



ZONING ORDINANCE  
CITY OF CONCORD, GEORGIA

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ZONING REGULATIONS**

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AN ORDINANCE REGULATING WITHIN THE GOVERNING AUTHORITY THE LOCATION; HEIGHT; BULK; NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES; THE SIZES OF YARDS, COURTS, AND OTHER OPEN SPACES; THE DENSITY AND DISTRIBUTION OF POPULATION; AND THE USES OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCE, RECREATION, AGRICULTURE, FORESTRY, CONSERVATION, SANITATION, PROTECTION AGAINST FLOODS, PUBLIC ACTIVITIES, AND OTHER PURPOSES; CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES

THEREOF; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT; DEFINING THE POWERS AND DUTIES OF THE BOARD OF APPEALS; PROVIDING PENALTIES FOR VIOLATIONS, REPEALING CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.

**SECTION 1**  
**ENACTMENT, SHORT TITLE, JURISDICTION, PURPOSE**

- 1-1 Enactment Clause. The power of a local government to enact an ordinance such as this, which is intended to protect the public health, safety, and welfare, is provided by the Home Rule provisions of the Constitution and Laws of the State of Georgia.
- 1-2 Short Title. These regulations shall be known and may be cited as the "Zoning Ordinance of Concord, Georgia."
- 1-3 Jurisdiction. These regulations shall govern the use of all land and the developments thereof within the incorporated areas of Concord.
- 1-4 Purpose. The purpose of these regulations shall be to promote the proper location, height, bulk, number of stories, and size of buildings and other structures, the sizes of yards, courts, and the use of buildings, structures, and land for trade, industry, residence, recreation, agriculture, forestry, conservation, sanitation, protection against floods, public activities, and other purposes in accordance with a comprehensive plan for Concord so as to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to prevent urban sprawl; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to promote desirable living conditions and the sustained stability of neighborhoods; to protect property against blight and depreciation; to secure economy in governmental expenditures; to conserve the value of buildings and to encourage the most appropriate use of land, buildings, and structures throughout Concord, and for other purposes.

## SECTION 2 DEFINITIONS

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

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

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

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

The word "building" includes the word "structure".

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

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

- 2-2 Accessory Building. A detached, subordinate structure, the use of which is clearly incidental to, customarily associated with, and related to the principal structure or use of the land, and which is located on the same lot as the principal structure or use.
- 2-3 Administrator, Zoning. The person, officer, or official and his authorized representative, whom the Governing Authority has designated as its agent for the administration of these regulations. (See Section 10-1).
- 2-4 Agriculture. Agriculture shall be considered to mean the raising of soil crops and livestock in a customary manner on tracts of land at least three acres in size and shall include all associated activities. Retail selling products raised on the premises shall be considered a permissible activity provided that space necessary for the parking of customers' vehicles shall be provided off the public right-of-way.
- 2-5 Boarding or Rooming House. A building dedicated to the lodging or feeding or both, of three or more non-transient persons or separate families as defined herein for compensation.
- 2-6 Building. Any structure which has a roof and which is for the shelter, support or enclosure of persons, animals, or property of any kind.
- 2-7 Building Height. The vertical distance of a building measured from the average elevation of the finished lot grade along the front of the building to the highest point of the building.

- 2-8 Club, or Lodge, Private. An incorporated or unincorporated association for civic, social, cultural, religious, fraternal, literary, political, recreational, or like activities, operated for the benefit of its members and not open to the general public.
- 2-9 Care Home. An orphanage, rest home, nursing home, convalescent home, boarding home for the aged, or similar use established to render domiciliary care, but not including facilities for the care of mental patients, epileptics, alcoholics, drug addicts, and not including nursery schools.
- 2-10 Church or other place of Worship. A building either used for or intended to be used for public worship including temples, synagogues and related Sunday School or Church School facilities.
- 2-11 Curb Cut. The providing of vehicular ingress and/or egress between property and an abutting public street.
- 2-12 Dwelling, Single Family. A detached building used and either designed or constructed for one dwelling unit.
- 2-13 Dwelling, Multi-Family. A building either designed, constructed, altered, or used for more than two adjoining dwelling units, with each dwelling unit having a party wall or party floor-ceiling connecting it to at least one other dwelling unit in the building,
- 2-14 Dwelling Unit. An enclosure of one (1) or more rooms, including kitchen facilities, designed or constructed as a unit for residential occupancy by one (1) family.
- 2-15 Family. One (1) or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, hotel, or fraternity or sorority house.
- 2-16 Floor Area, Gross. The total number of square feet of floor area in a building determined by horizontal measurements between the exterior faces of walls, excluding unfinished basement areas, attics, porches, carports, and garages.
- 2-17 Governing Authority. Concord, Georgia.
- 2-18 Home Occupation. An occupation for gain or support customarily conducted on the premises by a person or family residing thereon. The term "home occupation" shall not be deemed to include a tourist home. (See Section 6-1).
- 2-19 Hospital. Any institution receiving in-patients, or a public institution receiving out-patients, and authorized under Georgia Law to render medical, surgical, and/or obstetrical care. The term "hospital" shall include a sanitarium for the treatment and care of mental patients, alcoholics or drug addicts, but shall not include office facilities for the private practice of medicine or dentistry.

- 2-20 Junk Yard. Use of property for outdoor storage, keeping, abandonment, sale, or resale of junk including scrap metal, rags, paper or other scrap materials, used lumber, salvaged house wrecking and structural steel materials and equipment, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or party thereof.
- 2-21 Kennels. The housing of four (4) or more dogs for the purpose of providing an income or revenue.
- 2-22 Kindergarten. A state-approved institution for the education of pre-school aged children.
- 2-23 Loft Apartment. An apartment(s) customarily located on the second story of a retail business or professional office located in the Neighborhood Commercial district (CC).
- 2-24 Lot. A lot of record, or any combination of lots of record, held in a single ownership by one person, or in common ownership by more than one, which has both lot area and lot dimensions equal to or greater than the lot width and lot area requirements established by this ordinance for the zoning district in which such tract of land is located and for the use proposed for the tract of land. (See Section 3-20).
- 2-25 Lot, Corner. A lot having frontage on two or more public streets at their intersection. (See Section 3-11).
- 2-26 Lot, Through. A lot other than a corner lot, having, frontage on more than one street; or a corner lot having frontage on three or more streets.
- 2-27 Lot of Record. A lot which is part of a subdivision recorded in the office of the Clerk of the Superior Court, or a parcel described by metes and bounds, the description of which has been so recorded. (See Section 3-20 and Section 8-1).
- 2-28 Lot Width. The distance between the side lot lines, measured along the front yard setback line as established by this ordinance or if no setback line is established, the horizontal distance between the side lot lines measured along the street right-of-way.
- 2-29 Mobile Home. A mobile home is a detached, single-family dwelling designed for long term occupancy; designed to be transported after fabrication on its own wheels, arriving at the site where it is to be occupied as a dwelling unit complete, usually including appliances and furniture and ready for occupancy. Removal of the wheels and placement on a foundation does not change its classification. Travel trailers are not mobile homes.
- 2-30 Mobile Home Park. A parcel of land that has been planned and improved for the placement of mobile homes for living or sleeping purposes, or where spaces or lots are set aside and offered for rent for use by mobile homes for living or sleeping purposes, including any land, building or structure or facility used by occupants of mobile homes on such premises.

- 2-31 Nonconforming Use. Use of lands and/or structures for a purpose or in a manner contrary to provisions of this ordinance; generally of two types; (a) lawful, where such use is rendered nonconforming by terms of this ordinance, and (b) unlawful where such use was illegal when commenced or became so thereafter prior to adoption of this ordinance.
- 2-32 Nursery School or Day Care Facility. An agency, organization, or individual providing daytime care of four or more children not related by blood or marriage or not the legal wards or foster children of the attendant adult.
- 2-33 Principal Building. The building containing or to contain the principal use of a lot.
- 2-34 Principal Use. The principal purpose for which a lot or the main building thereon is designed, arranged, or intended, and for which it is or may be used, occupied, or maintained.
- 2-35 Public Street. Right-of-way dedicated to the Governing Authority or owned by the Governing Authority for public street purposes.
- 2-36 Setback. The shortest distance between the centerline of a street and the nearest load bearing wall of the principal building or structure on a lot.
- 2-37 Shopping Center. Two or more commercial establishments planned and managed as a single unit with off-street parking and loading facilities provided on the property.
- 2-38 Sign. Any surface, fabric, or device bearing lettered, pictorial, or sculptured matter designed to convey information visually and exposed to public view; or any structure (including billboard or poster panel) designed to carry the above visual information.
- 2-38.1 Advertising Separate Use Sign. A sign which directs attention to a business, commodity, service, or entertainment conducted, sold or offered as incidental activity off the premises where the sign is displayed.
- 2-38.2 Advertising Incidental Use Sign. A sign which directs attention to a business, commodity, service, or entertainment conducted, sold or offered as a minor and incidental activity upon the premises where the sign is displayed.
- 2- 38.3 Bulletin Board. A sign used to announce meetings or programs to be held on the premises of a church, community recreation center, school, auditorium, library, museum, or similar non-commercial places of public assembly.
- 2-38.4 Identification Sign: A sign used to identify only the names of the individual, family, organization, or enterprise occupying the premises.
- 2-38.5 Point of Business Sign: A sign which directs attention to a business, profession, or industry located upon the premises where the sign is displayed, to type of products sold, manufactured, or assembled, and/or to service or entertainment



offered on said premises, but not a sign pertaining to the preceding if such activity is only minor and incidental to the principal use of the premises.

- 2-39 Special Exception. A special exception is a use which within certain districts specified by this ordinance is not permitted as a matter of right but may be permitted within these districts by the Board of Appeals after said board has: (1) reviewed the proposed site plans for the use, its location within the city', its arrangement and design, its relationship to neighboring property and other conditions peculiar to the particular proposal which would determine its desirability or undesirability; (2) has found the proposal not to be contrary to the intent of this ordinance; and (3) has approved the use as specified. (See Section 11-5 and 11-6.2).
- 2-40 Structure. Anything constructed or erected with a fixed location on or in the ground, or attached to something, having a fixed location on the ground. Among other things, structures include buildings, mobile homes, signs, swimming pools, and fallout shelters but does not include walls or fences.
- 2-41 Tourist Home. A dwelling in which sleeping accommodations are provided or offered to transient visitors for compensation.
- 2-42 Trailer, Camping Type. A vehicular portable structured as a temporary dwelling for travel, recreation, and vacation uses which is identified on the unit by the manufacturer as a "camper" or "travel" trailer, is not more than eight (8) feet in body width, and does not exceed thirty (30) feet in length.
- 2-43 Variance. A variance is a relaxation of the terms of this zoning ordinance that will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.
- 2- 44 Yard, Front. That area of a lot lying between the abutting street right-of-way line and the principal building of the lot and extending across the front of a lot from side lot line to side lot line.
- 2- 45 Yard, Rear. That area of a lot extending across the rear of a lot from side lot line to side lot line and lying between the rear lot line and the principal building on the lot.
- 2-46 Yard, Side. That area of a lot between the side lot line and the principal building on the lot extending from the front yard to the rear yard.

### SECTION 3 GENERAL PROVISIONS

- 3.1 Interpretation and Application. Interpreting and applying these regulations, the requirements contained herein are declared to be the minimum requirements necessary to carry out the purpose of these regulations. Except as hereinafter provided, these regulations shall not be deemed to interfere with, abrogate, annul, or otherwise affect in any manner whatsoever any easements, covenants, or other agreements between parties. (See Section 14).
- 3-2 Zoning Affects all Land and Buildings. No building, structure, or land shall be used or occupied; and no building, structure, or part thereof shall be erected, constructed, reconstructed, moved, enlarged, or structurally altered unless in conformity with regulations, of this ordinance.
- 3-3 Every Use Must be Upon a Lot. No building or structure may be erected or use established unless upon a lot as defined by this ordinance except as provided in Section 3-20 or Section 8-1.
- 3-4 Only One Principal Building Per Lot. Except as herein provided (Section 6-2) there shall be no more than one principal building or structure upon any lot other than within an C-C, M-1, or M-2 District.
- 3-5 Open Space Not to be Encroached Upon. No open space shall be encroached upon or reduced in any manner except in conformity to the yard, setback, off-street parking spaces, and such other regulations required by this ordinance for the district in which such building is located. Shrubbery, driveways, retaining walls, fences, curbs, and planted buffer strips shall be construed not to be encroachments of yards. (See Section 3-23).
- 3-6 Required Open Space May Not be Used by Another Building. No part of any yard, other open space, or off-street parking or loading space required in connection with any building, structure, or use by this ordinance shall be considered to be part of a required yard, or other open space, or off-street parking or loading space, for any other building, structure, or use except as provided in Section 7-6.
- 3-7 Reduction of Yards or Lot Area. Except as provided in Section 3-21, no lot existing at the time of passage of this ordinance shall be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this ordinance for the district in which it is located unless said reduction or division is necessary to provide land that is needed and accepted for public use.
- 3-8 Encroachment on Public Rights-of-Way. No building, structure, service area, or required off-street parking and/or loading facilities, except driveways, shall be permitted to encroach on public rights-of-way.

- 3-9 Location of Accessory Buildings or Uses. Accessory buildings on lots, when, located within a front or side yard, shall be located no closer to property lines than would be allowed for a principal building. Within a rear yard, an accessory building on a residential lot shall be located at least five (5) feet from all rear property lines and eight (8) feet from all other property lines, except that in the case of corner lots, accessory buildings shall be set back from the centerline of an abutting street right-of-way a distance equal to three-fourths (3/4) the front yard set-back established for the zoning district in which the accessory buildings are located. In the case of a through lot (See Section 3-11) accessory buildings shall conform to front yard setbacks on both streets. Swimming Pools accessory to residents shall be enclosed by a fence of a minimum height of six (6) feet. Accessory buildings or uses, on non-residential lots shall comply with front, side and rear yard requirements established for the zoning district in which such accessory buildings or uses are located.
- 3-10 Every Lot Shall Abut a Street. No building shall be erected on a lot which does not abut an open public street;
- 3-11 Lots With Multiple Frontage. In the case of a corner lot, side yard setback' requirements from the centerline of the street right-of-way shall be equal to seventy-five percent (75%) of that required for the front yard setback for the district. On a corner lot where the main entrance into a residence is facing a side yard, it shall be permissible for purposes of this , ordinance to construe v the residence to be fronting on the street other than that street which said entrance faces, and side and rear yard requirements may be provided accordingly. ' If a building is constructed on a through lot having frontage of two (2) roads not at an intersection, a setback from each road shall be provided equal to the front yard requirement for the district in which the lot is located.
- 3-12 Visibility at Intersections. On corner lots within all zoning districts, no fence, shrubbery or other obstruction to the traffic sight vision, except utility poles or light or sign standards, shall exceed a height of three (3) feet within a triangular area formed by the intersection of the right-of-way lines of two (2) streets or a street intersection with a railroad right-of-way line, and a diagonal line which intersects the right-of-way lines at two (2) points, each twenty (20) feet distance from the intersection of the right-of-way lines, or, in the case of a rounded corner from the point of intersection of their tangents; provided, however, signs, lights, or similar objects which are totally located at least twelve (12) feet above the finished grade shall be permitted.
- 3-13 Uses Prohibited. If either a use or class of use is not specifically indicated as being permitted in a district, either as a matter of right, conditional use, or as a special exception, then such use, class of use, or structures for such uses, shall be prohibited in such district.
- 3-14 Fall-Out Shelters. Fall-out shelters are permitted as principal or accessory uses in any district, subject to the yard requirements of the district. Shelters shall be maintained so as not to become; a hazard or blight to the community.

The Board of Appeals may permit as a special exception, construction of joint shelters by two or more property owners. Where such joint shelters are permitted, the Board may waive the side and rear requirements on the property or properties directly involved in order to permit practical and efficient location and construction; provided, however, that side yard requirements shall be met where property involved in a joint proposal abuts or adjoins property not included in the proposal.

- 3-15 Height Limitations of Walls and Fences. Within any residential district, no wall or fence shall, exceed eight (8) feet in height within or along a boundary of any lot and no electrically charged fence shall be constructed or maintained within an R or R-MF district.
- 3-16 Required Buffers in M-1 and M-2 Districts. In a M-1, or M-2 Zoning District where a lot abuts any residential, district a six (6) feet wide buffer shall be provided with screening as specified in Section 3-18. Off-street parking associated with such uses shall be governed by this same provision.
- 3-17 Screening of Service Areas Within One Hundred (100), Feet of Public Street. Any service area, loading area, refuse, or, storage area between a principal building and a public street being visible from said street lying within one hundred (100) feet of said street shall be screened from view from the public street as specified in Section 3-18, if within any commercial area.
- 3-18 Screening Required. Wherever screening is required by this ordinance, a durable masonry wall, or fence and hedge of sufficient opacity to provide a visual blind, designed to be compatible with the character of adjoining properties, shall be provided. Such fences and walls shall be at least five (5) feet in height, but no greater than eight (8) feet in height, measured from the ground along the common lot line of the adjoining properties, lodges or comparable natural plantings shall be of such variety that an average height of at least six (6) feet could be expected by normal growth within no later than three (3) years from the time of the planting. At the time of application for building permit, the applicant shall post a performance bond sufficient to cover the installation of the required screening. If installed within one year from the date of application for building permit, the bond shall be returned; however, if the required screening is not completed within the required time period, the bond is forfeited and the required screening installed by the Governing Authority.
- 3-19 Side and Rear Yards Not Required Next to Railroad. Within any non-residential district, side yards and rear yards shall not be required adjacent to railroad rights-of-way.
- 3-20 Substandard Lots of Record. Any lot of record existing at the time of the adoption of this ordinance which has an area a width which is less than required by this ordinance, shall be subject to the following exceptions and modifications.
- 3-20.1 Adjoining Lots: When two (2) or more adjoining lots with continuous frontage are in one ownership at any time after the adoption of this ordinance, and such lots individually are less than the minimum square footage and/or have less than the minimum width required in the district in which they are located, then such

group of lots shall be considered as a single lot or several lots of minimum permitted width and area for the district in which located; provided, however, that when such combination of lots would create a single lot having a width and area one and three-quarters (1  $\frac{3}{4}$ ) or more than that width and area required by this ordinance, then such lot may be divided into two (2) lots of equal width and equal area and said lots used as conforming lots.

3-20.2 Lot Not Meeting Minimum Lot Size Requirements: Except as set forth in 3-21 in the above, in any district, any lot of record existing at the time of the adoption of this ordinance which has an area or a width which is less than that required by this ordinance may be used as a building site for a structure or other use permitted in that zone; provided, however, that the same yard, setback, open space, and other dimensional requirements are met that would be required for a standard lot or required as stipulated in Section 3-25.

3-21 Permitted Modification of Setback Requirement. When a building is proposed on a lot and when on either or both lots which adjoin such lot at the street right-of-way line there exists a principal building within two hundred (200) feet of the side lot line which does not conform to the setback requirements of this ordinance and the Zoning Administrator finds that because of the width and shape of the lot it would impose an unnecessary hardship on the owner if the rigid requirements of this ordinance were followed, the Zoning Administrator may allow the required setback for such building to be as follows: (1) where only one said adjoining lot contains a principal building with a non-conforming setback the setback shall be the computed average of (a) the normal setback requirements with (b) the non-conforming setback, or (2) where both adjoining lots contain a principal building each with a non-conforming setback, the minimum setback shall be the computed average of the two non-conforming setbacks.

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

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

3-24 Modification of Side-yard Requirements. When a lot of record has a width less than the frontage required in the district in which it is located and said lot cannot be increased in width as provided in Section 3-20, then the Zoning Administrator shall be authorized to reduce the side yard requirements for such lot; provided, however, that the side yard shall not be reduced to less than eight (8) feet.

## SECTION 4 ZONING DISTRICTS

- 4-1 Establishment of Districts. In order that the purpose of this ordinance as defined in Section 1 may be accomplished, there are hereby established within the Governing Authority the Zoning Districts identified as follows:
- 4-1.1 R-1 Single Family Residential: The purpose, of this district is to provide single family residential areas (except for mobile homes), with minimum lot; sizes of one-half acre, (21,780 square feet), where a central system for the collection of sewage and distribution of water provided; or not less than one and one-quarter acres (54,450) square feet, where individual septic tanks and/or wells are used; or if a central water/septic tank system is used (43,560 Square Feet) one acre lots are required. Said area being protected from the depreciating effects of small lot development and excessive density and from the encroachment of those uses which are incompatible to a desirable residential environment.
  - 4-1.2 RM-F Multi-Family Residential: The purpose of this district is to provide orderly development of high density; residential areas for one, two, and multi-family dwellings (except for mobile homes). A minimum lot size of one-half acre (21,780 square feet) is required for a two-family dwelling where a central system for the collection of sewage and distribution of water is provided.
  - 4-1.3 MH-P Mobile Home Parks: The purpose of this district shall be to provide for the proper development of mobile home parks provided the development standards in Section 5-2 and 6-3 are met.
  - 4-1.4 C-C Neighborhood Commercial: The purpose of this district shall be to provide and protect convenient areas for community shopping facilities consisting of a wide variety of sales and services.
  - 4-1.5 M-1 Manufacturing: The purpose of this district shall be to provide and protect areas for those industrial uses which do not create excessive noise, odor, smoke, dust, and which do not possess other objectionable characteristics which might be detrimental to surrounding neighborhoods, or to the other uses permitted in the district.
  - 4-1.6 M-2 Manufacturing: The purpose of this district shall be to provide and protect areas for those, industrial uses M-1 district which cannot comply with the regulations of the M-1 district.

4-2 Zoning Map and Street and Road Classification and Major Thoroughfare Plan. The boundaries of each district are shown on a map entitled “Official Zoning Map”. Both Maps shall be dated and certified by the City Council of Concord, and said maps and all explanatory matter thereon accompany and are hereby made a part of this ordinance.

Accurate copies of the "Official Zoning Map", and the "Street and Road Classification and Major Thoroughfare Plan", shall be on file in the office of the Zoning Administrator at all times. Said maps shall accurately show all map amendments made in accordance with the provisions of this ordinance, and the date when said amendments became effective. It shall be the duty of the Zoning Administrator to it that the “Official Zoning Map” and the “Street and Road Classification Major Thoroughfare Plan” displayed in the office are kept up to date and accurately show all amendments.

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

4-3.1 Unless otherwise specifically indicated, where district boundaries are indicated on the zoning map as approximately following the centerline of a street, highway, railroad right-of-way line, stream bed or river bed; such centerlines shall be construed to be such district boundaries

4-3.2 Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

4-3.3 Where district boundaries are indicated on the zoning map as approximately following the corporate limit line of any municipality, then such corporate limit lines shall be construed to be such district boundaries.

4-3.4 Where district boundaries are indicated on the zoning map as being set back from a street, road, highway, railroad, stream, or river, and parallel thereto, then such district boundaries unless specifically indicated shall be construed as being at the scaled distance from the centerline of such street, road, highway, railroad, stream, or river as being parallel thereto.



**SECTION 5**  
**SCHEDULE OF PERMITTED USES AND DEVELOPMENT STANDARDS**

- 5-1 Table of Permitted Uses. Within the various zoning districts as indicated on the "Official Zoning Map", no building, structure, or land shall be constructed, erected, altered, or used except as indicated in the following schedules:
- 5-1.1 Uses Permitted by Right: Uses permitted as a matter of right are indicated on the following schedule by the letter "X" in the appropriate column.
- 5-1.2 Special Exceptions: Uses permitted only after special review and approval of the Board of Appeals (See Section 2-42 and Section 11-6.2) are indicated on the following schedule by the letters "SE" in the appropriate column.
- 56a. Loft Apartment: Permitted as of right in Neighborhood Commercial district.

<b>RESIDENTIAL AND RELATED USES</b>	<b>R-1</b>	<b>RMF</b>	<b>MHP</b>	<b>CC</b>	<b>M1</b>	<b>M2</b>
1. ACCESSORY BUILDINGS OR USES (See Section 3-9)	X	X	X	X	X	X
2. BOARDING OR ROOMING HOUSE		X				
3. CEMETERY						
4. CHURCH OR OTHER PLACE OF WORSHIP including Sunday School buildings, parish houses, convents, nursery schools, kindergartens and other related uses on the same premises and operated by the church provided that within an R-1 or RMF: (a) the lot size shall be no less than three (3) acres; (b) any building or structure established with any such use shall have minimum side and rear yard of fifty (50)feet; (c) any lot for a church shall front on a major street or secondary street as specified on the Official Street and Road Classification and Major Thoroughfare Plan.	SE	SE		X		
5. DWELLING, SINGLE FAMILY	X					
6. DWELLING, MULTI-FAMILY		X				
7. GARAGE APARTMENT, provided no more than one (1) shall be permitted on a lot with another dwelling and provided, such shall be permitted only within a rear yard and provided that the lot on which such use is to be established meets the minimum lot area requirements for a two family dwelling.		X				
8. GUEST QUARTERS OR EMPLOYEE QUARTERS, provided no more than one (1) shall be permitted on a lot with another dwelling and provided such shall be permitted only within a rear yard and provided that the lot on which such use is to be established meets the minimum lot area requirements for a two family dwelling and provided further that said property is not to be used as rental property.	X	X				
9. HOME OCCUPATION(See Section 6-1)	SE	SE		X	X	X
10. MOBILE HOMES, as an accessory use only. (a) The special exception permit shall be reapplied for and reviewed by the Board of Appeals semi-annually. (b) The mobile home shall comply with all health department regulations for water and sewer service.	SE	SE	X			

(c) The mobile home shall be attached to an approved electrical source.						
11. MOBILE HOME PARK (See Section 6-3)			X			
<b>BUSINESS USES</b>	<b>R-1</b>	<b>RMF</b>	<b>MHP</b>	<b>CC</b>	<b>M1</b>	<b>M2</b>
12. PUBLIC OWNED RECREATION CENTERS Y.M.C.A. AND INSTITUTIONS OF A SIMILAR NATURE	SE	SE		X		
13. SCHOOLS, ELEMENTARY, JUNIOR AND SENIOR HIGH, VOCATIONAL-TECHNICAL, PUBLIC OR PRIVATE	SE	SE		X		
14. SCHOOLS, KINDERGARTEN, provided that: (a) off-street loading and unloading spaces are supplied; and, (b) at least one-hundred (100) square feet of outdoor play area is supplied for each child accommodated; and, (c) the entire play area is enclosed by a fence having a minimum height of at least four (4) feet and constructed in such a manner that maximum safety to the children is ensured.	SE	SE		X		
15. TOURIST HOMES				X		
16. AMBULANCE SERVICE OR RESCUE SQUAD				X	X	X
17. AMUSEMENT OR RECREATIONAL ACTIVITIES (COMMERCIAL), carried, on outside a building such as a golf or baseball driving range, miniature golf course, softball field, and uses of similar nature.				X	X	X
18. AMUSEMENT OR RECREATIONAL ACTIVITIES (COMMERCIAL), carried on wholly within a building, such as a cinema, theater, auditorium, and uses of a similar nature.				X	X	X
19. ANIMAL HOSPITAL, COMMERCIAL KENNELS, VETERINARY CLINIC OR ANIMAL BOARDING PLACE, located at least three-hundred (300) feet, from the nearest residential district.					X	X
20. APOTHECARY (drug sales only)				X		
21. ART STUDIO				X		

<b>BUSINESS USES</b>	<b>R-1</b>	<b>RMF</b>	<b>MHP</b>	<b>CC</b>	<b>M1</b>	<b>M2</b>
22. AUTOMOBILE SERVICE STATION, provided that major auto repair shall not be permitted, nor shall there be outside storage of materials or equipment other than merchandise offered for sale, in a C-C.				X	X	X
23. AUTOMOBILE, TRUCK, FARM EQUIPMENT, OR MOTORCYCLE SALES, REPAIR OR UPHOLSTERY, AUTO WASHETERIA, PAINT SHOPS, OR TIRE RECAPPING, (including rebuilding of parts or sales of parts and equipment indoors only, no outside, storage of equipment or parts except for M-1 and M-2 districts).				X	X	X
24. AUTOMOBILE PARKING LOT OR PARKING GARAGE (Commercial)				X	X	X
25. BANKS, FINANCIAL INSTITUTIONS, AND OFFICES, not specifically listed elsewhere in this column.				X		
26. BOOK BINDING, PRINTING, ENGRAVING, BLUEPRINTING, PHOTOSTATING, OR LETTER SHOP					X	X
27. BUILDING CONTRACTOR AND RELATED ACTIVITIES SUCH AS SALE AND STORAGE OF BUILDING SUPPLIES AND MATERIALS; provided there shall be no outside storage of equipment or materials, on the premises within any district other than an M-1 or M-2 district.					X	X
28. BUSINESS SCHOOLS				X		
29. CLOTHING AND DRY GOODS STORES including shoe stores, men's shops, women's shops, variety stores and stores of a similar nature.				X		
30. CLUBS OR LODGES (Private)				X		
31. COLLEGES AND UNIVERSITIES public or private, including dormitories and fraternity or sorority houses if located on main campus.	SE	SE		X		
32. CULTURAL FACILITIES, libraries museums; and similar facilities.				X		

<b>BUSINESS USES</b>	<b>R-1</b>	<b>RMF</b>	<b>MHP</b>	<b>CC</b>	<b>M1</b>	<b>M2</b>
33. DANCE SCHOOL OR STUDIO				X		
34. DEPARTMENT STORES				X		
35. DRIVE- IN RESTAURANTS				X		
36. DRIVE-IN THEATRE					X	
37. DRUG STORES				X		
38. ELECTRICAL REPAIR and similarly repair of a heavy commercial nature.					X	X
39. EXPERIMENTAL LABORATORY					SE	SE
40. FREIGHT EXPRESS OFFICE					X	X
41. FARMERS MARKET					X	X
43. FLOWER SHOP				X	X	
44. FOOD STORES, including retail bakeries, meat markets, dairy products, confectioner shops, liquor stores, and stores of similar nature.				SE	X	
45. FUNERAL HOME				X		
46. FURNITURE UPHOLSTERY SHOP					X	X
47. GLASS SALES AND STORAGE					X	X
48. GOLF COURSE, provided that (a) it shall be for daytime use only; and, (b) all greens and fairways shall be setback at least one- hundred (100) feet from any property line; and, (c) all trees and structures shall meet minimum setback requirements for single-family residences within the district.	SE	SE		SE		
49. GROWING CROPS, GARDENS	X	X	X	X	X	X
50. HOME FURNISHINGS AND HARDWARE, such as appliance sales and repairs, hardware stores, paint stores, sporting goods stores, furniture stores, and stores of a similar nature.				X	X	X

<b>BUSINESS USES</b>	<b>R-1</b>	<b>RMF</b>	<b>MHP</b>	<b>CC</b>	<b>M1</b>	<b>M2</b>
51. HOSPITALS AND CARE HOMES, provided that: (a) the lot size shall be no less than five (5) acres within an R-1 and three (3) acres within any other district where allowed; (b) any building or structure established with any such use shall have minimum side and rear yard of fifty (50) feet; (c) the setback shall be twenty five (25) feet more than required for other structures within the same district.	SE	SE				
52. KENNELS				X	X	X
53. HOTELS				X		
54. LABORATORY SERVING PROFESSIONAL REQUIREMENTS - MEDICAL, DENTAL				X	X	
55. LAUNDERETTE OR WASHETERIA (Self-service laundries)				X		
56. LOCKSMITH, GUNSMITH				X	X	
56a. LOFT APARTMENT				X		
57. MEDICAL, DENTAL, OR SIMILAR CLINIC				X		
58. MOTELS					X	
59. MUSIC TEACHING STUDIO				X	X	
60. NEIGHBORHOOD DRYCLEANING PLANTS: (a) dry cleaning plants using cleaning systems which make use of solvents rated at above forty (40) by the Underwriter's Laboratories, Inc. Standard of Classification known as Class I- Systems, shall be prohibited; and (b) dry cleaning plants which, use cleaning systems which make use of solvents rated at more than five (5) but less than, forty (40) according to the Underwriter's Laboratories, Inc. Standard Classification, known as Class II and Class III Systems, shall not be located in building with other occupancy; and, (c) the dry cleaning plant shall serve not more than one (1) pickup and delivery station inclusive of one (1) occupying the same premises as the plant; and, (d) the building for a dry cleaning plant shall not contain more than four-thousand (4,000) square feet of floor area				X		

<p>inclusive of dry cleaning pickup facilities within the building; and,</p> <p>(e) the dry cleaning plant shall be designed to operate in a manner that will not emit smoke, or odor or objectionable waste materials and which will not produce noise that will carry beyond the walls of the building occupied by each plant; and</p> <p>(f) fuel for operation of equipment shall be smokeless fuel; and,</p> <p>(g) the applicant for the dry cleaning plant shall certify in writing at the time of application that all the above conditions will be met.</p>						
61. NEWSPAPER OR MAGAZINE PUBLISHING & DISTRIBUTION					X	X
<p>62. NURSERY SCHOOLS, provided that:</p> <p>(a) all facilities meet State Department of Education and State Department of Human Resources regulations.</p> <p>(b) off-street loading and unloading spaces are supplied; and,</p> <p>(c) at least two-hundred (200) feet of outdoor play area is supplied for each child accommodated; and,</p> <p>(d) the entire play area is enclosed by a fence having a minimum height of at least four (4) feet and constructed in such a manner that maximum safety to the children is ensured; and,</p> <p>(e) point of business signs and identification signs shall be allowed only as allowed for home occupation point of business signs.</p>	SE			X		
63. OFFICE EQUIPMENT SALES AND SERVICE				X		
64. PAWN SHOPS				X		
65. PERSONAL SERVICE SHOPS such as barber shops, beauty shops, shoe repair, laundry pickup stations, watch repair and services of a similar nature.				X		
66. PEST CONTROL, providing no outside storage other than within an M-1 or M-2 District.					X	X
67. PHOTOGRAPHY STUDIO			X			
68. RADIO AND T.V. STUDIOS			X	X		
<p>69. RADIO AND T.V. TOWERS, provided:</p> <p>(a) all buildings, masts, and other facilities are located at</p>				SE	X	X

least two-hundred (200) feet from adjacent property lines on lots within or adjoining residential districts. (b) All Federal Aviation Administration requirements are met.						
<b>BUSINESS USES</b>	<b>R-1</b>	<b>RMF</b>	<b>MHP</b>	<b>CC</b>	<b>M1</b>	<b>M2</b>
70. RAILROAD OR BUS PASSENGER STATION					X	
71. RAILROAD FREIGHT STATION				X		
72. RESTAURANTS AND FOOD CATERING SERVICE				SE	X	X
73. RETAIL AUTO & TRUCK PARTS AND TIRE STORES				SE	X	
74. MOBILE HOME SALES ROOM AND SALES LOT			X		X	
75. SHELL HOME DISPLAY YARDS					X	
76. SHRUBBERY SALES				X	X	
77. SPECIALITY SHOPS, such as novelty shops, gift shops, jewelry shops, and stores of similar nature.				X		
78. TAXIDERMIST				X	X	
79. TAXI OFFICE				X	X	X
80. TELEGRAPH OR MESSENGER SERVICE				X		
81. UTILITY TRAILER & TRUCK RENTALS AND RENT-ALLS				X	X	X
<b>MANUFACTURING, WHOLESALING &amp; INDUSTRY</b>	<b>R-1</b>	<b>RMF</b>	<b>MHP</b>	<b>CC</b>	<b>M1</b>	<b>M2</b>
82. VENDING MACHINES, located out of doors subject to yard and setback requirements for the respective districts.				X	X	X
83. ACID STORAGE AND MANUFACTURING						X
84. FEED, GRAIN, OR FERTILIZER WHOLESALING & STORAGE					X	X
85. FREEZER LOCKER SERVICE, ICE STORAGE					X	X



86. GREENHOUSE AND PLANT NURSERY (Commercial) heavy equipment allowed only in M-1 or in M-2.				X	X	X
<b>MANUFACTURING, WHOLESALING &amp; INDUSTRY</b>	<b>R-1</b>	<b>RMF</b>	<b>MHP</b>	<b>CC</b>	<b>M1</b>	<b>M2</b>
87. HEAVY MANUFACTURING, any manufacturing, packaging, processing or handling of materials provided that any uses such as the manufacturing of cement, corrosive acids, bone distillation, drop forge industry, fat rendering, fertilizer manufacturing, organic material reduction, meat processing plants, and the like which produce noise, odors, dust, fumes, fire hazards, or other nuisance features shall be set back not less than five-hundred (500) feet from any M-2 district boundary.						X
88. JUNK YARD OR AUTO GRAVE YARD, provided that: (a) if within five-hundred (500) feet of a public right-of-way, an eight (8) foot high solid fence or wall shall be erected to screen the storage yard from view from the street.						X
89. LIGHT MANUFACTURING					X	X

5-2 Development Standards Building or Structure. Within the various zoning districts as indicated on the “Zoning Map of Concord, Pike County, Georgia”, no building or structure, excluding all signs (see Section 5-3 and Section 9 for Sign Regulations), shall be constructed or erected except as indicated in the following schedule:

	<b>R-1</b>	<b>R-MF</b>	<b>MHP</b>
Minimum Gross Floor Area For Dwelling Units	1,400 sq. ft.	1,400 sq. ft.	see Section 6-3
**Minimum Lot Area for Dwelling Units			
Central water/sewage is provided	21,780 sq. ft. (.50 acre)	21,780 sq. ft. (.50 acre)	
Individual septic tanks and/or well	54,450 sq. ft. (1.25 acre)	54,450 sq. ft. (1.25 acre)	
Central water/septic tank system	43,560 sq.ft. (1 acre)	43,560 sq.ft. (1 acre)	
Minimum Lot Width	100 ft.	100 ft.	
Minimum Front Yard Setback from the C/L of the R/W:			
On Major and Secondary Streets	*80 ft.	*80 ft.	
On Collector Streets	*80 ft.	*80 ft.	
On Residential Streets	*55 ft.	*55 ft.	
Minimum Side Yards	15 ft.	10 ft.	
Minimum Rear Yards	30 ft.	30 ft.	
Maximum Height	35 ft.	35 ft.	

\* Plus ½ any amount which the R/W width exceeds fifty (50) feet for residential streets, sixty (60) feet for collector streets, and eighty (80) feet for major and secondary streets.

The minimum distance from other property lines to any building over thirty-five (35) feet in height shall be increased one (1) foot for every two (2) feet (or part of 2 feet) of building height greater than thirty-five (35) feet.

\*\* See Sections 4-1.1 and Section 10-8.

	<b>CC</b>	<b>M-1</b>	<b>M-2</b>
Minimum Lot Width	60 ft.	None	None
Minimum Front Yard Setback from the C/L of the R/W:			
On Major and Secondary Streets	**100 ft.	**100 ft.	**100 ft.
On Collector Streets	** 70 ft.	** 70 ft.	** 70 ft.
On Residential Streets	** 65 ft.	** 55 ft.	** 55 ft.
Minimum Side Yards	***None	***None	***None
Minimum Rear Yards	*** 12 ft.	*** 12 ft.	***None
Maximum Height	*None	*None	*None

- \* The minimum distance from other property lines to any building over thirty-five (35) feet in height shall be increased one (1) foot for every two (2) feet (or part of 2 feet) of building height greater than thirty-five (35) feet.
- \*\* Plus ½ any amount which the R/W width exceeds fifty (50) feet for residential streets, sixty (60) feet for collector streets, and eighty (80) feet for major and secondary streets.
- \*\*\* If the adjoining yard is within a residential district other than an A-R District the yard requirements specified in this table shall be increased ten (10) feet and screening shall be provided as specified in Section 3-19 along the lot line common with said lot.

5-3 Setback and Yard Requirements for Signs. Within the various zoning districts as indicated on the “Zoning Map of Concord, Pike County, Georgia”, no signs requiring a permit shall be constructed or erected as indicated in the following schedule unless different provisions are provided elsewhere in this ordinance. (see Section 9)

5-3.1 Advertising Separate Use Signs:

	<b>R-1</b>	<b>RMF</b>	<b>CC</b>	<b>M-1</b>	<b>M-2</b>	<b>MHP</b>
Minimum Front Setback Measured from the C/L of the R/W:						
On Major & Secondary Streets			** 60	* 60	* 60	
On Collector Streets			* 40	* 40	* 40	
On Residential Streets			* 35	* 35	* 35	
Minimum Side Yards			** 30	** 30	** 30	
Minimum Rear Yards			***10	***10	***10	

\* Plus ½ any amount which the R/W width exceeds fifty (50) feet for residential streets, sixty (60) feet for collector streets, and eighty (80) feet for major and secondary streets.

\*\* More than one advertising separate use sign may be erected on any one tract of land or combination of tracts of land under one ownership at the time of the passage of this ordinance only if all such advertising separate use signs shall be separated by a distance of at least one thousand (1,000) feet, measured parallel to a street or road right-of-way line, from any other advertising separate use sign on the same tract or said combination of tracts of land.

\*\*\* If the adjoining yard is in a residential district, the yard requirements as specified in this table shall be increased by twenty (20) feet.

5-3.2 Point of Business Signs, Bulletin Boards, Identification Signs.

	<b>R-1</b>	<b>RMF</b>	<b>CC</b>	<b>M-1</b>	<b>M-2</b>	<b>MHP</b>
Minimum Front Setback Measured from the C/L of the R/W:						
On Major & Secondary Streets	80	80	50	50	50	80
On Collector Streets	65	65	40	40	40	65
On Residential Streets	55	55	35	35	35	55
Minimum Side Yard	10	10	10	10	10	10
Minimum Rear Yard	30	*30		*10	*10	30

\* If the adjoining yard is in a residential district, the yard requirements as specified in this table shall be increased by twenty (20) feet.

5-3.3 Advertising Incidental Use Signs. An advertising incidental use sign may be a secondary part of an Advertising Separate Use Sign or a Point of Business Sign, and in such as case may conform to the Setback and Yard Requirements for said signs as set forth in 5-3.1 and 5-3.2 provided, however, the area of the sign devoted to such secondary purposes (Advertising Incidental Use) shall not exceed 30 percent of the total sign area and shall be subordinate to the primary purpose of the sign.

5-3.3.1 Where Advertising Incidental Use Signs are not a part of such other sign structures, an Advertising Incidental Use Sign shall meet the same setback and yard requirements as required for the principal building in Section 5-2.

**SECTION 6**  
**SPECIAL PROVISIONS FOR CERTAIN USES**

- 6-1 Home Occupations. A home occupation as defined by this ordinance shall be governed by the following requirements:
- 6-1.1 Only residents of the dwelling may be engaged in the home occupation.
  - 6-1.2 The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the building.
  - 6-1.3 No display of products shall be visible from the street, and only products produced in the premises may be sold on the premises, except that bona fide agricultural products grown on the premises may be displayed in an agricultural residential district.
  - 6-1.4 Only one (1) point of business sign, not exceeding two (2) square feet in size, motionless, non-lighted, and attached to the principal building, shall be permitted, and no advertising signs shall be permitted,
  - 6-1.5 Use of the building for this purpose shall not exceed twenty-five percent (25%) of one floor of the principal building.
  - 6-1.6 No internal or external alterations inconsistent with the residential use of the building shall be permitted.
  - 6-1.7 The occupation shall not constitute a nuisance in the neighborhood.
  - 6-1.8 No accessory buildings or outside storage shall be used in connection with the occupation except as otherwise provided in this ordinance.
  - 6-1.9 Instruction in music and similar subjects shall be limited to two (2) students at a time.
  - 6-1.10 Vehicles used primarily as passenger vehicles only shall be permitted in connection with the conduct of the customary home occupation.
  - 6-1.11 No more than three (3) non-transient guests may be boarded at any one time as a customary home occupation.
  - 6-1.12 The following and similar uses shall be considered home occupations: Addressing service, art instructor, beauty shop, dentist, doctor, drafting, dressmaking, insurance agent, manufacturing agent, massage parlor, music teacher, notary public, photographer, real estate agent, tax consultant.

- 6-2 Group Development Projects. Within any district, any group, of buildings constructed on a plot of land not subdivided into customary streets and lots and which will not be so subdivided, intended to be operated under one management or under a condominium type ownership arrangement, known herein as a group development project, shall be permitted provided it shall meet the following requirements;
- 6-2.1 Minimum Lot Size: The minimum lot size requirement of 1/2 acre (21,780 square feet) shall be sufficient so that any structure constructed on said lot or groups of lots can be located so as to meet all setback requirements, parking requirements, and space requirements for loading and unloading for each proposed use.
- 6-2.2 Street Access: All principal buildings established as a part of the group development project shall be accessible to emergency or service vehicles.
- 6-2.3 Setback Requirements: All buildings and structures established as a part of a group development project shall comply with the front yard setbacks and exterior side and rear yard requirements established for the district in which it is located.
- 6-2.4 Distance Between Buildings: A minimum distance between buildings within the project is not required when all the other provisions of the group development project are followed.
- 6-2.5 Uses Prohibited: Uses are limited to those permitted within the district in which the project is located.
- 6-3 Mobile Home Parks: Mobile Home Parks are allowed in an MH-P District as a matter of right as a group development provided the following requirements are met:
- 6-3.1 Review and Approval Procedures:
- 6-3.1.1 Pre-Application Conference: Prior to filing a formal application for a Mobile Home Park the applicant is encouraged to confer with the Planning Commission in order to provide for review of the general character of the basis the proposed mobile home park development (on of a tentative land use sketch), and to obtain information on projected programs or improvements.
- 6-3.1.2 Development Plan: The applicant shall file a petition with the Zoning Administrator for approval of a Mobile Home Park. This application shall be supported by six (6) copies of a written summary of the development in detail. The Site Plan and Letter of Intent shall present the following information:

- (a) A draft of the proposed rules and regulations which shall be established and enforced by the management of the Mobile Home Park.
- (b) A draft of the text of covenants running with the land which shall be binding on the applicant and/or any future owner of the property so long as the property is used as a Mobile Home Park, which shall provide for perpetual upkeep and maintenance in a clean and healthy state, all grass, lawns, shrubbery, trees, recreation areas, and other natural amenities of the property including buffer zones. Said covenants shall be drawn to the satisfaction of, and subject to approval as to legality by, the City Attorney of Concord and Concord shall be made a party thereto full powers of enforcement at law or equity or otherwise. Upon approval by the City Attorney said covenants shall be recorded in Superior Court of Pike County and the recording of said covenants shall be a condition precedent to any other development, defoliation, or other construction any development on the property.
- (c) Existing topographic conditions including, where necessary contour intervals of not less than ten (10) feet based on field surveys or photogrammetric methods.
- (d) The existing and proposed land uses and the approximate location of all buildings and structures.
- (e) The location of existing and proposed streets and parking areas.
- (f) A legal description of subject property.
- (g) Typical elevation drawings, indicating general architectural style and buildings exterior materials, if possible, of all permanent buildings and structures to be constructed on the premises. The building elevation drawing may be submitted for approval by the Board of Commissioners at a later date, if necessary.
- (h) A statement of the present ownership of all land within the proposed development.
- (i) A summary of acres, dwelling units, and gross density, as well as a statement of the number of acres devoted to buffer areas, recreation acres, and green belts, or other amenities, such as lakes, etc.



- (j) A description of the phases under which construction shall be programmed, depicting the geographical limits of each phase of construction.

6-3.2 Approval.

6-3.2.1 An application for approval of a Mobile Home Park will be considered administratively as a petition for rezoning, and will be subject to the procedures established in the Zoning Ordinance. (See Section 12).

6-3.2.2 After review and public hearing. The City Council may disapprove, approve, or approve with modifications to the Site Plan and/or Letter of Intent, after receiving the recommendation of the Concord Planning and Zoning Commission.

6-3.3 Use Regulations: Within any Mobile Home Park, a building, or land or premises shall be used only for the following permitted uses:

6-3.3.1 Agriculture

6-3.3.2 Parking and inhabiting of mobile homes in parks with a minimum of fifty (50) spaces, provided all facilities shown on the Site Plan submitted to and approved by the City Council are installed and maintained according to the schedule submitted with the Site Plan and stipulations of the Letter of Intent.

6-3.3.3 Recreation areas, offices and/or maintenance and storage buildings, incidental to use by residents of the Mobile Home Park only. No repair facilities of any type including automobile repair shall be permitted.

6-3.3.4 One (1) identification sign not to exceed sixty (60) square feet shall be permitted for each entrance to the Mobile Home Park, where necessary.

6-3.3.5 Convenience food stores with a maximum of one thousand five hundred (1,500) square feet including inside and outside storage, as an accessory to a Mobile Home Park, as designated on an approved Site Plan.

6-3.3.6 Laundromat, including coin operated dry cleaning, as an accessory to a Mobile Home Park, as designated on an approved Site Plan, upon approval by the Pike County Health Department.

6-3.3.7 A children's day care facility in compliance with the requirements of the Pike County Department of Family and Children's Services.

6-3.4 Required Lot Area:

6-3.4.1 No Mobile Home Park shall be constructed or maintained on a lot or tract which

does not have an average width of four-hundred (400) feet, or more, or a total area of less than twenty (20) acres.

6-3.4.2 A Mobile Home Park shall be located only on a tract or parcel of land having a minimum of two hundred (200) feet of frontage on a State or federal highway, or an arterial road, or be located on a road having direct access to and within six hundred (600) feet of such arterial, state or federal roads. At no time shall mobile homes travel local residential streets.

6-3.4.3 Perimeter Requirements

- (a) A buffer zone having a minimum width of twenty (20) feet shall be provided so as to provide a continuous buffer along all side and rear yard of any Mobile Home Park.
- (b) A buffer zone having a minimum depth of forty (40) feet shall extend along the entire frontage of any Mobile Home Park where it abuts a public street or thoroughfare.
- (c) Where the existing foliage in the buffer zone is not sufficient to provide and maintain an evergreen visual screen between adjacent properties, landscaping and planting shall be required sufficient to provide visual separation and privacy between a Mobile Home Park and adjacent properties and/or street.

6-3.4.4 Density:

- (a) Within a Mobile Home Park District not more than five and one-half (5 1/2) dwelling units per gross acre shall be permitted. For purposes of computation of density, areas set aside for buffer zones, greenbelts and/or recreation areas may be counted within the gross acreage.

6-3.5 Mobile Home Site Requirements:

6-3.5.1 Each mobile home shall be located on a separate lot as follows:

- (a) Each lot shall provide a minimum width of forty-four (44) feet at the pad location.
- (b) Each lot shall contain a minimum of four thousand (4,000) square feet.
- (c) Each lot shall be defined by a marker at each corner. Precise engineering of lot limits is not required.

- (d) Each lot shall provide a paved concrete or all weather patio area having a minimum area of three hundred (300) square feet.
- (e) Each lot shall have an enclosed storage area of no less than one-hundred-twenty-five (125) cubic feet.

6-3.5.2 Mobile Home Sitting Requirements: No mobile home or structure shall be located within:

- (a) Ten (10) feet of its individual lot line.
- (b) Within fifteen (15) feet of any street, or drive within the mobile home park.
- (c) Within thirty (30) days of the sitting of a mobile home on its lot the under-carriage of the mobile home shall be concealed from view, through the use of permanent, non-inflammable construction materials.

6-3.6 Parking and Storage Requirements:

6-3.6.1 Parking Requirements: At least two (2) paved, off-street parking spaces four-hundred (400) square feet total shall be provided for each mobile home lot. One (1) additional parking space shall be provided for each four (4) mobile home units to provide for guest parking. Guest parking spaces shall be located in the vicinity of the units served.

6-3.6.2 Storage Area: Each Mobile Home Park shall provide an area for the storage of boats, travel trailer and/or other vehicles. This storage area shall be adequate to serve the needs of the Mobile Home Park and shall be enclosed by a fence.

6-3.7 Circulation System:

6-3.7.1 Each Mobile Home Park shall provide the following minimum facilities on-the site:

- (a) All streets within the Mobile Home Park shall be paved to a minimum width of twenty-six (26) feet. All drives and drainage structures within the development shall be constructed in accordance with the Pike County Road Maintenance Standards.
- (b) Each Mobile Home Park District shall have a minimum of two (2) access streets or drives to provide ingress and egress for vehicular traffic.

- (c) Provision shall be made for safe, all-weather pedestrian movement within the development.

6-3.8 Utilities:

6-3.8.1 Each mobile home shall be served by central water, sanitary sewer, electricity, gas, and central television antenna system. All utilities shall be placed underground.

6-3.8.2 Night Lighting: Streets, pedestrian walkways and parking areas shall be adequately lighted.

6-3.8.3 Garbage Refuse Collection Facilities: Each mobile home lot shall be provided with two (2) water tight and rodent proof garbage receptacles. One refuse collection station shall be provided for each thirty (30) families-or fraction thereof, conveniently located to serve the tenants, not more than four hundred (400) feet -from any mobile home served, and shall be conveniently located for collection. Said, station shall be constructed with a concrete floor. Said refuse collection station shall be screen from vision from adjoining mobile home living units and at all times shall be maintained in a clean and sanitary condition.

6-3.8.4 Water and Sewerage: Each mobile home shall be connected with water and sanitary facilities in a manner approved by the County Health Department and be in compliance with the regulations of the County building inspector.

6-3.8.5 Fire Protection: Each mobile home shall be equipped with a fire extinguisher of a design or type approved by the State Fire Marshall.

6-3.8.6 Laundry Facilities: Laundry facilities shall be connected to approved sanitary facilities and shall be provided at the rate of one (1) washing machine for each twenty five (25) mobile home units or fraction thereof. Said facilities shall be located not more than eight hundred (800) feet from the mobile home units served.

6-3.9 Recreation Facilities:

6-3.9.1 A minimum of ten (10) percent of the gross of the Mobile Home Park shall be provided for acreage common facilities, open space, and recreation for the residents of the mobile home park.

6-3.10 Exterior Fence:

6-3.10.1A chain link fence, or other type fence may be required by the Planning Commission where deemed necessary for the safety of the residents of the Mobile Home Park.

6-3.11 Other Regulations:

- 6-3.11.1 All requirements of the County and State Health Departments that are not included in these regulations shall be complied with.
- 6-3.11.2 All regulations of the County and State Fire Marshall's office shall be adhered to.
- 6-3.11.3 No permanent addition of any kind shall be built onto or become a part of any mobile home unit unless a building permit is obtained for such additions and the additions comply with the building, electrical, and plumbing codes and other applicable laws of regulations, and further provided that no additions encroach upon the required open spaces as required herein.
- 6-3.11.4 If no construction, nor affirmative action to develop the property in accordance with the approved Site Plan and Letter of Intent occurs within twelve (12) months of the granting of an application for rezoning to Mobile Home Park, said rezoning shall become invalid unless extended by official act of the Board of Commissioners, and the property shall revert to its prior or appropriate zoning classification.

**SECTION 7**  
**OFF-STREET PARKING AND SERVICE REQUIREMENTS**

- 7-1 Scope of Provisions. Except as provided in this section, no application for a building permit shall be approved unless there is included with the plan for such building, improvements or use, a plot plan showing the required space reserved for off-street parking and service purposes. Occupancy shall not be allowed unless the required off-street parking and service facilities have been provided in accordance with those shown on the approved plan.
- 7-2 Parking Spaces Shall not be Reduced. Off-street parking spaces shall not be reduced below the minimum required number for the use or facility to which they are assigned.
- 7-3 Drainage, Construction, and Maintenance. All off-street parking, loading, and service areas shall be drained so as to prevent damage to abutting properties and/or public streets and shall be constructed of materials which will assure a surface resistant to erosion. All such areas shall be at all times maintained at the expense of the owners thereof in a clean, orderly, and dust free condition to the extent that it does not create a nuisance.
- 7-4 Separation from Walkways, Sidewalks, and Streets. All off street parking, loading, and service areas shall be separated from walkways, sidewalks, and streets by curbing or other suitable protective device.
- 7-5 Parking Area Design. Parking stalls shall have a minimum width of nine and one-half (9-1/2) feet and length of eighteen (18) feet. There shall be provided adequate interior driveways to connect each parking space with a public right-of-way. Interior driveways shall be at least twenty-four (24) feet wide where used with ninety (90) degree angle parking, at least eighteen (18) feet wide where used with sixty (60) degree angle parking, at least twelve (12) feet wide where used with forty-five (45) degree angle parking, and at least twelve (12) feet wide where used with parallel parking, or where there is no parking, interior driveways shall be at least twelve (12) feet wide for one-way traffic movement and at least twenty-four (24) feet wide for two-way traffic movement.
- 7-6 Joint Parking Facilities. Two (2) or more neighboring uses, of the same or different types may provide joint facilities, provided that the number of off-street parking spaces are not less than the sum of the individual requirements.
- 7-7 Pavement Markings and Signs. Each off-street parking space shall be clearly marked, and directional arrows or signs shall be provided wherever necessary. Markers, directional arrows, and signs shall be properly maintained so as to ensure their maximum efficiency.
- 7-8 Number of Parking Spaces. In order to assure a proper and uniform development of public parking areas throughout the area of jurisdiction of this Ordinance, to relieve traffic congestion on the streets, and to minimize any detrimental effects on adjacent properties, off-street parking space shall be provided and maintained as called for in the following schedule. The requirements shall be the same as a similar use as mentioned herein. Parking requirements for additions to existing uses shall be based upon the new addition even if the existing use is nonconforming.

USE	PARKING SPACES
7-8.1 Apartment and Multifamily dwelling	Two (2) spaces for each dwelling unit.
7-8.2 Auditorium, stadium, assembly hall, gymnasium, theater, community recreation center, church	<p>(a) one (1) space per four (4) fixed seats in largest assembly room or area, or</p> <p>(b) one (1) space for each forty (40) square feet of floor area available for the accommodation of moveable seats in the largest assembly room or combination of fixed and moveable seats or</p> <p>(c) one (1) space per each one -hundred fifty (150) square feet of gross floor area; whichever is greatest.</p>
7-8.3 Automobile Fueling Station	One (1) space (in addition to service areas) for each pump and grease rack and one (1) space for each two (2) employees during period of greatest employment but not less than four (4) spaces.
7-8.4 Automobile sales and repair, service stations and auto washeterias	Same as 7-8.3 above plus one (1) space for each five hundred (500) square feet of gross floor area of the shop or washeteria.
7-8.5 Bowling Alley	Four (4) spaces per alley plus requirements for any other use associated with the establishment such as a restaurant, etc.
7-8.6 Club or Lodge	One (1) space for each two (2) employees plus one (1) space for each two hundred (200) square feet of gross floor area within the main assembly area plus additional spaces for other uses permitted within the premises.
7-8.7 Combined Uses	Parking spaces shall be the total of the spaces required for each separate use established by this schedule.
7-8.8 Dance School	One (1) space for each employee plus one (1) space per one hundred fifty (150) square feet of gross floor area plus safe and convenient loading and unloading of students.
7-8.9 Fraternity or Sorority or College Dormitories	One (1) parking space for each two (2) residents and one (1) space for each two employees.

USE	PARKING SPACES
7-8.10 Golf Course	Two (2) spaces for each hole and one (1) space for each two (2) employees plus requirements for any other use associated with the golf course.
7-8.11 High Schools, Trade Schools, Colleges and Universities	One (1) space for each two (2) teachers, employees, administrative personnel and students plus safe and convenient loading of students plus five (5) spaces for each classroom.
7-8.12 Hospital or Care Home	One (1) space for each three (3) beds plus one (1) space for each two (2) employees (nurses, attendants, etc.) plus one (1) space for each staff or visiting doctor.
7-8.13 Hotel	One (1) space for each three (3) guest rooms, suites, or units plus one (1) space for each two (2) employees.
7-8.14 Indoor and outdoor recreational areas (commercial), YMCA and similar uses	(a) One (1) space for each one hundred-fifty (150) square feet of gross floor, building, ground, area, or combination devoted to such use; or (b) one (1) space per each four (4) seats or facilities available for patron use; whichever is greatest.
7-8.15 Industrial or manufacturing establishment or warehouse	Two (2) spaces for each three (3) employees on shift of greatest employment, plus one (1) space for each vehicle used directly in the conduct of the business.
7-8.16 Kindergarten and nursery schools	One (1) space for each employee, plus safe and convenient loading of students.
7-8.17 Mobile Home Park	As provided in Section 6-3.6.1
7-8.18 Motel	One (1) space for each unit Plus one (1) space for each two (2) employees.
7-8.19 Office, professional building or similar use	One (1) space for each three hundred (300) square feet of the gross floor area, plus one (1) space for each two (2) employees.
7-8.20 One-two family dwelling	Two (2) spaces per; each unit (residential driveways will satisfy this need.



USE	PARKING SPACES
7-8.21 Personal service	One (1) space for each two hundred (200) square feet of gross floor area, but not less than two (2) spaces for each employee.
7-8.22 Restaurant or place dispensing food, drink, or refreshments	One (1) space for each three (3) seats plus one (1) space for each two (2) employees on shift of greatest employment.
7-8.23 Retail stores of all types not mentioned otherwise	One (1) space per two-hundred (200) square feet of gross floor area.
7-8.24 Schools, elementary	One (1) space for each teacher, one (1) space for each two (2) employees and administrative personnel , and one (1) space for each classroom, plus safe and convenient loading and unloading of students.
7-8.25 Swimming Pool to be used by the public	One (1) space for every two hundred (200) square feet of water surface area plus requirements for additional uses in association with the establishment such as a restaurant, etc.
7-8.26 Shopping Center	One (1) space for every two hundred (200) square feet gross floor area.
7-8.27 Wholesale establishment	One (1) space for each employee plus sufficient spaces to accommodate vehicles used in the conduct of the business.

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

7-9.1 Spaces Appropriate to Functions: Off-street loading spaces shall be provided as appropriate to the functions and scope of operation of individual or groups of buildings and uses.

7-9.2 Design of Loading Spaces: Off-street loading spaces shall be designed and constructed so that all maneuverings to park and unpark vehicles for loading can take place entirely within the property lines of the premises. Loading spaces shall be provided so as not to interfere with the free, normal movement of vehicles and pedestrians on public rights-of-way.

7-9.3 Ingress and Egress: loading spaces shall conform to driveway entrance regulations of Pike County. (See Section 7-10)

7-10 Curb Cut Requirements. Within any District where the lowering or cutting away of curbs for purposes of ingress and egress is required, such curb cut shall be subject to the following provisions:

- 7-10.1 No more than two (2) combined entrances and exists shall be allowed any parcel of property, the frontage of which is less than two-hundred (200) feet on any one street. Additional entrances or exists for parcels of property having a frontage in excess of two-hundred (200) feet shall be permitted after showing of actual requirements of convenience and necessity, and upon approval of the Planning Commission. Where frontage is fifty (50) feet or less, only one (1) combined entrance-exit shall be permitted.
- 7-10.2 At street intersections, no curb cut shall be located within twenty-five (25) feet of the intersections of two (2) curb lines or such lines extended, or within fifteen (15) feet of the intersection of two (2) property lines of such lines extended, whichever is least restrictive.
- 7-10.3 The distance between any two curb cuts on the same side of the street and located on one property shall be not less than ten (10) feet. Said distance shall be measured between the points of tangency of the curb return radii and the established curb line of the abutting street.
- 7-10.4 All driveways shall be constructed so as to be at least two (2) feet from any property line.
- 7-10.5 The maximum width of any driveway shall not exceed thirty five (35) feet measured at the right-of-way line.
- 7-10.6 The maximum width of any curb cut including curb returns shall not exceed fifty (50) feet except that a bona fide truckstop may exceed the maximum figures as determined by the Zoning Administrator.
- 7-10.7 The sum of the two curb return radii for any one curb cut shall not exceed fifteen (15) feet.

## SECTION 8 NONCONFORMANCES

- 8-1 Nonconforming Lots. Any lot for which a plat or legal description has been recorded in the office of Clerk of Superior Court of Pike County at the time of passage of this ordinance to comply with the dimensional requirements for the District in which it is located may, if vacant, be used for any of the uses permitted within the District by this ordinance structure containing a conforming use, may have the structure improved, enlarged, or extended; provided that in either case:
- (a) Minimum requirements of the District for front, side and rear yard, height and floor area shall be complied with.
  - (b) The lot used for duplexes of multi-family dwellings when allowed within the district only if the lot meets the minimum lot area requirements for those uses in the District.
  - (c) The requirements of Section 3-20 are met.
- 8-2 Nonconforming Open Uses of Land. Nonconforming uses consisting of lots used for storage yards, used car lots, auto wrecking, junk yards, golf driving ranges, miniature golf and similar open uses where the only buildings on the lot are incidental and accessory to the open use of the lot and where such use of the land is not permitted to be established hereafter under this ordinance, in the District in which it is located, shall be governed by the following restrictions in addition to the other requirements in this:
- (a) When a nonconforming open use of land has been changed to a conforming use, it shall not thereafter be used for any nonconforming use.
  - (b) Nonconforming open uses of land shall not be changed to any but conforming uses.
  - (c) A nonconforming open use of land shall not be enlarged to cover more land than was occupied by that use when it became nonconforming.
  - (d) When any nonconforming open use of land is discontinued for a period in excess of six (6) months, any future use of the land shall be limited to those uses permitted in that District under the provisions of this ordinance, vacancy and/or nonuse of the land, regardless of the intent of the owner or tenant, shall constitute discontinuance under this provision.
- 8-3 Nonconforming Use of Structures. Nonconforming use consists of structures used at the time of passage of this ordinance for purposes not permitted in the District in which they are located. They shall, in addition to the other requirements of this ordinance be governed by the following restrictions:

- (a) All existing nonconforming use of a structure may be changed to another nonconforming use upon the finding by the Board of Appeals that the proposed nonconforming use is similar in its operation and effect on surrounding properties or may be changed to a conforming use.
- (b) An existing nonconforming use of a structure shall not be changed to another nonconforming use that generates more automobile or truck traffic, creates more noise, vibration, smoke, dust or fumes, is a more intensive use of structures than the existing nonconforming use, and is in any way a greater nuisance to the adjoining properties than the existing nonconforming use.
- (c) A nonconforming use of a structure shall not be extended or enlarged except into portions of the structure which at the time the use became nonconforming were already erected and arranged or designed for such nonconforming use, except as provided in Section 11-6.4 and no structural alterations shall be made in any structure occupied by a nonconforming use, which would in any way increase the floor space, area, or volume Of space occupied by the use.
- (d) When any nonconforming use of a structure is discontinued for a continuous period in excess of one (1) year, any future use of the structure shall be limited to those uses permitted in that District under the provisions of this ordinance except as provided for in Section 11-6.5. Vacancy and/or non-use of the building, regardless of the intent of the owner or tenant, shall constitute discontinuance under this provision.

8-4 Nonconforming Signs. Nonconforming signs shall be allowed to continue except as provided in Section 9-2 and 9-4 and as follows:

- (a) A nonconforming sign shall not be replaced by another nonconforming sign except that the substitution or interchange of poster panels, painted boards, or demountable material on nonconforming signs shall be permitted.
- (b) Minor repairs and maintenance of nonconforming signs such as repainting, electrical repairs, neon tubing repairs shall be permitted. However, no structural repairs of changes in the size of shape of a sign shall be permitted except to make the sign comply with the requirements of this Ordinance.
- (c) New point of business signs related to legally established nonconforming uses may be erected provided they comply with the sign regulations applicable to use in the most restrictive district in which the use is permitted.

8-5 Reconstruction of Nonconforming Structures. When a nonconforming structure or a structure containing a nonconforming use of nonconforming sign is razed or damaged by fire, flood, wind, or act of God, such structure or sign may be reconstructed as a nonconforming use only if the damage totals less than seventy-five percent (75%) of the

value of the structure. Structures which do not conform to the yard requirements of this ordinance shall also be governed by this provision.

8-6 Changes in Zoning. Any nonconformance created by a change in District boundaries or ordinance regulations after the date of passage of this ordinance shall also be governed by the provisions of this Section.

## SECTION 9 SIGN REGULATIONS

- 9-1 Signs Shall Meet Requirements of This Section. All signs shall be erected, constructed, or maintained in accordance with the provisions of this Section and only those signs that are permitted by this ordinance shall be erected.
- 9-2 No Signs Shall Hamper Traffic Safety. No sign shall be erected or maintained that:
- (a) Obstructs the sight distance along a public right-of-way.
  - (b) Would tend by its location, color, moving parts, or nature, to be confused with or obstruct the view of traffic signs or signals creating a potential hazard to traffic or to be confused with a flashing light of an emergency vehicle.
  - (c) Uses admonitions such as "stop," "go," "slow," "danger," etc. which might be confused with traffic directional signals.
- 9-3 Locations Prohibited. No sign shall be attached to or painted on any telephone pole, light pole, telegraph pole, or other utility pole, or any tree, rock, or other natural object. No signs other than those signs erected by public governmental agencies or signs required by law shall be placed so as to overhang any portion of public rights-of-way or other public properties.
- 9-4 Illumination Not to be a Nuisance. Illumination devices such as, but not limited to, flood or spot lights shall be so placed and so shielded as to prevent the rays of illumination from being cast into neighboring dwellings and approaching vehicles
- 9-5 Where Separate Use Signs are Free Standing. Up-rights shall be spaced no less than six and one-half feet (6 1/2) on centers and the minimum clear distance between the ground level and the bottoms of the trim shall not be less than ten (10) feet.
- 9-6 Signs Not Requiring a Permit. The following signs shall not require a permit:
- (a) Signs to regulate traffic.
  - (b) Signs required to be posted by law.
  - (c) Warning signs and no trespassing signs.
  - (d) Signs established by governmental agencies.
  - (e) Signs indicating bus stops, taxi stands, and similar transportation facilities.
  - (f) Signs not exceeding ten (10) square feet in area giving information concerning the location or use of accessory off street parking facilities or loading and unloading facilities.

- (g) Temporary real estate signs less than ten (10) square feet in area advertising specific property for sale, lease, rent, or development, on private property. Said Sign shall be removed from premises within fourteen (14) days after sale or closing of property.
- (h) Any sign not exceeding ten (10) square feet in area other than point of business signs, or advertising separate use signs or signs requiring electrical wiring.
- (i) Temporary signs on private land involved in campaigns of religious, charitable, civic, fraternal, political, and similar organizations.

9-7 Maximum Area of Signs. No free-standing sign shall be larger in area than seven hundred fifty (750) square feet.

9-8 Issuance of Permits, Administration, and Filing Procedure.

9-8.1 Issuance of Permits: No sign, except those listed in Section 9-6 shall be erected, hung, or placed on structurally altered without a permit from the Zoning Administrator. The Zoning Administrator shall only issue a permit for erection or construction of a sign which meets the requirements of Section 9 of this ordinance.

9-8.2 Filing Procedure: Application for permits to erect, hang, or place a sign shall be submitted on forms obtainable from the Zoning Administrator. Each application shall be accompanied by plans showing the area of the sign, size and character and the method of illumination, if any, the exact location proposed for such sign and in the case of a projecting sign, the proposed method of fastening said sign to the building structure, the vertical distance between such sign and the finished grade, and the horizontal distance between the finished grade, and the horizontal distance between such sign and the street right-of-way line. The application shall also include a photograph or line drawing of the face of the sign showing exactly what is to be portrayed.

9-8.3 Additional Information: Each applicant shall, upon the request of the Zoning Administrator, submit any additional information deemed necessary by said Administrator.

9-8.4 Temporary Signs: If a temporary sign which does require a permit is not intended to be left in place for a period to exceed six (6) months, the owner may deposit a sum of \$10.00 with the Zoning Administrator in lieu of the usual permit fee. If the sign is removed by the owner before the first day of the seventh month, the deposit shall be refunded in full; if not, the deposit shall be forfeited and the Zoning Administrator shall remove said sign.

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

- 10-1 Zoning Administrator. An administrative official designated as the Zoning Administrator by the Concord City Council shall administer and enforce the provisions of this ordinance.
- 10-2 Building Permit Required. A building permit, or a sign permit in case of a sign issued by the Zoning Administrator is required in advance of the initiation of construction, erection, moving, or alteration of any building or structure or sign. No buildings or sign permit shall be issued except in conformity with the provisions of this ordinance; however, a building permit issued before the adoption of this ordinance shall remain valid with the same qualifications as issued under this ordinance.
- 10-3 Application for Building Permit. All applications for building permits shall be accompanied by a plot plan and construction plans in duplicate, drawn to scale showing the actual dimensions of the lot to be built upon; the size of the building to be erected; the location of the building on the lot; the size of the lot area; location of the lot; the number of dwelling units the building is designed to accommodate; the setback lines of buildings on adjoining lots and such other information as may be essential for determining whether the provisions of this ordinance are being observed. Any building permit shall become void if the work involved has not begun within six (6) months after the date of issuance of the permit, or if the work or development authorized by such permit is suspended or abandoned for a period of six (6) months after the work or development is commenced; provided that extensions of time for periods not exceeding six (6) months each may be allowed in writing by the Zoning Administrator.
- The applicant for a building permit shall submit a certificate with his application which certifies that the lot which he proposes to develop is a lot of record. When the lot in question does not meet the lot width and lot area requirements of this ordinance then the applicant shall certify that such lot was a lot of record prior to the adoption of this ordinance or is a lot which has been created through governmental taking of property.
- 10-4 Sign Permits. The Zoning Administrator shall receive applications for the construction of signs, as required by this ordinance. Such applications shall follow the same forms as required for building permits, and shall contain information required by this ordinance in Section 9. The Zoning Administrator shall process such sign applications and shall issue permits and sign numbers for proposed signs which comply with the requirements of this ordinance.
- 10-5 Penalties for Violation. In case any building or structure is erected, constructed, reconstructed, demolished, altered, moved, converted or maintained, or land is used in violation of this Ordinance the offender shall be guilty of a misdemeanor and upon conviction thereof be fined not more than one hundred (100) dollars or imprisoned for not more than thirty (30) days or both for each offense. Each day a violation continues shall be considered a separate offense.



- 10-6 Remedies. In case any building or structure is erected, constructed, reconstructed, altered, converted, or maintained, or any building structure, or land is used in violation of this Ordinance the Zoning Administrator or any other appropriate authority, or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceedings to prevent the violation in the case of such buildings, structure, or land.
- 10-7 Certificate of Occupancy. Certificate of occupancy shall be issued by the Pike County Zoning Administrator in accordance with the following provisions:
- 10-7.1 Certificate of Occupancy Required: Certificate of occupancy is issued by the Pike County Zoning Administrator is required in advance of occupancy or use of:
- (a) A building hereafter erected.
  - (b) A building hereafter altered so as to affect height, the side, front, or rear yard.
  - (c) Any building or premises where a change in the type of use will occur.
- 10-7.2 Issuance of Certificate of Occupancy: Upon payment of all required fees, the Pike County Zoning Administrator shall sign and issue a certificate of occupancy if the proposed use of land or building is found to conform to the applicable provisions of this ordinance and if the building, as finally constructed, complies with the sketch, plan, and specifications submitted and approved for the building permit. Use of public utilities shall not be authorized until an occupancy permit has been issued. One (1) copy of all certificates of occupancy issued which contain a statement of the intended use of the applicable property and other pertinent information, signed by the owner or his agent shall be kept on file in the office of the Zoning Administrator.
- 10-7.3 Denial of Certificate of Occupancy: A Certificate of Occupancy shall not be issued unless the proposed use of a building or land conforms to the applicable provisions of this ordinance and complies with the sketches or plans submitted for obtaining the building
- 10-8 Department of Health:
- 10-8.1 Health Department Approval of Water and Sewer Facilities: No building permit shall be issued by the Zoning Administrator until the (said) County Health Department shall have approved the proposed water supply and sewage disposal facilities required in connection with the proposed building; provided that in an area served by a public utility for water or for sewage disposal, or both the health department may elect to waive the requirement for approval. The (said) County Health Department shall either approve or disapprove said water and sewer facilities within thirty (30) days after receipt thereof.

- 10-8.2 Additional Requirements for Reasons of Health: Nothing contained in these regulations shall be deemed to prevent the Department of Health after study of the site of a proposed use, from requiring for reason of health that all or any portion of such site not to be used for the intended purpose or that the minimum lot sizes set forth for the zoning district in which the use will be located be increased with regard to the proposed use; provided that the Department of Health shall define his decision in writing, with reasons therefore, within thirty (30) days upon being so requested by the applicant for the building permit.
- 10-9 Reason for Denial of Permit. When a permit is denied, the Zoning Administrator shall provide in writing, upon request of the applicant for a permit, his reasons for denying the permit within ten (10) days after said request.
- 10-10 Permits and Licenses Void When Issued in Conflict. Any permit or license issued in conflict with the provisions of this ordinance shall be null and void.
- 10-11 Appeals. Appeals from the decisions of the Zoning Administrator with regard to interpretation, administration, and enforcement shall be made to the Board of Zoning Appeals in accordance with the provisions of Section 11.

**SECTION 11**  
**BOARD OF APPEALS**

11-1 Membership.

11-1.1 Membership and Appointments: The Board of Appeals, hereinafter referred to as the Board, shall consist of five (5) members residing within the City of Concord and shall be appointed by the City Council of Concord. None of the board members shall hold any other public office. Board members shall be removed for cause, upon written charges, and after public hearing. Any member of the Board shall be disqualified to act upon a matter before the board with respect to property in which the member has an interest.

11-1.2 Term of Office: The term of office for each member of the Board shall be for three (3) years; however, in the appointment of the first Board, two members shall be appointed for three (3) years; and two members for two (2) years and one for one (1) year. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.

11-1.3 Compensation: The Board members shall receive compensation for their services as determined by the City Council.

11-2 Rules and Procedures. The board shall elect one of its members as Chairman, who shall serve for one (1) year, at which time he shall either be re-elected or a successor shall be elected. The Board of Appeals shall appoint a secretary who may be an officer of the City of Concord, or of the Planning Commission. The Board shall have the authority to adopt rules of procedure. Meetings of the board shall be held at the call of the Chairman, or in his absence, the Acting Chairman. The Chairman, or the Acting Chairman may administer oaths and compel the attendance of witnesses by subpoena. The Board shall keep minutes of its proceedings, showing the vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of said Board and shall be a public record. The decisions of the Board shall be in writing, which shall contain a statement of the grounds of its decision or action. The full text of the decision shall be sent to the appellant. No appeal requesting the same relief in regard to the same property shall be received or heard by the Board for a period of six (6) months following the date of said decision, except that this limitation shall not affect the right of said Board to grant a rehearing as provided in the rules of procedure adopted by said Board.

11-3 Administrative Assistance. The Zoning Administrator shall provide such technical, administrative, and clerical assistance and office space as required by the Board to carry out its function under the provisions of these regulations.

#### 11-4 Appeals.

- 11-4.1 Who May Appeal: Appeals to the Board may be taken by any person aggrieved or by an officer, department, board or bureau of the governing authority affected by an decision of the Zoning Administrator. Such appeals shall be filed no later than thirty (30) days after the date of notification of the decision appealed from by filing with the Zoning Administrator and with the board a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.
- 11-4.2 Legal Proceedings Stayed: An appeal stays all legal proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay and would, in his opinion cause imminent peril to life and property. In such case, proceeding shall not be stayed otherwise than by restraining order which may be granted by the Board or by a court of record on application, on notice of the Zoning Administrator, and on due cause shown.
- 11-4.3 Presentation of Evidence: The appellant, and any public agency or private individual shall be entitled to present relevant evidence on matters before the Board, and said Board may request technical service, advice, data, of factual evidence from the Planning Commission and the governing authority for assistance in reaching decisions.
- 11-4.4 Extent of Board of Appeals' Power : The Board may, in conformity with the provisions of these regulations, reverse or affirm, wholly or partly, or may modify the order requirement, decision, or determination of the Zoning Administrator, and to that end shall have all the powers of the Zoning Administrator. The Board may direct the issuance of a permit. It shall be the duty of the Zoning Administrator to carry out the decisions of the Board.

#### 11-5 Public Hearing.

- 11-5.1 Notice of Hearing Shall Be Given: Before making its decision on an appeal, request for a special exception, request for a variance or any matter within the Board's purview, said Board shall hold a public hearing thereon. At least fifteen (15) days notice of the time and place of such hearing shall be sent to the appellant or petitioner by U.S. Mail to his last known address, to the Planning Commission, to the Zoning Administrator, and to the owners of all properties either adjoining the property with which the hearing is concerned or situated directly across a public right- of-way from said property. Such notice shall contain the name of the appellant or petitioner, the date, time and place set for the hearing, and a brief statement of the nature of the hearing.

11-5.2 Public Notice in Newspaper: The Board shall give public notice in accordance with the requirements of O.C.G.A.36-66-4.

11-5.3 Hearing: The hearing shall be conducted in accordance with the rules governing public hearing before the City Council.

11-5.4 Time Limit on Board's Decision: The Board shall reach a decision following a public hearing within thirty (30) days and upon failure to do so, the request shall be deemed to have been approved.

## 11-6 Powers and Duties.

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

11-6.2 Special Exceptions: The Board shall hear and decide upon special exceptions as authorized by Section 5, Schedule of Permitted Uses (See Section 11-5.1), of the ordinance. The application to establish such use shall be approved on a finding by the Board of Appeals that:

- (a) The proposed use will not be contrary to the purpose of this ordinance.
- (b) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood nor affect adversely the health and safety of residents and workers.
- (c) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noise or fumes generated, or type of physical activity.
- (d) The proposed use will not be affected adversely by the existing uses; and the proposed use will be placed on a lot of sufficient size to satisfy the space requirements of said use.
- (e) The parking and all development standards set forth for each particular use for which a permit may be granted have been met.
- (f) Provided that the Board of Appeals may impose or require such additional restrictions and standards as may be necessary to protect the health and safety of workers and residents in the community, and to protect the value use of property in the general neighborhood; and provided that wherever the Board of Appeals shall find, in the case of any permit granted pursuant to the provisions of these regulations that any terms, conditions or restrictions upon

which such permit was granted are not being complied with, said Board shall rescind and revoke such permit after giving due notice to all parties concerned and granting full opportunity for a public hearing.

11-6.3 Request for a Variance: The Board may authorize upon appeal in specific cases such variance from the terms of these regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations will, in an individual case result in practical difficulty or unnecessary hardship, so that the spirit of these regulations shall be observed, public safety and welfare secured, and substantial justice done; provided that a variance shall not be granted for a use of land or building or structure that is prohibited by this ordinance in the district in question. Such variance may be granted in an individual case such as:

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

In exercising the above powers, the Board shall not consider any non-conforming use of neighboring lands, structures, or building in the same district, and no permitted use of lands, structures, or buildings in other districts as grounds for the issuance of a variance.

11-6.4 Request for Extension of Enlargement of the Non-Conforming Use of a Structure:

The Board of Appeals may authorize upon appeal in specific cases an extension of an existing non-conforming use which the Board is specifically authorized to pass on under the terms of this ordinance. Said extension may be granted in an individual case upon a finding by the Board that:

- (a) The use is a non-conforming use as defined in these regulations; and,
- (b) the use is in full compliance with all requirements of these regulations applicable to non-conforming uses; and,
- (c) the extension of said use will not further injure a permitted use on adjacent property in the same district.

11-6.5 Continuance of Non-Conforming Use: The Board of Appeals may allow a nonconforming use to be re-established after discontinuance of twelve (12) consecutive months where it is deemed by the Board of Appeals that:

- (a) The design, construction, and character of the building is not suitable for uses permitted in a district in which non-conforming use is situated; and,
- (b) undue hardships to the property owner would result in not allowing the building to be re-opened for a nonconforming use; and,
- (c) adjacent property would not be unduly damaged by such use of the building; and,
- (d) the use is to be identical to the prior non-conforming use of the building.

11-7 Forms. Appeals, requests for permission to establish a use requiring special approval, requests for variances, and requests for extension of non-conforming uses shall be made on forms provided by the Zoning Administrator, and all information required on said forms shall be provided by the appellant. Forms shall be filed with the Zoning Administrator for the Board of Appeals, and the appellant shall pay the Zoning Administrator the fees set forth in Section 13. No form shall be accepted by the Zoning Administrator unless it contains all pertinent information and is accompanied by the required fee to defray expenses.

## SECTION 12 AMENDMENT

- 12-1 General Conditions. These regulations, including the Zoning Map, may be amended by the Governing Authority: (1) on its own motion, (2) on petition, or (3) on recommendation of the Planning Commission, but no amendment shall become effective unless it shall have been proposed by or shall first have been submitted to the Planning Commission for review and recommendation.
- 12-2 Application for Amendment.
- 12-2.1 General: Applications for amendment of these regulations may be in the form of proposals for amendment of the text of this ordinance, or proposals for amendment of the Zoning Map. Applications for amendment shall be submitted to the Zoning Administrator. Any application for a zoning amendment which is denied by the Governing Authority shall not be reconsidered for Six (6) months after said denial.
- 12-2.2 Signature of Applicant Required: All applications shall be signed by the applicant, and shall state his/her name and address.
- 12-2.3 Application for Text Amendment: In the case of a text amendment, the application shall set forth the new text to be added and the existing text to be deleted.
- 12-2.4 Application for Map Amendments: An application for a map amendment shall include the following information:
- (a) The community or area in which is located the land proposed to be reclassified and the street number, if any, or if none, the location with respect to the nearby public roads in common use;
  - (b) a plat of land in question, or a description by metes and bounds, bearings, and distances of the land, or if the boundaries conform to the lot boundaries within a subdivision for which a plot is recorded in the land records of the county; then the lot, block and subdivision designations with appropriate plat reference;
  - (c) the present zoning classification and the classification proposed for such land;
  - (d) the name and address of the owners of the land;
  - (e) the area of the land proposed to be reclassified stated in square feet if less than one (1) acre, and in acres if one (1) or more.



- (f) the application number, date of application, and action taken on all prior applications filed for reclassification of whole or part of the land proposed to be reclassified.

12-2.5 Posting of Property:

- (a) Erection of Sign: within three (3) working days, after acceptance for filing of an application for a map amendment the Zoning Administrator shall erect a sign on the land proposed to be reclassified. Such sign shall be erected by the Zoning Administrator within ten (10) feet of whatever boundary line of such land abuts the most traveled public road; and, if no public road abuts thereon, then such sign shall be erected in such a manner as in the opinion of the Zoning Administrator may be seen most readily by the public. The sign furnished by the Zoning Administrator shall have a minimum size of thirty by forty inches (30" x 40") shall show the application number, the present zoning classification, the proposed zoning classification, the scheduled date, time, and place of public hearing and the telephone number to call for further information. If the land sought to be reclassified lies within more than one (1) block as shown on a plat recorded in the land records of the city, then a sign shall be erected by the Zoning Administrator on the land in each such block.
- (b) Deposit: No sign shall be furnished by the Zoning Administrator unless the applicant shall deposit the sum of fifty dollars (\$50.00). On the return of the sign to the Zoning Administrator by the applicant as hereinafter provided there shall be repaid to the applicant the amount of said deposit.
- (c) Removal of sign: Any such sign shall be returned by the applicant within five (5) days after decision on the application has been made by the City Council, unless a reconsideration shall have been applied for, in which event such sign shall be returned after the disposition of the application for reconsideration has been made by the governing authority.

12-2.6 Referral to Planning Commission: Within five (5) days after acceptance for filing of any application for an amendment, the Zoning Administrator shall transmit two (2) copies thereof to the Planning Commission for its review and recommendation to the Pike County Commissioners. If the Planning Commission fails to submit a report within thirty (30) days after the public hearing, it shall be deemed to have approved the requested amendment.

12-2.7 Hearing Procedure:

- (a) Hearing Called: Before taking action on a proposed shall, hold a public amendment, the City Council shall hold a public hearing thereon, and shall give notice in accordance with the requirements of O.C.G.A. 36-66-4.

- (b) Notice to Interested Parties: A notice shall be sent to the applicant and the Planning Commission, by mail, of the date, time and place of hearing. All application files shall be placed in the custody of the Zoning Administrator and shall be open to public inspection during regular office hours.
- (c) The public hearing shall be conducted according to the procedures attached hereto as Appendix "A".
- (d) The City Council in reaching its decision shall apply the standards attached hereto as Appendix "B".

**SECTION 13**  
**SCHEDULE OF FEES**

- 13-1 Fees. Fees are hereby established in the amounts stated in this section to cover the cost of administration expenses. All fees required by this section shall be in addition to any other fees and charges required under other Ordinances of the City Council. The schedule of fees listed below shall be posted in the office of the Zoning Administrator and may be altered or amended only by the City Council.
- 13-2 Building Permit. The fee for each building permit shall be determined by the schedule attached hereto.
- 13-3 Final Inspection Permit. The fee for each final inspection permit shall be \$10.00.
- 13-4 Sign Permit. The fee for each sign permit shall be \$.10 per square foot, minimum of \$15.00.
- 13-5 Variance. The fee for each application for a variance shall be \$100.00.
- 13-6 Appeals. There shall be a fee of \$100.00 required for an appeal to the Board of Appeals for any administrative decision of interpretation.
- 13-7 Amendment. The fee for each application for a text or map amendment of these regulations shall be:
- (a) Text \$200.00
  - (b) Map \$200.00

<b>NON-COMBINATION PERMITS:</b>	<b>FEE</b>
Demolition	\$50
<b>MAJOR REMODELING:</b>	
Structural	\$50
Siding	\$50
HVAC (Residential) Initial Unit Installation (No permit required for repairs or replacement)	\$50 (per unit)
HVAC (Non-Residential) Initial Unit Installation (No permit required for repairs or replacement)	\$75 (per unit)
Electrical (Single Phase)	\$75
Electrical (Three Phase)	\$100
Plumbing (Residential) Initial Installation (No permit required for minor maintenance)	\$75
Plumbing (Non-Residential) Initial Installation (No permit required for minor maintenance)	\$125
<b>COMBINATION PERMITS NEW FACILITIES &amp; ADDITIONS:</b>	<b>FEE</b>
Residential	\$.25 per sq ft under roof
Church	\$.25 per sq ft under roof
Others (Non-residential)	\$.35 per sq ft under roof
Accessory (150 square foot and less No Structural Inspection)	\$.10 per sq ft over 150 sq ft
Slab/Patio/Carport (80 square foot and less No Structural Inspection)	\$.20 per sq ft over 80 sq ft
Pool	\$75

<b>DEVELOPMENT AND BOARD FEES:</b>	<b>FEE</b>
Land Disturbance (Permit issued by Pike County Zoning & Building)	
Variance/Appeal	\$100
Special Exceptions	\$100
Subdivision - Application (Preliminary Plat & Rezoning)	\$500
Subdivision - (Final Plat)	\$400 (per lot)
Tower fees: Application	\$500
Permit Plus (\$50 per antenna)	\$500
<b>AMENDMENT</b>	<b>FEE</b>
Text Amendment	\$200
Map Amendment	\$200
Sign Permits	\$.10 sq ft, minimum of \$15
<b>MISCELLANEOUS FEES</b>	<b>FEE</b>
Publications (Copies): (Comp Plan, Land Use Plan, Subdivision Regs, Zoning Resolutions, etc)	\$.25 per side
Duplicate/Replacement Permits or Business License	\$25

**SECTION 14**  
**LEGAL STATUS PROVISIONS**

- 14-1 Conflict with Other Laws. Whenever the regulations of this ordinance require a greater lot width or depth or size of yard or impose other more restrictive standards than are required in or under any other statute or covenants, the requirements of this ordinance shall govern. Whenever the provisions of any other statute or covenants require more restrictive standards than those of this ordinance, the provisions of such statutes or covenants shall govern.
- 14-2 Separability. Should any Section or Sub-section of this ordinance be declared invalid or unconstitutional by any Court of Competent Jurisdiction, such declaration shall not affect the validity of the ordinance as a whole nor of any part thereof that is not specifically declared to be invalid or unconstitutional.
- 14-3 Repeal of Conflicting Ordinance. All previous zoning ordinances of Concord are hereby repealed. All other ordinances of regulations not specifically in conflict herewith are hereby continued in force and effect, but all such ordinance or parts of ordinance in conflict herewith are hereby repealed.
- 14-4 Effective Date. This ordinance shall take effect and shall be in force from and after the date of its adoption, the public welfare demanding it.

**SECTION 15**  
**PLANNING COMMISSION**

15-1 Membership.

15-1.1 Membership and Appointments: The Planning Commission, hereinafter referred to as the Commission, shall consist of three (3) members residing within the City of Concord and shall be appointed by the City Council of Concord. None of the Commission members shall hold any other public office. Commission members shall be removed for cause, upon written charges, and after public hearing. Any member of the Commission shall be disqualified to act upon a matter before the Commission with respect to property in which the member has an interest.

15-1.2 Term of Office: The term of office for each member of the Commission shall be for three (3) years; however, in the appointment of the first Commission, one member shall be appointed for three (3) years; and one member for two (2) years and one for one (1) year, vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.

15-1.3 Compensation: The Commission members shall receive compensation for their services as determined by the City Council.

15-2 Rules and Procedures. The Commission shall elect one of its members as Chairman, who shall serve for one (1) year, at which time he shall either be re-elected or a successor shall be elected. The Planning Commission shall appoint a secretary who may be an officer of the City of Concord, or of the Planning Commission. The Commission shall have the authority to adopt rules of procedure. Meetings of the Commission shall be held at the call of the Chairman, or in his absence, the Acting Chairman. The Chairman or the Acting Chairman may administer oaths and compel the attendance of witnesses by subpoena. The Commission shall keep minutes of its proceedings, showing the vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of said Commission and shall be a public record, shall be in writing, which shall contain a statement of the grounds of its decision or action. The full text of the decision shall be sent to the applicant. No application requesting the same relief in regard to the same property shall be received or heard by the Commission for a period of six (6) months following the date of said decision, except that this limitation shall not affect the right of said Commission to grant a rehearing as provided in the rules of procedure adopted by said Commission.

15-3 Public Hearing.

15-3.1 Notice of Hearing Shall Be Given: Before making its on any matter within the Commission's purview, said Commission shall hold a public hearing thereon. At least fifteen (15) days notice of the time and place of such hearing shall be sent to the applicant or petitioner by U.S. Mail to his last known address, to the Zoning Administrator, and to the owners of all properties either adjoining the property

with which the hearing is concerned or situated directly across a public right-of-way from said property. Such notice shall contain the name of the appellant or petitioner, the date, time and place set for the hearing, and a brief statement of the nature of the hearing.

15-3.2 Public Notice in Newspaper: The Commission shall give public notice in accordance with the requirements of O.C.G.A. 36-66-4.

15-3.3 Hearing: The hearing shall be conducted in accordance with the rules governing public hearing before the City Council.

15-3.4 Time Limit on Commission's Decision: The Commission shall reach a decision following a public hearing within thirty (30) days and upon failure to do so, the request shall be deemed to have been approved.

#### 15-4 Powers and Duties.

- (a) Advise the Mayor and Council on applications for amendment to this Ordinance by examining amendment applications and providing written recommendations with reasons for the recommendations to the Mayor and Council as specified in Section XII.
- (b) Dispense general information about this Ordinance to the public upon request.
- (c) Propose amendments to this Ordinance.
- (d) Maintain and update the Concord Land Use Plan (where one exists) so that it may provide a current date base with which decisions on proposed amendments to this Ordinance may be made that utilize sound planning principles.
- (e) Carry out an ongoing comprehensive planning program which, like the Land Use Plan (where one exists), will provide current data on which decisions regarding this Ordinance may be based that utilize sound planning principles.
- (f) Advise the Mayor and Council on matters of zoning and annexation, as appropriate.



**SECTION 16**  
**EFFECTIVE DATE**

This Ordinance takes effect on March 8, 1994, the date of its adoption.

**CITY OF CONCORD**  
SUBDIVISION ORDINANCE  
&  
DEVELOPMENT REGULATIONS

**SUBDIVISION ORDINANCE & DEVELOPMENT REGULATIONS  
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ARTICLE I. GENERAL

Section 101: Short-Title. This document is entitled "The Development Regulations of the City of Concord, Georgia." It may also be known by and cited by the short title of "Concord Development Regulations."

Section 102: Authority. The power of a local government to enact an ordinance such as this, which is provided by the Home Rule provisions of the Constitution and Laws of the State of Georgia.

Section 103: Jurisdiction. This Ordinance applies to all land within the City of Concord, Georgia.

Section 104: Purposes. The Development Regulations of the City seek to encourage the development of desirable land use patterns within the City accordance with the Land Use Plan (where one exists). The promotion of sound land use patterns is intended to reduce or eliminate the occurrence of certain conditions which can threaten the general health, safety, and welfare of the residents of Concord. This Ordinance should serve the following purposes:

- A. Encourage the development of economically sound and stable communities.
- B. Assure the provision of required streets, utilities, facilities, and services to new land development.
- C. Assure the adequate protection of safe and convenient traffic access and circulation both vehicular and pedestrian in new land development.
- D. Assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes.
- E. Assure in general, the wise development of new areas, in harmony with the Land Use Plan.

Section 105: Content. This Ordinance provides for the following:

- A. Defines certain terms used in this Ordinance.
- B. Establishes minimum standards for lots, streets, and other facilities associated with land development.
- C. Provides procedures for administering and amending the Ordinance.
- D. Provides penalties for violation of this Ordinance.

- E. Repeals conflicting ordinances.

ARTICLE II. DEFINITION OF TERMS

Section 201: Interpretation of Certain Common Terms. When used in this Ordinance, the following words and phrases have the meaning as defined in this article. Terms not defined here have the same meaning as is found in most dictionaries, where consistent with the context. The terms "must," "will," and "shall" are mandatory in nature, indicating that an action has to be done. The term "may" is permissive and allows discretion regarding an action. When consistent with the context, words used in the singular number include the plural, and those used in the plural number include the singular. Words used in the present tense include the future. The word "developer" includes a firm, corporation, co-partnership, association, institution, or person. The word "lot" includes the words "plot" and "parcel". The word "building" includes the word "structure". The words "used" or "occupied" as applied to any land or building include the words "intended," "arranged," or "designed," "to be used" or "occupied".

Section 202: General Definitions

- A. Administrative Officer: The person, officer, or official and his authorized representative, whom the Mayor and Council has designated as its agent for the administration of this Ordinance.
- B. Buffer: That portion of a lot established for open space purposes and intended to separate properties with different and possibly incompatible types of uses. A buffer must not be otherwise occupied with structures. A buffer must be at least ten (10) feet, wide and provide reasonable visual screening of the property through the provision of one of the following:
  - 1. Planted vegetative screen at least ten (10) feet wide and six (6) feet high.
  - 2. Fence or wall at least six (6) feet high which provides visual screening.
- C. Center Line: The line which represents the distance a building must be set back from the boundary line of a lot, measured at the foundation of the building.
- D. Building Line: That line surveyed and monumented by the governing authority as the center line of a street, on if such a center line has not been surveyed, it is the line running midway between the outside curbs or ditches of the street.
- E. Curb Cut: The point at which vehicular access is provided to an adjoining street from a lot.

- F. Easement: The right or privilege of using another's property, for purposes such as constructing and maintaining sanitary sewers, water mains, electric lines, telephone lines, storm sewers, gas lines, bicycle paths, pedestrian ways, and other purposes.
- G. Elevation, Front: The view of a building or group of buildings as seen from directly in front of the structure.
- H. Flood Boundary: That area in the City threatened by possible flood under normal to severe circumstance; determined as shown on the Flood Hazard Boundary Map, published by the Federal Emergency Management Agency (FEMA), 1972.
- I. Building Setback Line: A line parallel to and a specified minimum distance from the front, side or rear property lines (as specified) beyond which no foundation wall or part of the structure of any building projects with the exception of roof overhang, steps, and the subsurface projection of footings.
- J. Block: A piece or parcel of land entirely surrounded by public highways or streets, other than alleys.
- K. Land Use Plan: Any part or element of the overall plan for development adopted by the Mayor and Council, as amended.
- L. Construction Plan: A plan based on the approved preliminary, plat, which shows all street design and profiles, topographic information, utility construction plans, sediment which and erosion control plans, and other information which may be required by the Administrative Officer. It is submitted to the Administrative Officer and requires only his/her approval.
- M. Crosswalk: A right-of-way within a block dedicated to public use, intended primarily for pedestrian use, and designed to provide access to adjacent roads and lots.
- N. Design Standards: The specifications to land owners or subdividers for the preparation of plats both preliminary and final indicating among other things the optimum, minimum, or maximum dimensions of such items as right-of-way, blocks, easements, and lots.
- O. Final Plat: A finished drawing or map of a subdivision, meeting all of the requirements of this Ordinance in the form required by this Ordinance, and showing completely and accurately all legal design and engineering information, and certified as required for recording.

- P. Hearing: An unadvertised but official session of the Planning Commission or the Mayor and Council held to afford a subdivider or his agent an opportunity to present and confer on a subdivision plat with the Planning Commission or the Mayor and Council.
- Q. Lot: A parcel of land occupied or capable of being occupied by one or more buildings and customarily incidental accessory buildings or uses, including such open spaces as are required by this Ordinance.
- R. Lot, Corner: A lot located at the intersection of two or more streets.
- S. Lot, Double Frontage: A lot, other than a corner lot, which has frontage on more than one street.
- T. Lot Width: The distance between side lot lines measured at the front building line. If a corner lot, the distance between lot lines measured along the front building line which parallels or more nearly parallels the rear lot line.
- U. Mayor and Council: The Mayor and Council of the City of Concord, Georgia.
- V. Lot of Record: A lot which is part of, a subdivision, the plat of which has been recorded in the Office of the Clerk of the Superior Court of Pike County, Georgia; or a parcel of land described by metes and bounds, the plat or description of which has been recorded in said office. If a portion of a parcel has been conveyed at the time of the adoption of this Ordinance, the remaining portion of the lot or parcel will be considered a lot of record.
- W. Lot Remnant: Any portion or portions of a lot not suitable for building upon because of size of topography and remaining after the transfer of other portions of the lot to adjoining lots.
- X. Owner(s) or Record: The owner(s) of property as specified on the deed of the lot of record.
- Y. Parks and Playgrounds: Public or community land, open spaces, or recreation areas represented on a subdivision plat as dedicated, reserved, or intended to be reserved, for recreational purposes.
- Z. Pedestrian Way: Crosswalk or other areas designed and marked specifically for pedestrian traffic.
- AA. Percentage of Grade: Measured down the street centerline, the distance vertically (up and down) from the horizontal in feet and tenths of a foot for each one hundred (100) feet of horizontal distance.



- BB. Planned Development: A coordinated large-scale or comprehensive group development designed and constructed according to a development plan which has been approved by the Mayor and Council.
- CC. Planning Commission: The Concord Planning Commission.
- DD. Pre-application Review: An initial and informal stage of subdivision review at which the developer may make known preliminary plat proposals and the Planning Commission may respond and/or advise the developer concerning the subdivision regulations.
- EE. Preliminary Plat: A tentative drawing or map of a proposed, subdivision meeting requirements of this Ordinance and showing the proposed layout in sufficient detail, although not completely computed, to indicate unquestionably its workability.
- FF. Private Drive: A non-public, privately owned access way.
- GG. Private Street: Any street within a planned development which meets appropriate public street design standards, but, for purposes of controlled access or privacy, is not dedicated to the City of Concord and is not public
- HH. Protective Covenants: Contracts made between private parties, or conditions recorded with an approved plat and running with the title to the land, specifying the manner in which land may be used, developed, improved with the intent of protecting and preserving the physical and economic integrity of a given area.
- II. Public Hearing: An official session of the Planning Commission or the Mayor and Council, advertised according to law and called for purposes specified in the public notice.
- JJ. Reserve Strip: A strip or parcel of land along, around, or between properties for the purpose of restricting access.
- KK. Review Agency: Any so designated agency other than the Planning commission or the Mayor and Council which may review appropriate parts of plat submissions by reason of technical capability, authority, or interest.
- LL. Right-of-way: A strip of land designated, reserved, dedicated, or purchased for the purpose of pedestrian access, vehicular access, or utility line installation.

MM. Road: A public or private right-of-way affording primary access by pedestrians and vehicles to and between properties and designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, or place.

1. Alley or Service Drive: A minor access way used for service access or property access under specified circumstances to the back or side of properties otherwise abutting a street.
2. Marginal Access Street: A residential street parallel and adjacent to a Major Street which provides access to abutting properties with protection from through traffic.
3. Cul-de-sac: A Local Street with only one (1) outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.
4. Half Street: A street or road adjacent to a subdivision tract boundary where only half the required right-of-way and road improvements are provided within the proposed subdivision and the responsibility for the other half is undecided or is left to the adjacent property owner.
5. Road Width: The shortest distance between lines of lots delineating the road right-of-way.
6. Local Street: Street used primarily for access to the abutting properties and serves travel demands in the immediate area, and designated as such in the Street Classification System Map of the Land Use Plan.
7. Collector Street: Street which usually serves to either provide direct access to lots or distribute traffic from individual lots to Major Streets. It may also connect neighborhoods with one another. It should be designed to discourage excessive speeds and through traffic. It is designated as such in the Street Classification System Map of the Land Use Plan.
8. Arterial Street: Street used primarily to move traffic through the city. Connecting roads and access to adjacent property should be kept to a minimum on an Arterial Street, as these interfere with traffic flow, adversely affecting the capacity and safety of the Arterial Street. It is designated as such in the Street Classification System Map of the Land Use Plan.
9. Tangent: A straight line that is perpendicular to the radius of a curve where the tangent meets the curve.

NN. Subdivider: Any individual, firm, association, syndicate, co-partnership, corporation, trust, or other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this Ordinance.

00. Subdivision:

A. The division of a lot of record at the time of enactment of this Ordinance into three (3) or more lots, building sites, or other divisions for the purpose whether immediate or future of sale, legacy, or building development. This definition includes all of the following:

1. All divisions of land involving a new street.
2. All divisions of land involving a change in existing streets.
3. The transfer of unsubdivided land or the transfer of a lot or parcel of land established by deed or plat recorded in the Office of the Clerk of the Superior Court of Pike County prior to the initial effective date of this Ordinance.
4. The division of land among heirs by judicial decree.
5. The division of land into parcels of three (3) or more acres where no new street is involved.

PP. City: The City of Concord, Georgia.

ARTICLE III. (Reserved)

ARTICLE IV. GENERAL PROCEDURES.

Section 401: Initial Information.

- A. Article IV outlines the procedures to be followed in order to comply with the requirements of this Ordinance. The subdivider (See definition of "subdivider" in Article II), who initially may not be familiar with this Ordinance, first visits the office of the Zoning Administrative Officer to get information concerning ordinances affecting his proposed development.
- B. The Administrative Officer will show the subdivider a copy of this Ordinance. The subdivider may either review the document in the office or he may purchase a copy for his own use.

Section 402: Compliance with Development Regulations Required.

- A. Approval of Subdivision Plats: Any "person" proposing to subdivide land within the corporate limits of the City of Concord must submit to the city plats of the proposed subdivision which conform to all regulations set forth in this Ordinance. Application for approval of the plats must be made to the Administrative Officer under procedures contained in this Article.
- B. Platting Authority: The Planning Commission is the official platting authority of the City of Concord. No subdivision plat may be recorded in the Office of the Clerk of the Superior Court of Pike County unless it has been approved by the Planning Commission. The filing or recording of a subdivision plat without the approval of the Planning Commission as required by this Ordinance is a violation of this Ordinance and is punishable as provided by this Article.
- C. Physical Development: No "subdivider" or "person" may proceed with any construction work on a proposed subdivision before obtaining Preliminary Plat Approval.
- D. Use of Plat: The transfer of, sale, agreement to sell, or negotiation to sell land by reference to, exhibition of, or other use of a subdivision plat that has not been given a Final Certificate of Approval by the Planning Commission and recorded in the Office of the Clerk of the Superior Court of Pike County is prohibited. The description by metes and bounds in the instrument of transfer or other documents does not exempt the transaction from this prohibition.
- E. Opening and Improving Streets: The Mayor and Council may locate, construct, and accept a street if the proposed street is first submitted to the Planning Commission for its review and recommendations. Land designated, reserved, proposed, or dedicated as a street by a subdivider on a subdivision

plat will be accepted, opened, or improved by the City only if one (1) of the following conditions exists:

1. The street corresponds in its location and lines with a public or private street shown on a Final Plat approved by the Planning Commission.
  2. The street corresponds in its location and lines with a public or private street shown on a Final Plat made and adopted by the Planning Commission.
  3. The street has been accepted as, opened as, or otherwise received the legal status of a public street prior to the adoption of this Ordinance.
  4. The Mayor and Council accept the street after soliciting review and recommendation on the proposed street by the Planning Commission.
- F. **Erection of Building:** No building permit will be issued, no building may be erected, and no factory manufactured building may be installed on any lot in any subdivision unless the street giving access to the lot has been approved by the Mayor and Council as meeting the standards of a public street in accordance with this Ordinance, or unless such a street has attained the status of a public street prior to the effective date of this Ordinance.

**Section 403: General Overview of Subdivision Plat Review and Approval Procedures.**

- A. **Introduction:** The procedure for the formal review and approval of a subdivision plat consists of one (1) recommended stage and six (6) required stages. These are as follows:
1. Preapplication Review (Recommended)
  2. Preliminary Plat acceptance by the Planning Commission (Required).
  3. Construction Plan approval by the Administrative Officer (Required).
  4. Final Plat acceptance by the Planning Commission (Required).
  5. Recording and Dedication (Required).
- B. **Exception for Minor Subdivisions:** Subdivisions which do not involve the platting, construction, or opening of new streets, sewers, or water facilities, and subdivisions which do not involve improvement to existing streets are defined as minor subdivisions. They are subject only to the requirements of the Final Plat Stage and the Recording and Dedication Stage. Subdivisions so defined will be accepted by the Planning Commission and the Mayor in the

form of a Final Plat, and the Final Plat must comply in all respects to the requirements of this Ordinance.

- C. Preapplication Review Stage: Whenever the subdivision of a tract of land is proposed, the subdivider is urged to consult early and informally with the Planning Commission. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity, and the proposed development layout of the subdivision. The purpose of the preapplication review stage is to facilitate the clarifying matters relating to the proposed subdivision, and the Development Regulations.
- D. Preliminary Plat Stage: The subdivider must submit to the Planning Commission for approval a Preliminary Plat of the proposed subdivision prepared in accordance with the provisions of this Ordinance. The subdivider must also furnish copies of such a Preliminary Plat to all utility companies serving the area. Approval of the Planning Commission will be indicated on the face of the Preliminary Platt.
- E. Construction Plan Stage: Prior to making any street improvements or installing any utilities, or other improvements, the subdivider must submit to the Administrative Officer construction plans of the proposed subdivision prepared in accordance with the provisions of this Ordinance, and the design presented in the Preliminary Plat that was approved by the Planning Commission. The construction plans must show all street design profiles, topographic information, utility construction plans, sediment and erosion control plans, and other information as may be requested by the Administrative Officer. The Construction Plan Stage requires the review and approval of only the Administrative Officer.
- F. Final Plat Stage: After completion of the physical development or arrangements for physical development acceptable to the Planning Commission, of all or part of the area shown on the Preliminary Plat as approved by the Planning Commission, and before selling any lots, a Final Plat together with the required certificates must be submitted to the Planning Commission for approval. The subdivider must also furnish copies of the approved Final Plat to all Utility Companies serving the area.
- G. Recording and Dedication: After the Final Plat is approved by the Planning Commission, the Final Plat and appropriate documents become the instrument to be recorded in the Office of the Clerk of the Superior Court of Pike County, Georgia. After recording, the appropriate deeds and documents must be presented to the appropriate local government agency for dedication and acceptance.

Section 404: Submission and Approval of Preliminary Plat.

- A. Preliminary Plat Submission: At least fifteen (15) days before the regularly scheduled monthly meeting of the Planning Commission at which the subdivider desires Planning Commission action, the subdivider must submit the following:
  - 1. A letter requesting review and approval of a Preliminary Plat and giving the name and address of a person to whom the notice of hearing and action to Preliminary whom the Plat notice is to be sent.
  - 2. Three (3) copies of the Preliminary Plat and supporting data. At this time, the Planning Commission may direct the subdivider to furnish additional copies to the review agencies or proper authority for review and comment.
- B. Official Date of Submission: The official date of submission of the Preliminary Plat will be the date of the next regularly scheduled monthly meeting of the Planning Commission.
- C. Preliminary Plat Review: The Planning Commission will review the Preliminary Plat for conformance to this Ordinance and other relevant regulations and will consider the comments or suggestions of the appropriate review agencies requested to review the Preliminary Plat. The Planning Commission will indicate on the Preliminary Plat, or by a written memorandum attached to the Preliminary Plat any comments or suggested changes that are necessary to meet the intent of this Ordinance or to serve the best interests of the City of Concord.
- D. Public Hearing: Before acting on the Preliminary Plat, the Planning Commission will schedule a public hearing on the Preliminary Plat. Notice of the time and place of the public hearing will be sent by first class mail at least five (5) days before the date of the public hearing.
- E. Action of the Planning Commission: No more than forty five (45) days after the official date of submission of the Preliminary Plat, the Planning Commission will either approve the plat, conditionally approve the plat (noting the conditions of approval on the plat), or not approve the plat. Action may be taken on the entire Preliminary Plat or any portion of it.
- F. Failure of Planning Commission to Take Action: If the Planning Commission fails to act within forty-five (45) days of the official date of submission of the Preliminary Plat, the Preliminary Plat will be automatically approved by the Planning Commission.
- G. Approval of Preliminary Plat: Approval of a Preliminary Plat is only tentative, pending submission of the Final Plat, and is effective and binding

upon the Planning Commission for a period of no more than two (2) years. After two (2) years, only the work on the subdivision that has been completed in conformance with the Preliminary Plat may be approved by the Planning Commission unless a request in writing for an extension of time is granted. If the Planning Commission grants such an extension, work on the remainder of the subdivision may continue within the limits of the extension.

Section 405: Specifications for Preliminary Plat. The Preliminary Plat must meet the minimum standards of design set forth in this Ordinance and must include the following:

A. General:

1. Title Block including:
  - (a) Proposed name of subdivision and name of former subdivision, if any or all of proposed subdivision has been previously subdivided.
2. Plat Key including:
  - (a) Name and address of person in charge of plat preparation.
  - (b) Date of plat preparation with space for revision dates.
  - (c) Graphic scale of one (1) inch equals 200 feet or larger.
  - (d) North point, identified as magnetic, true, or grid north.
  - (e) Area of subdivision in acres.
  - (f) Appropriate legend of symbols used on plat.
3. Location Sketch Map locating the subdivision in relation to the immediately surrounding area and showing generally:
  - (a) Well known landmarks such as railroads, highways, bridges, creeks, etc.
  - (b) Zoning district classification(s) of land, to be subdivided and adjoining properties.
  - (c) Government jurisdictional boundaries and land lot lines, if applicable:
4. Entire Tract: The subdivider may and is encouraged to submit a Preliminary Plat of his entire tract, even though his present plans may call



for the actual development of only a small portion of the property. Regardless of the area covered, by the Preliminary Plat, any unit divisions or phasing of unit divisions intended in the preparation of the Final Plat must be represented on the Preliminary Plat.

5. Resubdivision: In the case of resubdivision a copy of the existing plat with the proposed resubdivision superimposed on it must be provided.
6. Elevations: All elevations must refer to Mean Sea level Datum.
7. Sheet Size must be no larger than thirty-six (36) inches wide and twenty-four (24) inches long. A margin two (2) inches wide must be on the left side for binding purposes and margins of one-half (1/2) inch must be on the other three sides, the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size.

B. Features of Site to Be Shown on Plat:

1. Location and estimated dimensions of all property boundary lines of the subdivision.
2. Where requested by the Planning Commission, topography by contours at vertical intervals of no more than five (5) feet as determined by a field survey or accurate aerial survey (where deemed necessary).
3. Location of natural features including streams and water courses with direction of flow and acreage of the drainage area affecting the proposed subdivision, water bodies, swamps, flood plains, tree line of wooded areas, individual trees with a trunk diameter of eighteen (18) inches or more, and orchards and other agricultural groves.
4. Location and size of existing cultural features on or adjacent to the proposed subdivision including:
  - (a) Right-of-ways, pavement widths, and names of existing and platted streets.
  - (b) Railroads and railroad right-of-ways.
  - (c) Bridges, buildings, and other structures.
  - (d) All surface utility lines within easements or right-of-ways on or adjoining the tract showing the location of towers or poles.

- (e) (Existing sewers, water mains, drains, culverts, and other underground facilities or utilities within easements or right-of-ways on or adjoining the tract (grades and invert elevation of sewer must also be shown).
- (f) All other easements and right-of-ways.

C. Proposed Conditions and Facilities:

1. Layout of all streets and other access ways with right-of-way and pavement widths, as well as proposed street names.
2. Such street cross-sections, grades, and centerline profiles as may be required.
3. Layout of all lots, including building setback lines; scaled dimensions on lots; utility easements with width and use; block numbers; and lot numbers.
4. Provisions for sewage disposal systems (individual, community, or public), with approval by Pike County Health Department shown by type of system proposed.
5. Provisions for water supply systems (individual, community, or public), with approval by Pike County Health Department shown by type of system proposed.
6. Provisions for proper drainage.
7. Such soil erosion and sediment control plans (or evidence of official approval of such plans) separately attached to the plat, as are required by local ordinances.
8. Designation of lands to be reserved or dedicated to public use.
9. All land uses, including areas to be used for uses other than single-family dwellings.
  - (a) Multi-family residential.
  - (b) Commercial.
  - (c) Industrial.
  - (d) Recreation, open space, and areas for other such uses.

- D. Certificate of Tentative Approval: A Certificate of Tentative Approval of the Preliminary Plat by the Planning Commission will be inscribed on the plat.

Section 406: Submission and Approval of Construction Plans

- A. Construction Plan Submission: After the Preliminary Plat of the proposed subdivision has been given approval by the Planning Commission, the subdivider may within two (2) years of that approval, submit Construction Plans to the Administrative Officer.
- B. Format: Three (3) copies the Construction Plans must be submitted to the Administrative Officer. The scale on the Construction Plans must be at least two hundred (200) feet to the inch.
- C. Approval of Construction Plans: Approval of Construction Plans constitutes authorization to proceed with the installation of any required improvements, subject to the approval of agencies having the proper authority over such individual improvements, and the preparation of the Final Plat, or unit division or phase of unit division.

Section 407: Specifications for Construction Plans. The Construction Plans must conform to all specifications required for the Preliminary Plat, and include the following:

- A. Topography by contours at vertical intervals of no more than five (5) feet as determined by a field survey or accurate aerial survey.
- B. Provisions for proper drainage.
- C. Such soil erosion and sediment control plans (or evidence of official approval of such plans) separately attached to the plat, as are required by local ordinances.
- D. Such street profiles, cross-sections and details as may be necessary to illustrate proposed street construction standards.
- E. Any utility plans, as may be required.
- F. Any tree planting plans, storm water retention plans, or other landscaping plans.

Section 408: Submission and Approval of Final Plat.

- A. Final Plat Submission: After the Preliminary Plat of the proposed subdivision has been given tentative approval by the Planning Commission, Construction Plans have been approved by the Administrative Officer, and required improvements have been completed (or arrangements for required

improvements acceptable to the Administrative Officer have been made), the subdivider may, within two (2) years from the date of the Preliminary Plat approval, apply from for the Final date Plat of approval. The subdivider must submit to the Planning Commission at least fifteen (15) days prior to the Planning Commission's regular monthly meeting at which the subdivider desires Planning Commission action, the following:

1. A letter requesting review and approval of a Final Plat and giving the name and address of the person to be notified of the action of the Final Plat.
  2. Three (3) paper copies of the Final Plat and other documents, as may be specified, and the original tracing or reproducible print of the original print of the original tracing drawn in permanent ink or equivalent on drafting cloth or film. The scale of the plat must be at least 200 feet to the inch.
- B. Official Date of Submission: The official date of submission of the Final Plat will be the date of the next regularly scheduled monthly meeting of the Planning Commission.
- C. Final Plat Review: The Planning Commission will review the Final Plat for conformance with the tentatively approved Preliminary Plat as well as with this Ordinance and other relevant regulations.
- D. Public Hearing Before acting on the Final Plat, the Planning Commission will schedule a public hearing on the Final Plat. Notice of the time and place of the public hearing will be sent by first class mail at least five (5) days before the date of the public hearing.
- E. Action of the Planning Commission: No more than forty-five (45) days after the official date of submission of the Final Plat, the Planning Commission will either issue a Certificate of Approval for Recording, conditionally approve the plat (noting the conditions of approval on the plat), or disapprove the plat. If the Final Plat is disapproved, the Planning Commission will notify the subdivider in writing, stating the reasons for the disapproval. One (1) copy and the original of the plat will be returned to the subdivider, and one (1) copy will be made a part of the records of the Planning Commission. Action may be taken on the entire Final Plat or any portion of it.
- F. Failure of Planning Commission to Take Action: If the Planning Commission fails to act within forty-five (45) days of the official date of submission of the Final Plat, the Final Plat will be automatically approved by the Planning Commission.

G. Approval of Final Plat: Approval of the Final Plat authorizes the subdivider to proceed with the Recording and Dedication procedures.

Section 409: Specifications for Final Plat. The Final Plat must meet the minimum standards of design set forth in this Ordinance and must include the following:

A. General:

1. Title Block including:
  - (a) Name and address of owner(s) of record.
  - (b) Proposed name of subdivision and name of former subdivision, if any or all of proposed subdivision has been previously subdivided.
2. Plat Key including:
  - (a) Name and address of person in charge of plat preparation.
  - (b) Date of plat preparation with space for revision dates.
  - (c) Graphic scale of one (1) inch equals 200 feet or larger.
  - (d) North point, identified as magnetic, true, or grid north.
  - (e) Area of subdivision in acres.
  - (f) Appropriate legend of symbols used on plat.
3. Location Sketch Map locating the subdivision in relation to the immediately surrounding area and showing generally:
  - (a) Well known landmarks such as railroads, highways, bridges, creeks, etc.
  - (b) Zoning district classification(s) of land, to be subdivided and adjoining properties.
  - (c) Government jurisdictional boundaries and land lot lines, if applicable:
4. Elevations: All elevations must refer to Mean Sea level Datum.

5. Sheet Size must be no larger than thirty-six (36) inches wide and twenty-four (24) inches long. A margin two (2) inches wide must be on the left side for binding purposes and margins of one-half (1/2) inch must be on the other three sides, the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size.

B. Features of Site to be shown on Plat:

1. Exact boundary lines of the tract, to be indicated by a heavy line, giving distances to the nearest one-tenth ( 0.1) foot and angles to the nearest minutes, which must be balanced and closed with an error of closure not to exceed one to five thousand (1:5,000). The error of closure must be stated.
2. Topography by contour at vertical intervals of no more than five (5) feet as determined by a field survey or accurate aerial survey (where lots are less than 40,000 square feet in area.
3. Location of natural features including streams and water courses with direction of flow and acreage of the drainage area affecting the proposed subdivision, water bodies, swamps, flood plains, tree line of wooded areas, individual trees with a trunk diameter of eighteen (18) feet or more and orchards and other agricultural groves.
4. Location of adjoining property lines and the names of owner(s) of record and/or the location of adjoining subdivision lines and names.
5. All existing buildings and structures to be maintained within the proposed subdivision.
6. Exact locations, widths, and names of all streets and public access ways within and immediately adjoining the platted property.
7. Street centerlines showing angles of deflection, angles of intersection, radii, length of tangents and arcs, and degree of curvature with basis of curve data.
8. Lot lines with dimensions to the nearest one hundredth (0.01) foot area, necessary internal angles, arcs, chords, tangents, and radii or rounded corners.
9. Building setback line with dimensions.
10. Lot: width at the building line, for each specific lot of which the side lot lines are at angles other than ninety (90) degrees.

11. Lots or sites numbered in numerical order and blocks lettered alphabetically.
12. Location, dimensions, and purpose of all drainage structures and of any easement including slope easements, if required and public service utility right-of-way lines; any areas to be reserved, donated, or dedicated to public use; any sites for other than single-family residential use, with designations stating purpose or proposed use, area, any use limitations; any areas to be reserved by deed covenants for common use of all property owners.
13. Any private covenants to be recorded with the plat attached.

C. Certifications:

1. The following certifications must be in form and substance approved by the Planning Commission and inscribed directly on the Final Plat:
  - (a) An Engineer's or Surveyor's Certification.
  - (b) An Owner's Certificate.
  - (c) A Certificate of Approval for Recording by the Planning Commission.
2. The following certificates or statements must be attached to the Final Plat when applicable:
  - (a) Certificate(s) or Statement(s) of Guaranty to Dedicate.
  - (b) Certificate or Statement of Approval of Streets, whether or not the streets are to be dedicated to the public.
  - (c) Certificates or statements of Approval of the Sewage Disposal System in the proposed subdivision obtained from the City, the Pike County Health Department, and the Environmental Protection Division of the Georgia Department of Natural Resources, as applicable.
  - (d) Certificates or Statements of Approval of the Water System in the Proposed subdivision obtained from the City, The Pike Count Health Department, and the Environmental Protection Division of the Georgia Department of Natural Resources, as applicable.
  - (e) A Certificate or Statement of Approval of the Drainage Provisions with the proposed subdivision.

Section 410: Recording and Dedication.

- A. Recording of Final Plat: Upon approval of a Final Plat, the subdivider must have the Final Plat recorded in the Office of the Clerk of the Superior Court of Pike County. The subdivider will be responsible for the payment of the recording fee at the time of recording of the Final Plat.
- B. Dedication of Platted Streets, Other Public Spaces, and Utilities: Final Plat approval by the Planning Commission does not constitute acceptance of any dedications to the public. After Final Plat approval by the Planning Commission, the subdivider must prepare appropriate documents and plans as constructed, if required, and request the City and other appropriate authorities to accept dedicated streets, other public spaces, and utilities.

Section 411: Appealing an Action of the Administrative Officer or the Planning Commission.

- A. If the Administrative Officer or Planning Commission executes an action which the developer or other aggrieved party believes to be contrary to law, that action may be appealed. Findings of fact, however, may not be appealed. Such an appeal must be filed within thirty (30) days of the date on which the action by the Administrative Officer or Planning Commission was taken.
- B. Board of Appeals has jurisdiction for hearing appeals concerning actions of the Administrative Officer or Planning Commission related to this Ordinance. Applications for appeal may be obtained from and submitted to the Administrative Officer, who will transmit them to the Board of Appeals for its consideration.
- C. When an action of the Administrative Officer or Planning Commission is appealed, all construction or other activity authorized by the appealed action must be stopped immediately. In certain cases, however, the Administrative Officer may feel that the stopping of such construction or other activity authorized by the appealed action will cause imminent peril to life or property. Then, the Administrative Officer may certify to the Board of Appeals that, by reason of facts stated in the certificate, the halting of construction or other activity authorized by the appealed action would in his/her opinion cause imminent peril to life or property. In such cases, the construction or other activity authorized by the appealed action is allowed to continue unless a restraining order is granted by either the Board of Appeals or a court of appropriate jurisdiction.
- D. When an application of appeal of an action of the Administrative Officer or Planning Commission is received, the Board of Appeals will set a time and place for a public hearing on the appeal. Notice of the hearing must be published in a newspaper of general circulation of the City of Concord at least



fifteen (15) days before the hearing. In addition, the parties to the appeal will be notified of the date of the hearing by the Board of Appeals by First Class mail at least fifteen (15) days before the hearing. Any person may appear at the hearing, or have a representative attend instead.

- E. The Board of Appeals will make a decision concerning the appeal and record the decision in the minutes for that meeting. Further appeal on points of law may be made to the Superior Court of Pike County.

Section 412: Variances:

- A. A variance is a permit, issued by the Board of Appeals, which allows development of a parcel of land in a way that does not meet certain requirements of this Ordinance. A variance may be granted only in an individual case where an extreme hardship would result if all of the requirements of this Ordinance were applied stringently to a particular piece of property. The hardship must be proven by showing beyond a doubt that reasonable use of the land is not possible if all of the requirements of this ordinance are to be met. The hardship cannot be self-created such as:
  - 1. A lot purchased with knowledge of an existing restriction.
  - 2. A claim of hardship in terms of prospective sales.
  - 3. An expressed economic need requiring a variance, when such a need can be met in other ways which would not require a variance.
- B. Relief from the hardship - the variance - must not cause substantial detriment to the public good or impair the purpose of this Ordinance.
- C. When a variance is issued, the spirit of this Ordinance must be observed and the public safety and welfare secured.
- D. Application for a variance may be made, with the Administrative Officer. The Administrative Officer will receive the required information and transmit it to the Board of Appeals for its consideration.
- E. When an application for a variance is received, the Board of Appeals will set a time and place for a public hearing on the variance. Notice of the hearing must be published in a newspaper of general circulation in Concord at least fifteen (15) days before the hearing. In addition, the parties to the application for variance will be notified of the date of the hearing by the Board of Appeals by a First Class letter at least fifteen (15) days before the hearing. Any person may appear at the hearing, or have a representative attend instead.

- F. The Board of Appeals will make a decision concerning the variance and record the decision in the minutes for that meeting.
- G. The variance issued by the Board of Appeals must specify which requirements are to be varied from. It must specify alternative requirements to be met, replacing the requirements varied from.
- H. The Board of Appeals may establish performance bonds to assure compliance with any requirements it has set for granting a variance. Where a variance is granted for a construction activity requiring a building permit, the building permit must be obtained and construction must begin within six (6) months of the issuance of the variance. Otherwise, the variance expires after six (6) months.
- I. The decision of the Board of Appeals on the application for variance may be appealed on points of law to the Pike County Superior Court.

Section 413: Amendments.

- A. If a developer finds that a proposed new subdivision of his land does not meet the requirements of this Ordinance, he may request that this Ordinance be amended to permit his proposed use. The Planning Commission or the Mayor and Council may also propose an amendment, but final approval rests with the Mayor and Council.
- B. All applications for amendment must first be reviewed by the Planning Commission. The Planning Commission will send its recommendations in writing to the Mayor and Council within thirty (30) days stating reasons for its recommendation. If the Planning Commission fails to send its recommendations to the Mayor and Council within thirty (30) days, the Mayor and Council will assume that the Planning Commission approves.
- C. Before enacting an amendment to this Ordinance, the Mayor and Council must conduct a public hearing on the amendment. Notice of the public hearing must be published in a newspaper of general circulation at least fifteen (15) days but not more than forty-five (45) days before the public hearing:
  - 1. The public hearing will be held in the City Hall.
  - 2. Written comments on the subject of the public hearing may be submitted by any citizen or property owner at any time prior to the adjournment of the hearing.

3. Persons desiring to be heard orally may present their views at the public hearing. The length of time of each presentation permitted in which speaker will be governed by the Mayor and Council, depending upon the number of persons present and desiring to speak. Personal remarks will not be tolerated.
  4. Any person desiring a transcript of the public hearing must arrange for a court reporter at their own expense.
  5. Cross-examination of persons making oral presentations will not be permitted.
  6. All questions will be addressed to the Mayor or Council member then presiding.
  7. "Standing" to challenge a decision is not conferred by being permitted to speak orally at a public hearing, nor by being permitted to file statement or pleadings.
- D. After conducting the public hearing and considering recommendations from the Planning Commission, the Mayor and Council will then make an official decision on the proposed amendment. The decision may or may not concur with the recommendations of the Planning Commission.
- E. If the Mayor and Council denies a proposed amendment, a minimum period of twelve (12) months must pass before the same amendment proposal is again submitted for consideration.

Section 414: Appealing an Action of the Mayor and Council.

If the Mayor and Council execute an action which the developer or other aggrieved party believes to the contrary to law, that action may be appealed to the Pike County Superior Court. Findings of fact, however, may not be appealed. Such an appeal must be filed within thirty (30) days of the date on which the action of the Mayor and Council was taken.

Section 415: Penalties.

Any person who violates any of the provisions of this Ordinance must face penalties. If a developer or landowner exhausts the decision and appeals procedures contained in Article IV and is still dissatisfied with the decision, he must then comply with the final decision or face penalties. Anyone who violates any of the provisions of this Ordinance, upon conviction, will be fined no more than five hundred (500) dollars for each offense. In addition, he must pay all costs and expenses involved in the case. Each day such a violation continues constitutes a separate offense.

- A. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assist in, or maintains such a violation may each be found guilty of a separate offense and suffer the penalties provided here.

Section 416: Remedies.

If any building or land is used or maintained in violation of this Ordinance, anyone, including the City who would be harmed by such a violation may initiate legal proceedings to obtain an injunction or other appropriate remedy to stop the violation or to prevent any act which would constitute such a violation. Other legal remedies are also available as provided by Georgia Law.

ARTICLE V. REQUIRED DEVELOPMENT STANDARDS.

Section 501: Development Standards in General.

- A. Suitability of Land: Land on which there is a danger to health, safety, or property must not be platted for residential use or other use that will continue or increase such danger, unless such hazards can be and are corrected. Examples of such conditions are as follows:
1. Land subject to flooding, improper drainage, or erosion.
  2. Land with excessive slope or other physical constraints which make it unsuitable for development.
- B. The name of the subdivision: The name of Subdivision must have the approval of the Planning Commission. The name must not duplicate or closely approximate the name of an existing subdivision.
- C. Access: Access to every subdivision must be provided a public street, and every lot within a subdivision must be served by a publicly dedicated street or private street meeting the standards of a public street and approved by the Planning Commission.
- D. Conformance with Adopted Land Use Plan (where one exists): Proposed subdivisions must conform with the adopted Concord Land Use Plan (where one exists) and development policies in effect at the time of submission to the Planning Commission. When features of the Concord Land Use Plan (where one exists) such as sites for schools, public buildings, parks, major streets, or other public uses are located in whole or in part in a proposed subdivision, such features must be either dedicated or reserved by the subdivider for acquisition within a reasonable time by the appropriate public agency.
- E. Reservation or Dedication of Public Use Areas:
1. Reservation of Plan Features: Where the features of the Concord Land Use Plan (where one exists) such as sites for schools, public buildings, parks, major streets, or other public uses are located in whole or in part in a proposed subdivision, such features must be reserved by the subdivider. However, no more than ten (10) percent of the total area of the subdivision will be required for reservation to fulfill this requirement. Whenever the land required for such Plan features is not purchased, acquired, optioned, or condemned by the appropriate public agency within a two-year period from the date of recording the subdivision or by the time that at least seventy-five (75) percent of the lots are built on and occupied- whichever is sooner-the subdivider may claim the original reservation and subdivide it in a manner that meets the requirements of this Ordinance.

Whenever a public body responsible for land, acquisition executes a written release stating that the reserved land is not to be acquired, the Planning Commission will waive the reservation requirements.

2. Reservation Omissions: The Planning Commission will not approve a subdivision plat when features specified in the Concord Land Use Plan (where one exists) are not incorporated into the subdivision plat and the reservation requirements for such features have not been waived.
  3. Unsuitable Reservations: Whenever the Planning Commission finds that a proposed reservation or dedication of land, for public use is not suitable for such public use, it may require the rearrangement of lots to provide suitable land for public use.
  4. Unnecessary Reservations: Whenever the Planning Commission finds that a proposed reservation or dedication of land for public use
- F. Planned Developments: A Planned Development – including large scale construction of housing units, streets, and off-street parking facilities - may be approved by the Planning Commission, although the design of the project does not include standard streets, lots, or subdivision arrangements, if departure from the normal requirements of this Ordinance are consistent with the intent of this Ordinance. The developer of such a proposal is urged to consult early with the Planning Commission to coordinate, plan, and plat properly.
- G. Community Assets: In all subdivisions, due regard must be shown for all natural features such as large trees, water courses, historical sites, and similar community assets which will add attractiveness and value to the property if preserved.

Section 502: Development Standards for Streets. All streets established in the City of Concord after the effective date of this Ordinance must comply with the following development standards:

- A. Continuation of Existing Streets: Wherever slope will permit, the arrangement of streets in a subdivision must provide for the alignment and continuation or projection of existing streets into adjoining areas. Existing streets must be continued at the same or greater width, but in no case less than the required width.
- B. Street Names: Streets or roads that are extensions of or obviously in alignment with existing streets shall retain the name of the street extended or aligned. The names of new streets and roads are subject to the approval of the Planning Commission and must not duplicate or be similar in sound to existing names- even if the suffix street, avenue, drive, etc. is different.

- C. Development Along Arterial Streets: Where a subdivision abuts or contains an Arterial Street (see Concord Land Use Plan (where one exists) for street classification plan), the Planning Commission may require a street approximately parallel to and on either side of the right-of-way of the Arterial Street to provide access to lots along, the Arterial Street while avoiding direct driveway curb cuts on the Arterial Street. Such a street may either abut the Arterial Street or railroad right-of-way or be located a suitable distance away to allow an appropriate use of the intervening land with a non-access reservation along the Arterial Street and a buffer. In such cases, lots must have access only from the access street.
- D. Intersections: The centerlines of no more than two (2) streets may intersect at any one point. Streets must be laid out so as to intersect as nearly as possible at right angles. No street may intersect any other street at an angle of less than sixty (60) degrees. The angle of intersection is to be measured at the intersection of the street centerlines.
- E. Offset Intersections (Street Jogs): Offset intersections with centerline offsets of less than 125 feet are not permitted.
- F. Dead-End Streets (Cul-de-sacs): Local Streets designed to have one end permanently closed must be provided with a turnaround at the closed end having a right-of-way of at least 100 feet in diameter and a pavement of at least 70 feet in diameter.
- G. Private Streets: Private streets may be permitted by the Planning Commission in Planned Developments where controlled access or privacy is desired by the developer. Such streets must meet the development standards for a public street.
- H. Half Streets: Half Streets are prohibited. Whenever a street is planned adjacent to the proposed subdivision tract boundary, the entire street right-of-way must be platted within the proposed subdivision.
- I. Split-Level Streets: Streets which are constructed so as to have two traffic ways - each at a different level within the same right-of-way must provide any additional right-of-way required by this Ordinance when cut and fill techniques have been used in the construction of the street.
- J. Alleys: Alleys or service drives may be required at the rear of all lots used for multi-family, commercial, or industrial developments, but must not be provided in one- or two-family residential developments unless the alley or service drive is to provide secondary access to a lot(s) whose natural grade is

more than six (6) feet above the finished street grade, or unless the subdivider shows the need -for an alley or service drive to the satisfaction of the Planning Commission.

- K. **Marginal Access Streets:** These are streets which are constructed so as to provide secondary access only. No more than six (6) lots may abut any such street, and no such street may exceed 1000 feet in length. Such streets may not be used as through streets and should be permitted only when lots abut an arterial or collector street.
- L. **Minimum Required Street Right-of-way Width:** The right-of-way is the perpendicular distance across a street from property line to property line. Minimum required street right-of-way is as follows:
1. Arterial Street:  $1 n^2$
  2. Collector Street:  $1 60$  feet.
  3. Local Street:  $1 50$  feet.
  4. Marginal Access: 24 feet.
  5. Alley/Service: 24 feet.
  6. Cul-de-sac: 100 feet diameter.
- M. **Minimum Required Street Pavement Width Without Curb and Gutters Streets** without curb and gutter must be graded to provide at least a six (6) foot shoulder on each side of the pavement where cut and fill requirements will reasonably permit. Such shoulders must have at least a two (2) percent slope away from the edge of the pavement. Minimum required street pavement width without curb and gutter is as follows.
1. Arterial Street:  $1 n^2$
  2. Collector Street:  $1 24$  feet.
  3. Local Street:  $1 20$  feet.
  4. Marginal Access: 12 feet.
  5. Alley/Service: 12 feet.
  6. Cul-de-sac: 70 feet diameter.



N. Minimum Required Street Pavement Width With Curb and Gutter: Pavement width with curb and gutter is measured from back of curb to back of curb. Minimum required street pavement width with curb and gutter is as follows:

1. Arterial Street: <sup>1</sup> n<sup>2</sup>
2. Collector Street: <sup>1</sup> 28 feet.
3. Local Street: <sup>1</sup> 24 feet.
4. Marginal Access: 16 feet.
5. Alley/Service: 16 feet.
6. Cul-de-sac: 74 feet diameter.

<sup>1</sup> See Concord Land Use Plan for street classification system and map

<sup>2</sup>As shown in the Concord Land Use Plan; the Official Zoning Map, City of Concord; or as defined by the appropriate local government authority.

O. Additional Right-of-Way for Cut and Fill: Where cut and fill techniques are to be use in the construction of a street, the right-of-way width must be increased above the required minimum two (2) feet for each one (1) foot of material removed for the cut or added for the fill. This additional right-of-way must be added to the side or sides where the cut or fill takes place. The maximum allowable degree of slope on a back slope is 1.5 to 1 (1.5:1), and on a fill slope the maximum allowable degree of slope is 2 to 1 (2:1).

P. Additional Right-of-Way on Existing Street's: In subdivisions that adjoin existing streets, the subdivider must dedicate additional right-of-way to meet stated minimum right-of-way requirements as follows:

1. Where any part of the subdivision is on both sides of the street, the entire right-of-way must be provided.
2. When the subdivision is located on one side of an existing street, on-half (1/2) of the required right-of-way measured from the centerline of the existing roadway must be provided.

Q. Construction Standards for Streets: All streets, alleys, and service drives must be prepared and paved according to the following methods or by equivalent methods that are acceptable to the Planning Commission:

1. Base: The base must consist either of select topsoil, sand clay, or other approved material having a minimum thickness of five (5) inches after being thoroughly compacted: The base must be constructed on a prepared subgrade in accordance with these specifications and in conformity with the lines, grades, and typical cross section as shown in the approved Construction Plans. Specific standards for the Base are as follows:
  - a) All materials must be of an approved type.
  - b) All materials must be mixed to the extent necessary to produce a thoroughly pulverized and homogeneous mixture.
  - c) As soon as the base material has been spread and mixed, the base must be brought to the approximate line, grade, and cross section, and then rolled with a sheepfoot roller until the roller "walks out." Then the base material must be rolled with a pneumatic tire or general purpose roller until full thickness of the base course has been compacted thoroughly, Defects must be remedied as soon as they are discovered.
  - d) The base course must be maintained under traffic and kept free from ruts, ridges, and dustings. It must be kept true to the approved cross section until it is primed.
  - e) Base material must not be deposited or shaped when subgrade conditions are freezing, thawing, or otherwise unfavorable for stability.
2. Pavement: Wearing surface must conform to mixes found suitable by the Georgia Department of Transportation or an independent testing laboratory. Wearing surface must be applied after a prime coat. Unless otherwise approved by the Administrative Officer, pavement must be constructed as follows:
  - a) The prime coat must be cut-back asphalt or cut-back asphalt emulsion applied on a clean, slightly damp surface in an amount of from 0.10 to 0.30 gallons per square yard, depending upon the nature and condition of the surface.
  - b) The wearing surface must consist of either an approved plant mix prepared in a central plant and composed of aggregate and bituminous materials having an in-place minimum compacted thickness of 1.5 inches; or a triple surface treatment consisting of the following materials: A first application of AC-15 (0.30 to 0.40 gallons), second spreading of aggregate (0.45 to 0.55 cubic feet, size M 5), second application of AC-15 (0.35 to 0.40 gallons), second spreading of

aggregate (0.13 cubic feet, size 7), third application of AC-15 (0.15 to 0.20 gallons), and third spreading of aggregate (0.14 cubic feet, size 8).

3. Seals: Care and caution must be taken that all points between such structures as manholes and curbs, and the surface mixture are well sealed.
- R. Reserve Strips: Reserve strips designed as non-access reservations to control access to streets or other areas must be at least five (5) feet wide and must be dedicated to the City.
- S. Buffers: Buffers designed to separate incompatible land uses, as required in certain cases by the Zoning Ordinance, and be dedicated to the City.
- T. Grades: All street grades must conform to the Georgia Department of Transportation Geometric Design Standards for each class of street as follows:
1. Arterial Streets: Must conform to standards for Class IV roads.
  2. Collector Streets: Must conform to standards for Class V roads.
  3. Local Streets and others: Must conform to standards for Class VI roads.
- U. Tangents: All tangents between reverse curves must conform to the Georgia Department of Transportation Geometric Design Standards for each class of street as follows:
1. Arterial Streets: Must conform to standards for Class IV roads.
  2. Collector Streets: Must conform to standards for Class V roads.
  3. Local Streets and others: Must conform to standards or Class VI roads.
- V. Vertical Alignment: Vertical Alignment (shopping sight distance), measured between points four and one-half (4 1/2) feet above the centerline of the street, must conform to the Georgia Department of Transportation Geometric Design Standards for each class of streets as follows:
1. Arterial Streets: Must conform to standards for Class IV roads.
  2. Collector Streets: Must - conform to standards for Class V roads.
  3. Local Streets and others: Must conform to standards for Class VI roads.

- W. **Curb-line Radii:** At street intersections, property lines must be rounded with a curb radius of twenty (20) feet. However, in situations where the angle of intersection of two streets is less than 90 degrees, the Planning Commission may permit comparable cut-offs or chords in place of rounded corners.
- X. **Right-of -Way Radius:** The right-of-way radius at street intersections must parallel the curb line radius.
- Y. **Steep Slope Development:** Street design and construction in areas of steep slopes are subject to variance from the development standards contained in this Ordinance if deemed by the Planning Commission to be necessary to carry out the intent and purpose of this Ordinance and if so ordered by the Planning Commission. If such a variance is ordered, the Administrative Officer will establish appropriate design and construction standards on an individual basis.
- Z. **Grading:** All streets, roads, and alleys must be graded by the developer in such a manner that pavements and other improvements (sidewalks and curb and gutter, if provided or required) can be constructed to the required cross section. The minimum width of grading must be the pavement width as specified in this Ordinance, plus six (6) feet on each side measured from the back of curb or pavement edge. Deviation from the above will be allowed only when due to special topographical (slope) conditions.
1. **Preparation:** Before grading is started the entire right-of-way area must be first cleared of all stumps, roots, brush, other objectionable materials, and trees not intended for preservation.
  2. **Cuts:** All tree stumps, boulders, and other obstructions must be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, must be scarified (broken up and loosened) to a depth of twelve (12) inches below the subgrade.
  3. **Fill:** All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clay, etc., must be removed from the roadway. The fill must be spread in layers no more than twelve (12) inches thick, and compacted. The filling of utility trenches and other places not accessible to the roller must be mechanically tamped.
  4. **Subgrade:** The subgrade must be properly shaped, rolled, and uniformly compacted to conform with the lines, grades, and typical cross sections as shown on required drawings and approved by the Administrative Officer. Unsuitable material must be excavated and replaced with acceptable compacted material.

- AA. Sidewalks: Sidewalks may be required by the Planning Commission where it is determined that safe and convenient pedestrian movement are essential. Common examples of such situations are school sites, commercial areas, places of public assembly, or across unusually long blocks. Required sidewalks or those installed at the option of the subdivider must meet the following development standards:
  - 1. They must be at least three (3) feet wide.
  - 2. They must not be placed immediately adjacent to street curbs.
  - 3. They must otherwise be installed according to required construction plans as approved by the Administrative Officer.
- BB. Street Name Signs: Street name signs must be installed at intersections within a subdivision. The location and design of such signs must be approved by the Administrative Officer.
- CC. Street Trees: The planting of street trees is not required. However, the subdivider is encouraged to plant trees along the street to enhance the appearance of the subdivision. Such trees, if planted on a street right-of-way, must be planted in a manner to insure that there will be no conflict with utility lines either above or below the ground surface.

Section 503: Development Standards for Lots.

All lots established in the City of Concord after the effective date of this Ordinance must comply with the development standards contained in this paragraph. However, where provisions of the Zoning Ordinance apply and are more strict, those provisions take precedence. Development standards for lots are as follows:

- A. Lot lines: As far as practical, side lot lines must be perpendicular or radial to street lines.
- B. Jurisdictional Limits and Lot Lines: Lots must not be divided by city or county boundary lines.
- C. Lot frontage Arrangements: Land must be subdivided in a manner that provides each lot in the subdivision with direct abutting access to an existing public street or to an approved street contained within the proposed subdivision. Each lot must front for at least thirty (30) feet upon an approved street or road. (See Panhandle or Flag Lots).
- D. Adequate Building Sites: Each lot must contain an adequate building site not subject to flooding and outside the limits of existing easements or building

setback lines required by this Ordinance or any existing ordinance as is appropriate.

- E. Panhandle or Flag Lots: "Panhandle" or "Flag" Lots, of required width and area are allowed where terrain makes standard design or frontage impossible or impractical. Where such lots are allowed, the street frontage of each panhandle access must be at least thirty (30) feet wide and the panhandle access must be no more than 300 feet long. No more than two (2) such panhandle access points may abut each other.
- F. Double or Reverse Frontage Lots: Double and reverse frontage, unless required by the Planning Commission, are prohibited except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of slope, orientation, or property size. A Reserve Strip planted with a vegetative screen across which there is no right of access may be required along the line of lots abutting such a traffic artery or other incompatible use.
- G. Commercial and Industrial Lots: Size, shape, and arrangement of commercial and industrial lots, where platted and classified as a subdivision, are subject to the approval of the Planning Commission. Where public water and/or sewage are not available, minimum lot size and minimum coverage will be based on a lot area needed for proper sewage disposal and/or water supply. However, the building setback must be at least fifteen (15) feet from the front property line of the lot, regardless of the classification of the street. Within this setback, no permanent surface structures or facilities are allowed to be constructed.
- H. Lot Remnants: Lot remnants are prohibited. Such remnant areas must be added to adjacent lots, rather than remain as unusable parcels.
- I. Monuments: Solid steel rods inch at least one-half (1/2) inch in diameter or square and two (2) feet long, must be set at all street corners, at all points where street lines intersect, the exterior boundaries of the subdivision, at angle points in streets, at points of curve in streets, and at points of change of direction in the exterior boundaries of the subdivision. The top of the monument must have an indented cross to identify the finished grade. All other lot corners must be marked with solid steel rods no less than 1/2 inch in diameter, and at least two (2) feet long, driven so as to be flush with the finished grade.
- J. Development Standards for Downtown: In order to preserve the history and esthetics of the downtown area, all future constructed commercial, and industrial buildings built on downtown lots must match the present décor of the city. Any future construction plans for the downtown area must be reviewed by the Planning Commission Board of recommendation to the City Council for Approval/Disapproval. A public hearing must be conducted by

the Mayor and Council on all new facilities to afford the public their input. The Mayor and City Council has the power to accept applications for amendment of this ordinance and render official decisions on them after referring them to the Planning Commission for review and recommendations as specified in Section 413.

Section 504: Development Standards for Utility Installations.

- A. Utility Easements: When it is found to be necessary and desirable to locate public utility lines in other than street right-of-ways, easements must be shown on the plat for such purposes. Such easements must not be less than twelve (12) feet wide and, where possible, must be centered on rear or side lot lines.
- B. Installation of Utilities: After grading is completed and approved and before any base is applied, all of the underground work within the street right-of-way water mains, gas mains, etc. must be installed completely and approved throughout the length of the road and across the flat section, At the same time, all service connections must be stubbed out to each lot.
- C. Water Supply Systems:
  - 1. Public Water System: If a public water supply is available to a proposed subdivision and connection to it is permitted, water mains, fire hydrants, and stub connections to each lot within the subdivision must be provided as shown on approved construction plans.
  - 2. Community Water Supply System: If a public water supply is not available, the subdivider may install a community water system developed according to plans and specifications shown on the approved construction plans and approved by the Environmental Protection Division of the Georgia Department of Natural Resources.
  - 3. Individual Water Supply: When a public water supply is not available and a community water system is not proposed by the subdivider, the subdivider must carefully consider the capability and suitability of the general area of the subdivision to support individual water supplies. Such proposed water supplies must be approved by the Pike County Health Department. The Planning Commission must consider the recommendation of the Pike County Health Department regarding any proposed private water supplies in considering approval of a plat

D. Sanitary Sewer Disposal Systems:

1. Public Sewage System: If a public sewage system is available to a proposed subdivision and connection to it is permitted, sewage mains, and stub connections to each lot within the subdivision must be provided as shown on approved construction plans.
2. Community Sewage Supply System: If a public sewage system is not available, the subdivider may install a community sewage system developed according to plans and specifications shown on the approved construction plans and approved by the Environmental Protection Division of the Georgia Department of Natural Resources.
3. Individual Sewage Supply: When a public system is not available and a community sewage system is not proposed by the subdivider, the subdivider must carefully consider the capability and suitability of the general area of the subdivision to support individual sewage systems (septic tanks). Such proposed sewage system must be approved by the Pike County Health Department. The Planning Commission must consider the recommendation of the Pike County Health Department regarding any proposed private sewage systems in considering approval of a plat.

Section 505: Development Standards for Drainage Facilities.

- A. Watercourse and Drainage Easements: Where a proposed subdivision is traversed by a watercourse, drainage way, or stream, appropriate provisions must be made to accommodate stormwater and drainage through and from the proposed subdivision. Such an easement must conform substantially with the lines of the watercourse and be wide enough and of adequate construction to be satisfactory for the purpose.
- B. Storm Drainage: An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., must be provided for the proper drainage of all surface water according to required curb and gutter plans as approved by the Administrative Officer. Cross-drains must be provided to accommodate all natural waterflow and must be long required enough to traverse the full width of the roadway and required slopes. The size of the pipe to be provided will be determined and approved by the Administrative Officer.

Section 506: Surety for Completion of Improvements.

- A. When Allowed: Instead of completing required improvements in a subdivision before seeking approval of the Final Plat, the subdivider may provide surety for completion of such improvements and proceed with submitting a Final Plat to the Planning Commission for approval. He must then complete



the required improvements within the period of performance specified by the government authority or forfeit the surety.

- B. Requirements: To assure the construction and installation of required improvements, the subdivider must deliver to the appropriate government authority a certified check, letter of credit, cash escrow, bond, or other acceptable surety - whichever is specified by the government authority - in the amount estimated by the government authority to be the total cost of the construction and installation of the required improvements which are the responsibility of the subdivider.
- C. Conditions: Bonds posted or other surety provided must run to the government authority having jurisdiction over the required improvements for which surety is made. The surety must provide that the subdivider, his heirs, successors, agents, and servants will comply with all applicable terms, conditions, provisions, and requirements of these regulations, and with other laws, regulations, and requirements as specified by the appropriate government authority. If bond is offered, it must be executed by a surety and guaranty company qualified to transact business in the State of Georgia.
- D. Duration and Release: Bonds posted or other surety provided pursuant to these regulations must be released, returned, or otherwise disposed of by the holder at the time facilities guaranteed have been installed and approved. Approval will be in writing and accurately described the improvements covered. Facilities will not be accepted or approved unless they conform to the specifications and requirements of these regulations and the government authority.
- E. Default: The subdivider will be in default of the surety if the construction or installation of any improvements or facilities by the subdivider, for which a bond is posted or other surety is provided, is not completed within the period of performance specified by the public authority at the time the surety is provided or is not completed in accordance with applicable specifications and requirements of the appropriate authority. In such situations, the government authority may complete the construction or installation using the proceeds from the surety deposits to pay for the work. Such work may be done under contract or by the local government authority. It will be completed within six (6) months after the date that the offending construction or installation was determined to be in violation of this Ordinance. Any portion of the surety deposit not used by the government authority will be returned to the person making the deposit.

- F. Certification of Receipt of Surety for Required Improvements: A certificate or statement of receipt of surety by the government authority having jurisdiction will be inscribed on or attached to the Final Plat and executed by the appropriate government authority for the required improvement (s) for which separate surety is provided.

ARTICLE VI. POWERS AND DUTIES OF VARIOUS

OFFICIAL CONCERNING THIS ORDINANCE.

Section 601: Purpose. This Article formalizes the powers and duties of the Administrative Officer, the Planning Commission, the Board of Appeals, and the Mayor and Council where this Ordinance is concerned. It should also provide a convenient list of services provided by each official to aid in complying with the requirements of this Ordinance.

Section 602: Powers and Duties of the Administrative Officer. The Administrative Officer has the power and duty to provide the following services related to this Ordinance:

- A. Provide initial information about this Ordinance upon request.
- B. Advise how to contact members of the Planning Commission, the Board of Appeals, and the Mayor and Council for services provided by those bodies.
- C. Offer practical suggestions on how to comply with the requirements of this Ordinance.
- D. Maintain complete records concerning this Ordinance and related matters, and make such records available to the public upon request.
- E. Propose amendments to this Ordinance.

Section 603: (Reserved)

Section 604: Powers and Duties of the Planning Commission. The Planning Commission has the power and duty to provide the following services related to this Ordinance:

- A. Advise the Mayor and Council on applications for amendment to this Ordinance by examining amendment applications and providing written recommendations with reasons for the recommendations to the Mayor and Council as specified in Section 413.
- B. Dispense general information about this Ordinance to the public upon request.
- C. Propose amendments to this Ordinance.
- D. Maintain and update the Concord Land Use Plan (where one exists) so that it may provide a current data base with which decisions on proposed amendments to this Ordinance may be made that utilize sound planning principles.

E. Carry out an ongoing comprehensive planning program which, like the Land Use Plan (where one exists), will provide current data on which decisions regarding this Ordinance may be based that utilize sound planning principles.

F. Authorize variances according to procedures specified in Section 412.

Section 605 Powers and Duties of the Board of Appeals. The Board of Appeals has the power and duty to provide the following services:

A. Accept applications for appeal of an action of the Administrative Officer of the Planning Commission and render official decisions on them according to procedures specified in Section 411.

B. Authorize variances according to procedures specified in Section 412.

Section 606: Powers and Duties of the Mayor and Council. The Mayor and Council have the power and duty to provide the following services related to this Ordinance:

A. Accept applications for amendment of this Ordinance and render official decisions on them after referring them to the Planning Commission for review and recommendations as specified in Section 413.

B. Propose amendments to this Ordinance.

ARTICLE VII. LEGAL STATUS PROVISIONS.

Section 701: Conflict with Other Ordinances. Portions of other ordinances that conflict with portions of this Ordinance are repealed. Non-conflicting parts of those ordinances remain in effect.

Section 702: Validity. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, that declaration will not affect the validity of the Ordinance as a whole nor any part of it other than the part that was declared to be unconstitutional or invalid.

Section 703: Effective Date. This Ordinance takes effect on March 8, 1994, the date of its adoption.

**APPENDIX A**

**CONDUCT FOR HEARINGS FOR ZONING DECISIONS  
BY CITY OF CONCORD COUNCIL**

**PROCEDURES FOR CONDUCT OF HEARINGS FOR FINAL ZONING DECISIONS  
BY CITY OF CONCORD CITY COUNCIL**

- A. All hearings for final zoning decisions by the City of Concord City Council (hereafter, "Council") shall be called pursuant to O.C.G.A. 36-66-4, as amended.
  
- B. All hearings for final zoning decisions by the Council shall be conducted according to the following procedures:
  - 1) All persons who wish to address the Council at a hearing concerning a final zoning decision under consideration by the Council shall first register on a form to be provided by the Council prior to the commencement of the hearing. Any party who wishes to address the Council through their attorney or other designated representative or agent shall first register on a form to be provided by the Council prior to the commencement of the hearing, setting forth the name of their principal and the capacity in which they are appearing before the Council, i.e. whether as attorney, parent, attorney in fact, real estate agent or otherwise.
  
  - 2) The Council will cause to be read the proposed zoning decision under consideration and any departmental reviews pertaining thereto prior to receiving public input on said proposed zoning decision. Proposed zoning decisions shall as a general rule be called in the order in which they are received by the Council, provided that nothing shall prevent the Council from changing the order of decisions reviewed at the time of hearing, for the convenience of the Council and the public.
  
  - 3) The Council shall call each person who has registered to speak on the proposed zoning decision in the order in which the persons have registered to speak, except for the applicant, who will always speak first, or if the Council has brought a proposed zoning decision to the hearing, then the Council shall speak first; provided however, no person shall be allowed to speak in addition to their attorney or other designated representative or agent. Each person shall have only one opportunity and time limit in which to speak and said opportunity and time shall be used only by the person or the person's attorney or other designated agent, purpose of this provision is to disallow additional time not allowed to other speakers, by use of attorneys and agents, thereby gaining an unfair advantage at the hearing. Prior to speaking, the speaker will give the speaker's name and state the speaker's current address and if an attorney or the designated agent, identify the agent's principal. Only those persons registered to speak prior to the commencement of the hearing shall be entitled to speak, unless the Council, in its discretion, votes to make an exception at the time of the hearing, notwithstanding the failure of such person to register prior to the hearing.
  
  - 4) Each speaker shall be allowed a limited amount of time to address the Council concerning the proposed zoning decision then under consideration, unless the Council, prior to or at the time of the reading of the proposed decision, allows additional time in which to address the Council on said proposed zoning decision. The applicant may initially use all of the time allowed to speak or reserve a portion of the speaker's allotted

time for rebuttal. A member of the Council shall be designated as the timekeeper to record the time expended for each speaker. Speakers at the hearing shall have five (5) minutes in which to address the Council. Provided, however, if the Council desires to ask questions of the speaker, once the speaker has finished speaking on said proposed zoning decision, the time incurred to ask and answer said questions shall not accrue to the speaker's allotted time. Provided further, however, the Council may stop questioning and responses at any time, at which time the speaker must relinquish the floor.

- 5) Each speaker shall speak only to the merits of the proposed zoning decision under consideration and shall address his or her remarks only to the Council. The merits of the proposed zoning decision shall include evidence or opinions regarding devaluation, fall market value, nuisance, environmental concerns, traffic, noise, aesthetics and in general, the health, welfare and benefit of the community as it is affected by the proposed zoning decision. The speaker shall refrain from comment on unrelated zoning issues and unrelated tracts of land. Each speaker shall refrain from personal attacks on any other speaker and from discussion of facts or opinions irrelevant to the proposed decision under consideration. The Council may limit or refuse a speaker the right to continue, if the speaker, after first being cautioned, continues to violate this rule.
- 6) Nothing contained herein shall be construed as prohibiting the Council from taking reasonable steps necessary to insure that hearings are conducted in a decorous manner, to assure that the public hearing on each proposed zoning decision is conducted in a fair and orderly manner.
- 7) Prior to the close of the hearing, the Council shall announce whether to vote on the proposed amendment or decision at that same hearing or whether it will defer its vote for a period not to exceed 30 days.



**APPENDIX B**

**STANDARDS GOVERNING EXERCISE OF ZONING POWER  
CONCORD CITY COUNCIL**

**STANDARDS GOVERNING EXERCISE OF ZONING POWER  
CITY OF CONCORD CITY COUNCIL**

- A. The City Council will, when considering a proposed amendment to the Zoning Resolution, first determine whether the limitation imposed by such an amendment on the right to unrestricted use of property which might result from the proposed amendment is necessary to promote the public health, safety, or general welfare. In considering whether to change the zoning classification of any particular property, the City Council will balance the benefit to the public of the present zoning classification of the property against the detriment to the property owner, and scrutinize the application in light of the character of the land in question and the zoning decision upon the property owner's rights. In making these determinations, the City Council must consider the following:
1. The existing uses and zoning of the nearby property.
  2. The suitability of the property for the zoned purpose.
  3. The length of time the property has been vacant.
  4. The threat to the public health, safety, and welfare if rezoned.
  5. The extent to which the value of the property is diminished by the present zoning.
  6. The balance between the hardship on the property owner and the benefit to the public in not rezoning.
- B. The Council may also consider whether development of the property in the zoning classification sought would do any of the following:
1. Would have an adverse effect on the insurance rating of the City, or any substantial portion thereof, issued by the Insurance Service Office or similar rating agency.
  2. Overtax the public utilities and streets presently existing to serve the site.
  3. Have a substantial adverse impact on the environment, including by not limited to, drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity.

**APPENDIX B  
ACKNOWLEDGEMENT FORM**

The applicant for amendment to this Ordinance shall sign the following statement or other similar statement approved by the Zoning Administrator:

“I, \_\_\_\_\_ applicant for amendment to the City of Concord Zoning Ordinance swear that all information in the application is true to the best of my knowledge and belief; that I have had the opportunity to participate in pre-application conference with the Zoning Administrator; that I have had an opportunity to read and/or purchase a copy of the Zoning Ordinance; that I agree to abide by the decisions of the Zoning Administrator, Planning and Zoning Board, City Council, as well as any other City Official or body relative to this application; and that I intend to complete any and all building or other improvements, as approved by the City of Concord, in accordance with all city ordinances and in accordance with the plans and information submitted in this application.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State, Zip Code

**APPENDIX C**

**MAPS**

**CONCORD ZONING AND STREET AND ROAD CLASSIFICATION**

**APPENDIX D**  
**CURRENT FORMS**  
**SAMPLE COPY**

## **Information Relative to Annexation of Property**

- A. Applicant must first confer with the Mayor on his/her designee as to the proposed annexation.
- B. A “Zoning Application and Informal Require for Annexation” must be filed after such conference.
- C. A plat must be prepared at Applicant’s expense by a registered professional surveyor that meetings the requirements for an annexation plat set forth below, and eight copies must be filed with the formal Application for Annexation.
- D. Formal Application must also have attached a copy of the deed whereby Applicant(s) acquired the property to be annexed.

### Requirements of Plat:

- 1. A map and a complete survey by a registered surveyor, containing no fewer than four surveyed map registration points and recorded with the Georgia Coordinate System of 1985, showing the boundaries of the area being annexed and the existing boundaries of the annexing municipality between the points at which these boundaries close, if applicable. The accuracy of the surveyed map shall meet the requirements set for in the Rules and Regulations of the State of Georgia, Section 180-7-01 Technical Standards for Property Surveys. The map demarcation of the map registration points should be well distributed along, within, or near the boundary of the annexed area. This map and survey must also meet the requirements set for in Code Section 15-6-67 for filing maps or plats relating to real estate with the Clerk of Superior Court.
- 2. Plat must also affirmatively show that: At least one-eighth (1/8) of the aggregate external boundary or fifty (50) feet of the area to be annexed, whichever is less, either abuts directly on the municipal boundary or would directly abut on the municipality boundary if it were not otherwise separated from the municipality boundary by lands owned by the municipal corporation or some other political subdivision, by lands owned by this state, or by the definite width of:
  - a) Any street or street right-of-way;
  - b) Any creek or river; or
  - c) Any right-of-way of a railroad or other public service corporation which divides the municipal boundary and any area proposed to be annexed.
- 3. The entire parcel or parcels of real property owned by the person seeking annexation is being annexed; provided, however, the lots shall not be subdivided in an effort to evade the requirements of this paragraph; and

THIS MEANS THE PLAT MUST SHOW THE NAMES OF ALL  
ABOUNDING OWNERS TO DEMONSTRATE THAT THE ENTIRE  
TRACT OF LAND OF THE APPLICANT IS BEING ANNEXED.

4. The private property annexed, excluding any right-of-way of a railroad or other public service corporation, complies with the annexing municipality's minimum size requirements, if any, to construct a building or structure occupiable by persons or property under the policies or regulations of the municipal development, zoning, or subdivision ordinances.

**APPLICATION FOR ZONING & INFORMATION REQUEST FOR ANNEXATION  
CITY OF CONCORD, GEORGIA**

Date: \_\_\_\_\_ Annexation Fee: \$200.00

Applicant's Name (Property Owner): \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Contact Number: \_\_\_\_\_

Location of Property: (A plat of the property must be submitted with application.)

\_\_\_\_\_

Zoning Requested: \_\_\_\_\_ Total Acreage: \_\_\_\_\_

Reason for Annexation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Property Owner's Signature

\_\_\_\_\_

Date

Utilities Available: \_\_\_\_\_

Concord Zoning Commission Recommendation: \_\_\_\_\_

\_\_\_\_\_

Public Hearing and Action by the Concord City Council: \_\_\_\_\_

\_\_\_\_\_



**APPLICATION FOR LAND-DISTURBING PERMIT  
CITY OF CONCORD, GEORGIA**

Project File # \_\_\_\_\_  
Date of Application \_\_\_\_\_  
Permit Effective Date \_\_\_\_\_  
Permit Expires \_\_\_\_\_

Applicant Name: \_\_\_\_\_ Contact #: \_\_\_\_\_

Address: \_\_\_\_\_

Landowner: \_\_\_\_\_ Contact #: \_\_\_\_\_

Address: \_\_\_\_\_

Plan prepared by \_\_\_\_\_

Project (name and description): \_\_\_\_\_

Location: \_\_\_\_\_

Tax Map: \_\_\_\_\_ Parcel: \_\_\_\_\_ Area= \_\_\_\_\_ sq. ft.

I, \_\_\_\_\_ hereby certify that I fully understand the provisions of the \_\_\_\_\_ County Erosion and Sediment Control Ordinance and Program, and that I accept responsibility for carrying out the Erosion and Sediment Control Plan for the above referenced project as approved by the County.

I further grant the right-of-entry onto this property, as described above, to the designated personnel of \_\_\_\_\_ County for the purpose of inspecting and monitoring for compliance with the aforesaid Ordinance.

\_\_\_\_\_  
Print Name \_\_\_\_\_  
Date

APPROVED:

\_\_\_\_\_  
Local Program Administrator \_\_\_\_\_  
Date

\_\_\_\_\_

Other Official \_\_\_\_\_

Date \_\_\_\_\_

**APPLICATION FOR REZONING  
CITY OF CONCORD, GEORGIA**

1. Application # \_\_\_\_\_ (office use only)
2. Application Fee \$200.00                      Date Application is filed \_\_\_\_\_
3. Sign Deposit Fee \$ 50.00 (will refund once sign is removed from property.)
4. Owner's Name \_\_\_\_\_ Phone # \_\_\_\_\_  
Address \_\_\_\_\_
5. Application submitted by/on behalf of owner \_\_\_\_\_
6. Present Zone \_\_\_\_\_ Proposed Zone \_\_\_\_\_
7. Location of property \_\_\_\_\_  
Tax map \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_
8. THE APPLICANT SHALL ATTACH THE FOLLOWING DOCUMENTS:
  - A. Drawing showing the dimensions of existing and/or proposed buildings, entrances and exits from the property described in the application, if applicable.
  - B. A detailed description of existing land use on adjacent and surrounding property.
  - C. A plat of the land in question.
  - D. Legal description of the property.
  - E. The area of land proposed to be rezoned, stating in square feet if less than one (1) acre and in acres of one (1) acre or more.
  - F. The application number, date of application and action taken on all prior applications filed for rezoning of all or part of the subject property.

\_\_\_\_\_  
Signature of Applicant

Date Application accepted by Zoning Office \_\_\_\_\_

**APPLICATION FOR SIGN PERMIT  
CITY OF CONCORD, GEORGIA**

**SIGN OWNER:**

Name: \_\_\_\_\_ Contact #: \_\_\_\_\_

Address: \_\_\_\_\_

**PERSON ERECTING THE SIGN:**

(Only complete this portion if person erecting sign is not the owner listed above.)

Name: \_\_\_\_\_ Contact #: \_\_\_\_\_

Address: \_\_\_\_\_

Please describe where the desired sign will be located if a permit is issued:

\_\_\_\_\_

A sketch showing the dimensions of the desired sign and the location of the sign in relation to structures on the property is to be attached by the applicant to the back of this application. The applicant must attach a detailed analysis of the plans, specifications and structural drawing including how it will stand or be mounted.

If sign requires electricity, an electrical permit must be obtained prior to the issuance of a sign permit. A copy of the electrical permit must be attached to application.

Please allow up to five (5) working days for the issuance or denial of a sign permit.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**FOR OFFICE USE ONLY**

Date completed application was received: \_\_\_\_\_

Comments: \_\_\_\_\_

Permit: \_\_\_\_\_ issued \_\_\_\_\_ denied Date: \_\_\_\_\_

**APPLICATION FOR SPECIAL EXCEPTION  
CITY OF CONCORD, GEORGIA**

1. Application Fee \$100.00                      Date Application is filed \_\_\_\_\_
2. Sign Deposit Fee \$ 50.00 (will refund once sign is removed from property).
3. Legal Owner of Property \_\_\_\_\_  
Address \_\_\_\_\_ Contact # \_\_\_\_\_
4. Application submitted by/on behalf of owner \_\_\_\_\_
5. Present Zoning \_\_\_\_\_ Proposed Zoning \_\_\_\_\_
6. Location of property \_\_\_\_\_  
Tax map \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

7. THE APPLICANT SHALL ATTACH THE FOLLOWING DOCUMENTS:

- A. Section of the zoning ordinance under which the special exception is sought.
- B. Drawing showing the dimensions of existing and/or proposed buildings, entrances and exits from the property described in the application, if applicable.
- C. The reason a special exception is needed.

SECTION: SPECIAL EXCEPTIONS

8. Written comments concerning the following:
  - A. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
  - B. Off-street parking and loading of areas where required, with particular attention to the items in question.

\_\_\_\_\_  
Signature of Applicant

Date Application received by Zoning Office \_\_\_\_\_

**APPLICATION FOR A ZONING VARIANCE  
CITY OF CONCORD, GEORGIA**

1. Application Fee \$100.00                      Date Application is filed \_\_\_\_\_

2. Sign Deposit Fee \$ 50.00 (will refund once sign is removed from property.)

3. Legal Owner of Property \_\_\_\_\_

Address \_\_\_\_\_ Contact # \_\_\_\_\_

4. Application submitted by/on behalf of owner \_\_\_\_\_

5. Present Zoning \_\_\_\_\_ Proposed Zoning \_\_\_\_\_

6. Location of property \_\_\_\_\_

Tax map \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

7. Present use of property: \_\_\_\_\_

8. Attach the following document to this application.

A. Plat of survey showing the dimension(s) of the property, location(s) of existing structures and proposed location of structures for which a variance is requested.

B. Explanation of the proposed variance requested.

C. Applicant shall submit in writing the following demonstrating:

There are extraordinary, exception or peculiar conditions and circumstances pertaining to the particular piece of land, structure or building in question which are not applicable to other lands, structures, or buildings in the same district;

The application of these regulations to a particular piece of property would create a practical difficulty or unnecessary hardship;

Relief, if granted, would not be injurious to the neighborhood or otherwise detrimental to the public welfare or impair the purposes and intent of these regulations;

A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same district are entitled to enjoy;

That the special conditions and circumstances are not a result of any actions of the applicant; and,

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance or other Development Ordinances to other lands, structures, or buildings in the same district.

---

Signature of Applicant

**APPLICATION FOR SUBDIVISION  
CITY OF CONCORD, GEORGIA**

1. Check the one that applies: \_\_\_\_\_ Major Subdivision \_\_\_\_\_ Minor Subdivision

(For description of Minor Subdivision see *City of Concord Zoning, Section 403 (B).*)

2. Application Fee \$500.00 Date Application is filed \_\_\_\_\_

3. Sign Deposit Fee \$ 50.00 (will refund once sign is removed from property).

4. Owner's Name \_\_\_\_\_ Phone # \_\_\_\_\_

Address \_\_\_\_\_

5. Application submitted by/on behalf of owner \_\_\_\_\_

6. Location of property \_\_\_\_\_

Tax map \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

**7. THE APPLICANT SHALL ATTACH THE FOLLOWING DOCUMENTS:**

A. Submit sketch plans and data showing existing conditions within the site and in its vicinity, and the proposed development layout of the subdivision including lot size.

B. Preliminary Plat Submission: At least fifteen (15) days before the scheduled meeting of the Planning Commission at which the subdivider desires Planning Commission action, the subdivider must submit the following:

1. A letter requesting review and approval of a Preliminary Plat and giving the name and address of a person to whom the notice of hearing and action to Preliminary whom the Plat notice is to be sent.

2. Three (3) copies of the Preliminary Plat and supporting data. At this time, the Planning Commission may direct the subdivider to furnish additional copies to the review agencies or proper authority for review and comment.

\_\_\_\_\_  
Signature of Applicant

Official date of submission of the preliminary plat will be the date of the scheduled meeting of the Planning Commission.

It is strongly recommended applicant acquire copies of *City of Concord Zoning Ordinance Sections 403 thru 410.*

**AMENDMENT TO  
Application # \_\_\_\_\_**

**APPLICATION FOR SUBDIVISION  
CITY OF CONCORD, GEORGIA**

1. Check the one that applies: \_\_\_\_\_ Major Subdivision \_\_\_\_\_ Minor Subdivision

(For description of Minor Subdivision see *City of Concord Zoning, Section 403 (B).*)

2. Application Fee \$ \_\_\_\_\_ Date Application is filed \_\_\_\_\_

3. Sign Deposit Fee \$ 50.00 (will refund once sign is removed from property).

4. Owner's Name \_\_\_\_\_ Phone # \_\_\_\_\_

Address \_\_\_\_\_

5. Application submitted by/on behalf of owner \_\_\_\_\_

6. Location of property \_\_\_\_\_

Tax map \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

7. THE APPLICANT SHALL ATTACH THE FOLLOWING DOCUMENTS:

A. Submit sketch plans and data showing existing conditions within the site and in its vicinity, and the proposed development layout of the subdivision including lot size.

B. Preliminary Plat Submission: At least fifteen (15) days before the scheduled meeting of the Planning Commission at which the subdivider desires Planning Commission action, the subdivider must submit the following:

1. A letter requesting review and approval of a Preliminary Plat and giving the name and address of a person to whom the notice of hearing and action to Preliminary whom the Plat notice is to be sent.

2. Three (3) copies of the Preliminary Plat and supporting data. At this time, the Planning Commission may direct the subdivider to furnish additional copies to the review agencies or proper authority for review and comment.

\_\_\_\_\_  
Signature of Applicant

Official date of submission of the preliminary plat will be the date of the scheduled meeting of the Planning Commission. It is strongly recommended applicant acquire copies of *City of Concord Zoning Ordinance Sections 403 thru 410.*



**APPENDIX E**  
**CHECK LIST INFORMATION**

**APPLICATION FOR MAP AMENDMENT (Check List)**

Zoning Administrator: Issue Application for Map Amendment to Individual:

Name \_\_\_\_\_ Date \_\_\_\_\_

Zoning Administrator: Post property (three days after acceptance for filing of an application) (See City Zoning Ordinance Code for erection of sign).

Acquire \$50 deposit for zoning sign from applicant. Date sign is posted: \_\_\_\_\_

NOTE: On return of sign applicant will be refunded the \$50 deposit. Sign must be returned within five (5) days after decision has been made by City Council.

Date deposit refunded: \_\_\_\_\_

Zoning Administrator: Submit referral to Planning Commission with five (5) days after acceptance for filing of application.

Date Application was submitted to Planning Commission: \_\_\_\_\_

Planning Commission Board: Must submit a report within 30 days after their regular meeting to the City Council, failure to do so will indicate approval of the requested amendment. Date of regular meeting must be posted in the paper 15 days prior with subject matters to be discussed.

Date posted in the local paper: \_\_\_\_\_, and date of the meeting: \_\_\_\_\_.

City Council - Perform Public Hearing: Date of the hearing: \_\_\_\_\_. Before taking action on a proposed amendment, the City Council shall hold a public hearing thereon, and shall give notice in accordance with the requirements of O.C.G.A. 36-66-4.

NOTE: City Clerk must send notice of the time and place of such hearing to the applicant or petitioner by U.S. Mail to last know address, to the Zoning Administrator, and to the owners of all properties either adjoining the property with which the hearing is concerned or situated directly across a public right-of-way from said property. Such notice shall contain the name of the appellant or petitioner, the date, time and place set for the hearing, and a brief statement of the nature of the hearing.

City Clerk: Notice to interested parties in accordance to City Zoning Ordinances paragraph 12-2-7, b. Date all Notices sent: \_\_\_\_\_.

NOTE: Public hearing shall be conducted according to the procedures set forth in Appendix "A", City Zoning Ordinance. The City Council in reaching its decision shall apply the standards set forth in Appendix "B", City Zoning Ordinance.

City Council: Final Approval/Disapproval along with Planning Commission Board's Recommendations. Date: \_\_\_\_\_.