus 2,000 square feet for each additional unit;
- (2) Minimum lot width at building line: 16 feet for condominium dwellings; 70 feet for all other uses;
- (3) Minimum front yard setback from street: 25 feet;
- (4) Minimum side yard, setback from street: 25 feet; setback from other property line: 1.0 feet; provided that for condominium dwellings which are not end units and have 0 feet side yards on each side adjoining another unit.
- (5) Minimum rear yard, setback from street: 25 feet; setback from other property line: 15 feet;
- (6) Maximum percentage of lot coverage: 55% for condominiums; 35% for all other permitted uses;
- (7) Maximum building height: 45 feet;
- (8) Minimum dwelling unit size:
  - (a) Single family dwellings, and condominium dwellings: 300 square feet;
  - (b) Two and three family dwellings: 600 square feet per unit;

- (c) Multi-family dwelling of more than three units: 600 square feet for the first six (6) units; 500 square feet per unit in addition to the first twelve (12) units.

Section 604 R-4 Single Family Residential District

District Intent

The intent of this district is to provide distinct areas within the city where single family dwellings are allowed by right and single-family manufactured housing are allowed on a special permit use basis. It is intended that R-4 land use districts be limited to those areas of the city where manufactured homes and single-family dwellings have historically existed together but where single-family dwellings are the dominant housing type.

A. Uses Permitted

The following uses shall be permitted in the R-4, single Family Residential District:

- (1) Single family dwellings; except that single family residences are not required to meet the standard listed in Section 601(D)(5);
- (2) Parks and playgrounds;
- (3) Country clubs and golf courses;
- (4) General purpose farm or garden, but not the keeping of poultry or non-domestic animals;
- (5) Accessory uses and structures; and
- (6) Home business offices.

B. Special Permit Uses

The following uses may be permitted in accordance with the provisions contained in Article Ten, and if any additional conditions which may be required are met:

- (1) Manufactured houses on individual lots;
- (2) Public and private schools;
- (3) Public buildings and utilities;
- (4) Churches ;
- (5) Day care centers and kindergartens;
- (6) Clubs, lodges, or fraternal organizations;
- (7) General purpose farm or garden that includes the keeping of poultry or non-domestic animals;
- (8) Home occupation.

C. Area Regulations

Unless otherwise specified in this ordinance, uses permitted in the R-4, Single Family Residential District shall conform to the following requirements:

- (1) Minimum lot area: 10,000 square feet;
- (2) Minimum lot width at the building line: 75 feet;
- (3) Minimum front yard setback from street: 25 feet;
- (4) Minimum side yard, setback from street: 25 feet, setback from other property line: 10 feet;

- (5) Minimum rear yard, setback from street: 25 feet; setback from other property line: 15 feet;
- (6) Maximum percentage of lot coverage: 30%;
- (7) Maximum building height: 35 feet.

Section 605 R-5, Townhouse Dwelling District

District Intent

To provide for the development of townhouse dwelling units at a medium density so as to provide for the amenities of open space and recreational potentials essential to family living. This district provides a choice of housing types in the community where such dwellings would be compatible with existing development.

A. Uses Permitted

The following uses shall be permitted in the R-5, Townhouse Dwelling District:

- (1) All uses permitted in the R-1 Single Family Residential District;
- (2) Townhouse Dwelling; and
- (3) Accessory uses and structures.

B. Special Permit Uses

The following uses may be permitted in accordance with the provisions contained in Article Ten, and if additional conditions which may be required are met:

- (1) Any special use permitted in the R-1, Single Family Residential District.

C. Area Regulations

Unless otherwise specified in this ordinance, uses permitted in the R-5 Townhouse Dwelling District shall conform with the following requirements:

- (1) Minimum lot area:
  - (a) Single family detached dwellings: 10,000 square feet;
  - (b) Single family townhouses: Not more than 16 townhouses per acre of land, each townhouse development containing at least one acre of land
- (2) Minimum lot width at building line: 16 feet for single family townhouses; 70 feet for all other uses;
- (3) Minimum front yard setback for street: 25 feet;
- (4) Minimum side yard, setback from street: 25 feet; setback from other property line: 10 feet, provided, that townhouse dwellings which are not end units may have 0 feet said yards on each side adjoining another unit;
- (5) Minimum rear yard, setback from street: 25 feet; setback from other property line: 15 feet;
- (6) Maximum percentage of lot coverage: 55% for single family townhouses; 35% for all other permitted uses;
- (7) Maximum building height: 35 feet;
- (8) Minimum dwelling unit size: 800 square feet.

Section 606 MH Manufactured Housing District